

North Norfolk Development Control Guidance



Development and Coastal Erosion

April 2009

Summary

North Norfolk District Council, as coast protection authority, manages erosion risk, but it also has a broader responsibility for ensuring that the interests of the public and of our coastal communities are safeguarded in the face of coastal change. Development is a normal and necessary process by which private and commercial aspirations are achieved and community needs are met. It is essential that coastal communities are no different from those inland, and this guidance has therefore been prepared to help ensure that coastal change can be managed now and in the future with minimal detriment to the communities at risk.

Protection against flooding is the responsibility of the Environment Agency and whilst this can present a similar threat to individuals and communities it is more difficult to predict and usually its impacts are less permanent. Coastal flooding therefore requires a different response and is dealt with by different policies and guidance; this guidance relates only to coastal erosion (for the cliffed frontage of North Norfolk's coastline).

Planning policy at a national level, and in our own Local Development Framework, stresses that new development should be avoided in coastal zones at risk of erosion. National Planning Policy Guidance Note 20 says a "precautionary approach" should be taken in areas susceptible to erosion. The Regional Spatial Strategy seeks to ensure that "new development is compatible with shoreline management". And NNDC's Core Strategy aims to "restrict new development in areas where it would expose people and property to the risks of coastal erosion and flooding". However this does not mean that no development should take place in these areas.

This guidance shows how the predictions for coastal erosion contained within the (Kelling Hard to Lowestoft Ness) Shoreline Management Plan can be applied in decisions about new development, and it explains the different approach needed for different types of development and land use.

The guidance clarifies the nature of development that could be appropriate in at-risk locations and the circumstances in which it could be permitted. It aims to aid decision-makers in balancing the need to preserve the safety of people and their homes, the need for communities to remain vibrant, successful and ever-renewing, and the sustainability of the coastal environment – and, all the while, fulfilling North Norfolk District Council's duties as a planning and coastal management authority.

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1 Objective

- 1.1 To provide guidance to prospective developers and those determining planning applications on the nature of development that is likely to be appropriate within the Coastal Erosion Constraint Area.

2 Status of this Guidance Note

- 2.1 This document was adopted as Council policy on 22 April 2009 and it will be used to influence the determination of relevant planning applications. It is not a Supplementary Planning Document (as part of the Local Development Framework (LDF)). It is intended to provide clarity for decision makers around the implementation of Policy EN11 and also Policy EN12 in the LDF Core Strategy.

3 Background

“The agenda shared by those managing coastal risk is suggested to be:

To ensure that human activity in the coastal zone is managed in ways that maximise the safety of people and property from erosion, flooding or instability and that do not compromise the long term stability of the physical processes, habitats and appearance of the coast but allow important community needs to be met.”

(Research Paper no. 2: Development control in areas of coastal risk – a Research Paper for the Local Government Association’s Special Interest Group on Coastal Issues, 2004, Jane Taussik)

- 3.1 The central part of the North Norfolk coastline is characterised by soft cliffs, fronted by beaches. The whole of the District’s cliffed coastline is thus susceptible to erosion. The rate of erosion is obviously influenced by the coast protection measures in place, such as sea walls, revetments and groynes; hence some areas experience rapid erosion, whilst in others it is almost completely abated. It should be noted that because the cliffs are created from glacial material they are liable to become more unstable when they have a high water content. The coastline is thus highly dynamic and vulnerable to changes in the climatic conditions (including sea level, storms and surges) and groundwater percolation.
- 3.2 The policy for coastal defence is contained in Shoreline Management Plans and the funding for the development and maintenance of defence structures comes from Central Government. NNDC is the ‘Coast Protection Authority’ for this area, with the power to undertake coast protection works and to determine third party applications for such works. The Environment Agency has a ‘Strategic Overview’ for this function, which includes the role of

overseeing the preparation of Shoreline Management Plans and approving both them and the funding for any strategies or schemes.

- 3.3 The areas beyond the cliffed frontage (to the east and west) are low-lying and susceptible to coastal flooding through ‘overtopping’ or ‘breaching’ of sea defences. Responsibility for the development and maintenance of flood defences lies with the Environment Agency (not the District Council).
- 3.4 This guidance relates only to the area at risk of coastal erosion. The LDF Proposals Map shows a ‘Coastal Erosion Constraint Area’ and the Core Strategy includes Policy EN 11: Coastal Erosion, governing development in that area.
- 3.5 The Core Strategy also aims to help communities adapt to the prospect of coastal erosion by providing a policy framework to enable existing development to relocate from areas at risk to ‘safer’ locations (Policy EN12: Relocation and Replacement of Development Affected by Coastal Erosion Risk). This policy concept (known as “roll-back”) goes hand-in-hand with policy EN 11 as a positive attempt to counter the negative effects of the restraint policy for risk areas. This Guidance Note therefore also seeks to provide clarity around the implementation of Policy EN12.

Principal aim

- 3.6 Some degree of coastal change is inevitable along the cliffed coast of north Norfolk. In order to ensure that the risks associated with such change are not exacerbated, a precautionary approach towards new development should be adopted. The twin aims for spatial planning should be to provide space for the coastline to recede (a buffer), where that is the ultimate result of SMP policy, and also to safeguard the interests of communities affected by erosion or its threat. These two aims need not be in conflict if a responsible holistic approach to managing change is adopted. This guidance is intended to ensure that a balance can be struck, in the wider interests of the environment, communities and the economy of our coastal areas.

National Policy Guidance

- 3.7 National policy, contained within existing Planning Policy Guidance Note 20 ‘Coastal Planning’, is quite clear about the need to avoid putting further development at risk in coastal zones. It states that:

“A precautionary approach is also required for policies relating to land affected, or likely to be affected, by erosion or land instability. In the case of receding cliffs, development should not be allowed to take place where erosion is likely to occur during the lifetime of the building.” (paragraph 2.16)

Regional Spatial Strategy

- 3.8 The East of England Plan (The Revision to the Regional Spatial Strategy for the East of England) includes Policy SS9: The Coast, which states, inter alia, that:

“Local Development Documents should: ...ensure that new development is compatible with shoreline management and other longer term flood management plans, so as to avoid constraining effective future flood management or increasing the need for new sea defences;”. (The full policy is given in the appendix).

Shoreline Management Plans

“A Shoreline Management Plan (SMP) is a large-scale assessment of the risks associated with coastal process and helps to reduce these risks to people and the developed, historic and natural environment.” (Shoreline Management Plan Guidance, Defra, March 2006).

- 3.9 SMPs set short, medium and long term policies for flood and coast defence on specific frontages. The frontages are based on cells within which the transfer of sediment is relatively self-contained. These coastal sediment cells and sub-cells are sub-divided into management units, for which individual policies apply and strategies are developed. SMPs are prepared on behalf of coastal authorities and are subject to review every 5-10 years.
- 3.10 In North Norfolk there are two SMPs: Hunstanton to Kelling (Sub-Cell 3a) and Kelling to Lowestoft (Sub-cell 3b). The first SMPs were completed in 1996 and adopted by the relevant authorities. Subsequently a review of SMP 3b was published in 2006 and the erosion risk zones identified in it have been incorporated into the Local Development Framework Core Strategy, although the SMP is not expected to be fully adopted until the end of 2009. The SMP for sub-cell 3a is expected to be completed by March 2010; however, that does not include any areas of cliff erosion.
- 3.11 The SMP provides valuable information that may be material to the determination of planning applications: for example it could indicate the likely timescale within which a proposed development (or existing infrastructure on which it may depend) is likely to become at risk. This may influence decisions on the appropriateness of development or the nature and timing of any possible mitigation measures.

Local Development Documents

- 3.12 The LDF addresses the spatial implication of coastal erosion through: the designation of Towns and Coastal Service Villages in the Core Strategy; Development Control policies (incorporated in the Core Strategy); and the identification of development sites in the Site Specific Proposals Document. This latter document is intended to be submitted to Government for examination in November 2009. The key parts of the Core Strategy that relate to coastal erosion risk are given in the box below and detailed in the appendix.

Core Strategy

Core Aim 4: To mitigate and adapt to impacts of coastal erosion and flooding

- To restrict new development in areas where it would expose people and property to the risks of coastal erosion and flooding
- To establish a sustainable shoreline management policy which takes account of the consequences of the changing coast on the environment, communities, the economy and infrastructure
- To enable adaptation to future changes

Policy SS 4 Environment

.....The Council will minimise exposure of people and property to the risks of **coastal erosion** and **flooding** and will plan for a sustainable shoreline in the long-term, that balances the natural coastal processes with the environmental, social and economic needs of the area.....

Policy EN 11 Coastal erosion

In the Coastal Erosion Constraint Area new development, or the intensification of existing development or land uses, will not be permitted, except where it can be demonstrated that it will result in no increased risk to life or significant increase in risk to property.

In any location, development proposals that are likely to increase coastal erosion as a result of changes in surface water run-off will not be permitted.

4 Risk Areas

- 4.1 The Proposals Map shows the area identified in SMP2 as at risk in the long-term (up to 2105) as a 'Coastal Erosion Constraint Area' (CECA); to which Core Strategy Policy EN11 applies. The SMP, however, identifies erosion risk in three epochs (up to 2020, up to 2055 and up to 2105). These epochs are linked to a table which indicates, for each frontage, at what point a policy is likely to change or an existing defence structure is likely to fail. This provides valuable information relating to when a particular property or new development is likely to be at risk. This is deemed to be the best information available - unless an individual applicant produces a site specific erosion report.

5 Guidance

- 5.1 Whilst it is essential to take a precautionary approach to new development in the area at risk of erosion, a reasonable balance needs to be struck so as not to prevent development that would pose little or no risk to people and/or property so as to help maintain the vitality and viability of coastal communities and help alleviate blight. There will be circumstances where development in risk areas can be appropriate, as long as it respects the aim of supporting adaptation in response to coastal change in the longer-term and does not exacerbate the risk.

- 5.2 This guidance is therefore intended to provide an interpretation of the policy by indicating the circumstances in which certain types of development may be permissible and to suggest possible mitigation measures that could overcome constraints.

Risk circumstances

- 5.3 The SMP identifies the risk in three epochs: up to 2025; 2025 to 2055; and 2055 to 2105. The full definition of the three risk epochs are detailed in the SMP, which also includes maps showing the geographical extent of each risk area. The maps and description of the nature of the risk in each area will provide valuable information to those seeking to make investment decisions and this information has been revealed by Land Charges on property searches since 2005. The erosion risk lines of all three epochs are subsumed within the Coastal Erosion Constraint Area on the Proposals Map, however are not distinguished in terms of risk in policy EN11. The SMP erosion risk lines may be material considerations in the determination of planning applications; however, they are not part of the Development Plan.
- 5.4 It should be noted that the rate of coastal erosion (cliff recession rate) will rarely be steady or predictable. The SMP erosion zones show the likely overall extent of erosion for each epoch, it would be wrong to infer that half way through a particular epoch the erosion will extend to half of the zone. If a calculation of the approximate life of a particular property is needed then contact should be made with the Coastal Management Section in the first instance. It may be necessary for a report to be prepared (at the developer's expense) by a suitably qualified engineer if such evidence is needed in support of a development proposal.
- 5.5 For some (relatively small) parts of the coastal frontage, the Council has, since the SMP was published, undertaken to extend the life of the existing defences for up to ten years by investing in physical works. This is intended to 'buy time' in the frontages where the SMP policy has changed, exposing significant development assets to erosion risk. Such works are intended to delay the onset of an accelerated rate of erosion, which may delay the actual loss of particular properties in the short-term; however, it is unlikely to have any significant effect in the medium to long-term as the coast has a tendency to 'catch up' (i.e. quickly realigning to the position it would be had it not been artificially 'held back'). This work will not therefore necessitate a revision of the risk zones in the SMP.
- 5.6 In addition to the risk of marine erosion, resulting from the action of the sea on the cliff toe, the composition of the cliffs makes them unstable when they have a high water content, leaving them susceptible to slumping and landslides, irrespective of the nature of the cliff protection.
- 5.7 The nature of the risk of erosion and landslips is detailed below.

Short-term erosion risk

- 5.8 Areas shown in the Shoreline Management Plan as at risk in the first epoch are either where no defences currently exist or where they are in a perilous state and likely to fail within the period. There is obviously an imminent risk at these locations from the present day; however, the rate of erosion will differ, depending on the characteristics of each frontage.

Medium-term erosion risk

- 5.9 Areas shown in the Shoreline Management Plan as at risk in the second epoch are either (i) those areas inland of the short-term risk zone or (ii) cliff top areas where the defences are expected to have a life beyond the first epoch (i.e. likely to fail after 2025). The risk is obviously less imminent than the first epoch, but given the propensity for the coast to 'catch up' once defences fail, the rates of erosion in category (ii) could be rapid.

Longer-term erosion risk

- 5.10 Areas shown in the Shoreline Management Plan as at risk in the third epoch are either (i) those areas inland of the medium term risk or (ii) cliff top areas where the defences are expected to have a life beyond the second epoch (i.e. likely to fail after 2055). Again the risk is obviously less imminent than in the first and second epoch, and for many of those areas in category (i) the recession rate may be gradual, but given the propensity for the coast to 'catch up' once defences fail, the rates of erosion in category (ii) could be rapid.

Drainage, run-off and land instability

- 5.11 A significant contributor to cliff instability is the presence of groundwater in or close to the cliff face. Because of the non-uniform nature of the cliff composition, the locations where this is most likely to be an issue are difficult to predict and technically difficult to investigate. This phenomenon is more likely to be problematic where the cliffs are higher, however, precaution should be taken at all locations within 400 metres of a cliff.

Types of development

- 5.2 Each development proposal will have a different level of investment and a different intensity and degree of use, thus the quantum of increased property or life at risk will vary. Although each proposal will be determined on its merits, to assist in assessing proposals against the provisions of Policy EN11 the following section groups different classes of development (types) by the nature of their vulnerability and impact. As well as the type of development, its scale will obviously also be relevant when considering the degree of significance and thus appropriateness. All proposals will obviously have to be considered against other relevant policies in the Local Development Documents (e.g. whether it is within a settlement boundary and the existence of other constraints and designations). Table 1 below summarises the suitability of each development type in relation to the three SMP epochs (short, medium and long-term).

New independent development (not associated with an existing building or use)

- 5.13 Any new built development within the CECA will increase the amount of property at risk: certain uses will also present a greater risk to life than others. New development is also likely to compromise the prospects of adaptation to coastal change and may lead to future demands for increased investment in defences. (Development that is not of a permanent nature, or that which can be suitably controlled by condition or legal agreement to ensure its removal prior to it succumbing to erosion, is dealt with separately below).
- 5.14 Significant new built development, of a permanent nature, is unlikely to be appropriate within the CECA, whatever its proposed use; however, development has been divided into the following two categories.
- (i) Where there is clearly a benefit to the wider community arising from the proposed development (for example community infrastructure) then that will be a material consideration to be balanced against the risk implications. Depending on the degree of risk significance, such development could be construed as appropriate in the medium and long-term epochs if suitably conditioned so as to maintain the value to the community in perpetuity (or at least throughout the lifetime of the development). Permanent residential development of any kind is not considered to come under this category.
 - (ii) Other development (such as for residential, institutional, commercial, business etc.) is likely to be inappropriate unless specific matters of acknowledged importance militate in its favour.

Temporary uses

- 5.15 Development that is temporary (whether by its nature or by limitations on its consent) is unlikely to constitute an increase in property or life at risk, as long as it can be controlled so as to ensure its removal or relocation prior to the erosion risk becoming imminent. Temporary development (for example relocatable buildings) will often be considered as an appropriate response to coastal change and can help facilitate 'adaptation' to change. The result of such temporary development could, however, (individually or cumulatively) give rise to concerns about the character or viability of a settlement in the longer-term and this would not be considered beneficial to the longer-term sustainability of that community.

Changes of use

- 5.16 Changing the use of a building may in fact be the best means of securing a beneficial use for a development that's original use may no-longer be viable (perhaps because of the threat of erosion, or its blighting effect). This may in part be an appropriate form of adaptation in response to coastal change, however, the proposed change of use could give rise to an increase in the intensity of use and potentially therefore increase life at risk. Where the latter is the case permission should not be granted unless the risk can be mitigated

by means of conditions or legal agreements (for example a temporary permission).

Extensions (including householder development)

- 5.17 Extensions are frequently proposed in order for property owners to be able to meet their changing needs. This is often because the occupant or owner is unable to move to a suitable new property (because of locational requirements or personal/ financial circumstances). Indeed, in areas exposed to coastal erosion risk, a property owner's choices may be further restricted by the limited life-expectancy of their building (or its suppressed value as a result of that) making it more difficult to sell or raise funds. The benefit arising from a proposed extension will need to be weighed against any increase in the property or life put at risk and possibly the expected life of the property.
- 5.18 For extensions to properties within the risk zone associated with the first epoch to be permissible, the developer should demonstrate significant benefit to the wider community. Beyond the first epoch it would seem unreasonable to restrict extensions where, in the context of the existing threat to life and property, the increase is minimal. The appropriate test may be whether the proposal is clearly subordinate to the existing property.

Intensification

- 5.19 As with extensions, intensification of the use of a building can increase the magnitude of risk to life, particularly where it is occupied on a permanent basis, however, it is unlikely to increase the magnitude of property at risk. Intensification of use could be a means of improving the viability of a use, thus securing greater investment in the maintenance of a property, which will be important in helping to counterbalance the degenerative effect of blight associated with coastal change. Proposals for intensification will frequently not need planning permission; however, where they do they will need to be considered in the light of the existing threat and against the following guidance.
- 5.20 For intensification of the use of properties within the risk zone associated with the first epoch to be permissible, the developer should demonstrate that any increase in risk to life can be mitigated (i.e. through conditions or legal agreements). Beyond the first epoch it would seem unreasonable to restrict intensification where, in the context of the existing threat to life, the increase is minimal. The degree of control over the occupancy or use of the property may be pertinent, for example, if the proposal involves increasing the occupancy (either through the total number or extending the period of occupancy) of a building that is run or managed as part of a wider business this could pose less of a risk than an independently occupied building.

Re-development

- 5.21 The primary objective, where a proposal for re-development is made will be to encourage the potential applicant to consider relocation of the development to a site beyond the risk area, under Policy EN12. If relocation is not considered to be a suitable option then re-development will be considered in terms of the

magnitude of property and life at risk. Re-development in the first epoch is only likely to be acceptable provided suitable conditions are imposed limiting the permission to the expected residual life of the development, coupled with clearance/after-use conditions. Beyond the first epoch re-development proposals will only be permissible where they are a like-for-like replacement (or reduction) in terms of magnitude of property and life at risk. If the proposal is substantially larger than the existing building (beyond any permitted development which could be exercised) or is designed so as to encourage more intensive use than the above guidance relating to extensions or intensification (as appropriate) would apply.

Replacement of Development Affected by Coastal Erosion (under Policy EN12)

- 5.22 The Core Strategy provides for the re-location of development from areas at risk (Policy EN12). This requires that development is re-located to a site beyond the Coastal Erosion Constraint Area; however, there may be instances where the removal of development from a short-term risk zone and its replacement in a longer-term risk zone is acceptable, especially as these re-located uses ordinarily would not increase the overall risk to life or property (i.e. they comply with Policy EN11).
- 5.23 It is unlikely that the replacement of a development in the short-term risk epoch with one in the same risk epoch would ever be appropriate. An exception to this might be a use which spans several risk epochs: e.g. a caravan park, which seeks to re-locate the vans at most imminent risk (closest to the cliff top) to a location further inland. Even if the new part of the site is within the CECA the overall risk would be the same (although its imminence would be reduced) and this would seem to be a responsible action in response to coastal change. All other things being equal, such a proposal would be acceptable with appropriate conditions/ agreements.

Open land uses

- 5.24 Open land uses are likely to be appropriate within the CECA and indeed may be encouraged as part of the implementation of 'roll-back' proposals under Policy EN12.

Infrastructure and community uses

- 5.25 Infrastructure and uses that are fundamental to the normal functioning of a settlement should be considered appropriate within the CECA where it can be demonstrated that there is no more suitable location that is feasible, and that suitable conditions/ agreements can be put in place to secure its removal at the appropriate time.

Possible mitigation measures

- 5.26 Conditions and/or legal agreements should be considered where these can mitigate the adverse consequences of development that it would be desirable to approve but which would otherwise not comply with this guidance. Such an approach may relate to limiting development to a temporary period, perhaps linked to the perceived threat of collapse due to erosion. Restrictions which

tie development to an existing business or which control occupancy may also help to reconcile any conflict with policy. For temporary permissions, after-use conditions (or agreements) should also be considered, requiring the removal of the development after the prescribed period and the restoration of the site, in order to safeguard the character, appearance and vitality of a settlement where appropriate.

- 5.27 The idea of linking a proposal (which is in an area at risk of erosion) to the development, improvement and/or maintenance of coastal defences (for example by a S106 agreement) has been considered by other planning authorities - i.e. a development can only go ahead if the defences are improved. This might be appropriate in circumstance where the development is essential (for example infrastructure); it is not feasible for it to be located beyond the risk area; and will not be detrimental to the coast as a whole (i.e. adversely affecting the sediment budget¹). In other circumstances such an approach is likely to be contrary to the policies set out in the SMP.
- 5.28 In the case of development that is likely to adversely affect cliff stability by virtue of the effects on groundwater, it may be possible to use conditions and/or legal agreements to link the development to a land drainage solution in order to mitigate the impacts (e.g. to implement measures to minimise the entry of surface run-off into the ground).

Relocation and Replacement of Development Affected by Coastal Erosion Risk (“Roll-back”)

- 5.29 The Core Strategy makes provision for the relocation of development from risk areas to inland sites in order to facilitate adaptation in response to coastal change. In particular this should enable property owners to make long-term decisions about their interests, alleviating the stress and blight caused by the uncertainty associated with coastal change and establishing a buffer into which the cliff edge will move. It is hoped that this will help retain the benefit of existing development and land uses to local coastal communities, where appropriate. At present the Council can do little to facilitate “roll back” beyond providing a more permissive policy framework. There is currently no fund available to help implement roll-back schemes; the only subsidy is expected to derive from the lower land values associated with sites beyond the allocated or designated development areas (usually farmland).
- 5.30 Policy EN12 (given in the appendix) includes detailed criteria against which roll-back proposals should be considered. These aim to balance the desire to see adaptation taking place, in advance of property loss in coastal erosion risk areas, with the need to protect the environment and other interests of acknowledged importance. This is a new policy concept for North Norfolk and consequently there is very little by way of case history or precedent. All manner of roll-back proposals can be envisaged and the circumstances of each are likely to be unique. The successful implementation of this policy will

¹ The transfer of sediment along the coast, replenishing beaches further down the system. This is the basic premise of the SMP.

depend upon a suitable balance being struck between the viability of the proposal, the needs of the community and the need to safeguard other interests. Negotiation will be central to such proposals, with a key aspect being the timing associated with the proposal, and in particular the lag between the completion of a proposed new development and the demolition or re-use of the existing property. The objective will be to minimise this time lag, so as to secure maximum benefit from the proposal.

Table 1: Appropriate development matrix

The following table is a quick reference guide to the suitability of the different types of development detailed in section 5.2 of this guidance.

| | Long-term (up to 2105) | Medium-term (2025 - 2055) | Short-term (up to 2025) | instability | Notes |
|--|---------------------------|------------------------------|----------------------------|-------------------|---|
| Type A: New independent development (not associated with an existing building or use) | X* | X* | X | Suitable drainage | * depending on use i.e. may be acceptable where community benefit is derived and suitable conditions are imposed |
| Type B: Temporary uses | ✓* | ✓* | ✓* | Suitable drainage | * suitable conditions are imposed |
| Type C: Changes of use | ✓* | ✓* | ✓* | ✓ | * provided no increase in intensity |
| Type D: Extensions (including householder development) | ✓* | ✓* | X** | Suitable drainage | * only where level of increase is minimal, i.e. development should clearly be subordinate to the existing building **only permissible where there is significant benefit to the wider community |
| Type E: Intensification | ✓ | ✓ | ✓* | ✓ | * only where level of increase is minimal and provided the increased risk can be mitigated type of occupancy may be relevant |
| Type F: Re-development | ✓* | ✓* | ✓** | Suitable drainage | * provided no significant increase in magnitude - if so see extensions **provided suitable conditions are imposed limiting the permission to the residual life of the development, coupled with clearance/after-use conditions |
| Type G: Replacement of Development Affected by Coastal Erosion (Policy EN12) | ✓ | ✓ | X | Suitable drainage | |
| Type H: Open land uses | ✓ | ✓ | ✓ | Suitable drainage | |
| Type I: Infrastructure and community uses | ✓* | ✓* | ✓* | Suitable drainage | * provided it is necessary and that suitable conditions are imposed |

Extracts from the North Norfolk LDF Core Strategy (Incorporating Development Control Policies)

- 1.3.3 Whilst the coastal area plays a major role in creating North Norfolk's distinctive environment and is important to the economy through tourism, it also presents two significant challenges. The first emanates from the fact that North Norfolk's cliffed coastline between Kelling Hard (near Weybourne) and Cart Gap (near Happisburgh), which is made of soft glacial deposits, has been eroding since the last Ice Age. The second concerns the low-lying coastline either side of the cliffs, which is at risk from tidal flooding.
- 1.4.8 The full length of North Norfolk's coastline is either at risk from tidal flooding or subject to cliff erosion. In addition, much of the inland area at the south-eastern end of North Norfolk, around the Rivers Ant, Bure and Thurne and their associated broads, and including all or parts of a number of villages such as Hoveton, Hickling and Ludham, is at risk from either fluvial (river) or tidal flooding.
- 1.4.9 A draft Shoreline Management Plan (SMP) ^(xii) for the coastline lying between Kelling Hard and Lowestoft proposes changes in coastal defence policy which will cover the period up to 2105. It has identified areas within which coastal erosion is likely to occur over the next 100 years and also areas currently at risk from tidal flooding that could suffer permanent inundation as a result of its policy of managed retreat of the shoreline. This identifies that several properties and community facilities, as well as parts of the A149, are at risk from coastal erosion. A separate SMP will be prepared for the coastline between Kelling Hard to Hunstanton (cell 3a) over the period 2007-2009.

xii *Kelling to Lowestoft Ness Shore line Management Plan, Consultation Draft November 2004 (A SMP is a non statutory policy document for coastal defence management planning which forms an important part of the Department for Environment, Food and Rural Affairs (Defra) strategy for flood and coastal defence)*

Core Aim 4

To mitigate and adapt to impacts of coastal erosion and flooding

- To restrict new development in areas where it would expose people and property to the risks of coastal erosion and flooding
- To establish a sustainable shoreline management policy which takes account of the consequences of the changing coast on the environment, communities, the economy and infrastructure
- To enable adaptation to future changes

-
- 2.4.8 In order to address the issues facing coastal communities as a result of coastal erosion and flooding, resulting from changing Government policies toward sea defences, Coastal Service Villages are identified where a different approach may be taken to development so as to ensure the future well-being of these communities. Adaptation initiatives may be implemented to address the loss of properties and potential blight caused by erosion and provide for opportunities for relocation of property and services where appropriate.

Policy SS 1

Spatial Strategy for North Norfolk

.....The Coastal Service Villages are:

Bacton
Blakeney
Happisburgh
Mundesley
Overstrand
Weybourne

Development in these Coastal Service Villages will support local coastal communities in the face of coastal erosion and flood risk. Land may be identified in or adjacent to these settlements to provide for new development or relocation from areas at risk...

2.6.8 Much of the coastal area, particularly in the east of the District, is at risk from coastal erosion and flooding and there is a need to prevent inappropriate development in areas at risk. This risk is likely to increase in the future due to climate change induced sea level rise. A restrictive approach is therefore applied to new development in areas at risk and the relocation of development that is at risk from erosion will be enabled through exceptions to general policy. Appropriate surface water drainage arrangements, such as Sustainable Drainage Systems, will be required to help control surface water flooding. The Council will (either on its own or in partnership) prepare plans, strategies and other measures as appropriate to ensure that the areas affected by the changing coastline are able to adapt without detriment to the overall sustainability of the coast or the wellbeing of coastal communities. These will address:

- the long-term spatial vision for the coastal area;
 - the means by which local communities can adapt to the effects of the changing coastline;
 - the means of sustaining the local economy;
 - the means by which the local environment can adapt to the changing characteristics of:
 - the coast;
 - infrastructure;
 - tourist accommodation and facilities;
 - archaeology and historic environmental assets; and
 - issues relating to public access to the coast.
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Policy SS 4

Environment

...The Council will minimise exposure of people and property to the risks of coastal erosion and flooding and will plan for a sustainable shoreline in the

long-term, that balances the natural coastal processes with the environmental, social and economic needs of the area...

- 3.3.11 Policy EN 12 'Relocation and Replacement of Development Affected by Coastal Erosion Risk' outlines the situations where development will be permitted in the Countryside where it re-locates that which is threatened by coastal erosion, and these exceptions will be allowed in the Undeveloped Coast.
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Policy EN 3

Undeveloped Coast

In the Undeveloped Coast only development that can be demonstrated to require a coastal location and that will not be significantly detrimental to the open coastal character will be permitted.

Community facilities, commercial, business and residential development that is considered important to the well-being of the coastal community will be permitted where it replaces that which is threatened by coastal erosion.

Coastal Erosion

- 3.3.60 North Norfolk's coast is in places low-lying and in others it is characterised by cliffs comprising soft sandstone, clays and other material that is susceptible to erosion. Natural processes will thus increasingly affect the coastline and the extent of coastal defences will determine the consequences of this for coastal communities, the local economy, the environment and infrastructure of the area.
- 3.3.61 Decisions about investment in coastal defences are made in the light of studies that are undertaken for sections of the coast (termed Shoreline Management Plans (SMP's)). Two SMP's affect North Norfolk's coastline, Sub cell 3a (to the West of Kelling Hard) and Sub cell 3b (to the east of Kelling Hard). These Plans are based on studies of the physical effects of coastal process on the shape of the coastline and they are used to decide the approach to be followed for managing different sections of the coastline.
- 3.3.62 A revision of the SMP for Sub cell 3a commenced in early 2007, led by the Environment Agency, and a revision of the SMP for Sub cell 3b was published in the autumn of 2006. It is this latter Plan that has received most attention in recent years, because the coastal management regime it advocates would expose large areas of the coastal cliffs to increased rates of erosion and (in the longer-term) flood risk in the low lying areas. There are therefore serious concerns about the impacts of coastal erosion and related flooding in North Norfolk, both in terms of properties immediately affected and also the impact on the local economy, local communities, the environment and infrastructure.
- 3.3.63 The areas at risk of coastal erosion are identified on the Proposals Map (as the Coastal Erosion Constraint Area). Policy EN11 seeks to restrict development in areas at risk of coastal erosion and only development that does not increase the risk to life or significantly increase in risk to property will

be permitted. Certain types of minor development and temporary uses are likely to be acceptable in order to help alleviate blight and maintain the vitality of coastal communities.

Policy EN 11

Coastal Erosion

In the Coastal Erosion Constraint Area ^(xliii) new development, or the intensification of existing development or land uses, will not be permitted, except where it can be demonstrated that it will result in no increased risk to life or significant increase in risk to property.

In any location, development proposals that are likely to increase coastal erosion as a result of changes in surface water run-off will not be permitted.

xliii The Coastal Erosion Constraint Area shown on the Proposals Map extends from the mean low water mark to the indicative area at risk of erosion up to 2105.

Replacement for Development Affected by Coastal Erosion Risk

- 3.3.64 In view of the likely effects of coastal erosion on coastal communities and the local economy of those areas at risk it is considered necessary to enable adaptation to take place in advance of the actual loss of property. Allowing replacement development to take place in the Countryside policy area is intended to assist in minimising the blighting effects resulting from the predictions of erosion (included in Shoreline Management Plans) and from the loss of investment due to the restriction on new development in the coastal erosion constraint area. Limitations are put on the circumstances in which such new development is allowed in order to help secure the long-term future sustainability of coastal areas and safeguard their sensitive environments. Restrictions relating to the interim use of abandoned properties - in advance of their eventual loss - are intended to safeguard the economic and social well-being of the settlements affected and secure environmental gains. The future use of such sites or buildings should be secured (by legal agreement) in perpetuity, and in relation to vacated dwellings interim use as affordable housing will be considered beneficial to the well-being of the local community, however, the occupancy will be time-limited to ensure no risk.
- 3.3.65 Policy EN12 attempts to facilitate the 'rolling-back' of development in risk areas to 'safer' inland areas. There may, however, be instances where the proposal accords with policy EN11 (i.e. development that does not increase risk to life or significantly increase risk to property - for example community infrastructure). In such cases new development may be permissible within the Coastal Erosion Constraint Area.

Policy EN 12

Relocation and Replacement of Development Affected by Coastal Erosion Risk

Proposals for the relocation and replacement of community facilities, commercial and business uses that are considered important to the well-

being of a coastal community affected by coastal erosion will be permitted, provided that:

- the development replaces that which is affected (or threatened) by erosion within 50 years of the date of the proposal;
- the new development is beyond the **Coastal Erosion Constraint Area** shown on the Proposals Map and is in a location that is well related to the coastal community from which it was displaced;
- the site of the development / use it replaces is either cleared and the site rendered safe and managed for the benefit of the local environment, or put to a temporary use that is beneficial to the well-being of the local community, as appropriate; and
- taken overall (considering both the new development and that which is being replaced) the proposal should result in no detrimental impact upon the landscape, townscape or biodiversity of the area, having regard to any special designations.

Proposals for the relocation and replacement of dwellings affected by erosion will be permitted, provided that:

- the development replaces a permanent dwelling (with unrestricted occupancy), which is affected (or threatened) by erosion within 20 years of the date of the proposal;
 - the new dwelling is comparable in size to that which it is to replace;
 - the relocated dwelling is within or adjacent to a selected settlement and is beyond the Coastal Erosion Constraint Area shown on the Proposals Map;
 - the site of the dwelling it replaces is either cleared, and the site rendered safe and managed for the benefit of the local environment, or put to a temporary use that is beneficial to the well-being of the local community, as appropriate. The future use of the site should be secured (by legal agreement) in perpetuity. Interim use as affordable housing will be considered beneficial to the well-being of the local community in interpreting this clause; and
 - taken overall (considering both the new development and that which is being replaced) the proposal should result in no detrimental impact upon the landscape, townscape or biodiversity of the area, having regard to any special designations.
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