

Report to Norfolk Strategic Planning Member Forum

9 Oct 2023

Report of Norfolk Strategic Planning Group

Subject Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy Update

Purpose

To consider progress made on the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy

Recommendation

To note progress made to date.

Financial implications

None

Contact officers

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Further Information

None.

Background

Why has this study been completed?

1. Habitat Regulation Assessments (HRAs) are a legal requirement for Local Plans and are a soundness and legal consideration at examination, and a legal consideration at planning application stage. These Assessments are undertaken to ensure that the Plans policies and proposals will not result in any likely significant effects on internationally recognised wildlife sites and, where the potential for such impacts arises, implement an agreed process of mitigation.
2. ALL Norfolk authorities Local Plans have been subject to HRA and conclude that the in-combination growth that is planned has the potential to have significant adverse impacts on designated wildlife sites (with the exception of the Broads Authority).
3. Local Planning Authorities (LPA) are the designated competent bodies and as such are responsible for ensuring that policies and proposals contained in their Local Plans do not have an adverse effect on the integrity of European sites. Without a relevant policy and the mitigation strategy in place some Local Plans could face legal and soundness challenges and there is a very real possibility that Natural England could start to object to planning applications on the basis that there is no Norfolk-wide mitigation strategy in place to address the cumulative impacts of growth. This would affect the delivery of housing in Norfolk.

Why a county wide approach?

4. Recreational pressures from growth and its impact on designated Habitats Sites is a cross boundary issue which affects all Local Plans in Norfolk. Individual authorities can only address the effects of growth within their own boundaries. The best available evidence categorically and irrevocably identifies likely significant effects from in combination growth as a result of cross boundary growth. With the best available evidence now clearly showing that the levels of growth proposed trigger in combination effects across the LPAs from growth that originates outside each LPA, the issue is better addressed at a more strategic level similar to the approach taken in many other parts of the county.

What has been completed?

5. Working through Norfolk Strategic Planning Member Forum, the member authorities have been developing a single shared approach to first understand the pressures and impacts of residential growth on European protected sites and then how to address potential impacts. Place Services were commissioned to develop the strategy on our behalf.
6. The Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy has been developed over a number of years through a steering group comprising of all Norfolk Local Planning Authorities and the County Council working together through the Norfolk Strategic Planning Framework, plus wider statutory bodies and key stakeholders such as Natural England, the Forestry Commission, the Environment Agency, the RSPB, The Wash and North Norfolk Coast Marine Partnership, the Norfolk Coast Partnership (AONB) partnership and Wild Anglia. The final strategy was completed in March 2021 based on the brief provided, the study is supported by Natural England and the evidence it provides supports Local Plans going through examinations.

Progress

Implementation of tariff

7. All Local Authorities have now introduced the tariff for qualifying developments. This was introduced from the 31st March 2022.

Governance and Management of Fund

8. At the Member forum held in December 2021 members agreed to the principle of exploring the option of the county council being the accountable body and hosting organisation for the Mitigation. A steering group created terms of reference for the overarching board and a job description for the Delivery Officer Role.
9. The set up of a legal agreement has caused considerable delay to the governance arrangements and whilst officers continue to discuss the agreement with the county it appears unlikely that agreement can be reached. Officers have therefore started to look at other options for the management of the fund including the role being performed by Norfolk Environmental Credits. Legal Advice is being sort on this option.
10. It is still proposed that a board:
 - Is responsible for overseeing the delivery of the mitigation identified as being required to support the planned growth for the county.
 - Agrees an annual programme of projects to be delivered by the Norfolk RAMS Mitigation Programme which will be funded wholly from the Norfolk RAMS Fund.
 - Provides an Accountable Body to oversee the proper administration of funds.
11. The Board would be made up of Members from all authorities support by Ecologist and/or Planning Officers from all authorities. There may be other groups that support the board in an advisory role or provide advice; this may include Natural England, The Environment Agency and Ecologists from other interested groups.
12. The governance arrangements include:
 - a. Process for determining the timing of the delivery of projects
 - b. For Local Mitigation Projects, how these would be prioritised and selected
 - c. The financial arrangements
 - d. Reporting of the board
 - e. Monitoring & Reporting of projects
 - f. Project Completion and specifically signing and adoption after completion
 - g. Norfolk RAMS Board Structure and Board Membership including Frequency of meetings, Secretariat, Decision Making and Exiting from GIRAMS Scheme.
13. A Delivery Officer will be employed to oversee the work of the group. Their role will include:
 - h. The Development and delivery of Norfolk RAMS mitigation programme, agreeing the programme with the RAMS Board and reporting progress to the Board
 - i. Bringing forward projects for the programme and establishing how they are best delivered based on where mitigation is required
 - j. Overseeing the implementation of the programme and the strategic partners delivery of the projects
 - k. Monitoring the success of the mitigation, the ongoing impacts on sites and the suitability of the mitigation package going forward
 - l. Possible Line management of project officers/rangers
 - m. Partnership working, promoting strong working relationships with a diverse range of stakeholders, often with conflicting requirements
 - n. Reviewing and monitoring of project progress, liaising and reporting to the Environment Manager on matters relating to strategy, resource, risk, schedule and budgetary control of projects

- o. Keeping up to date with relevant legislation
- p. Source and support partner projects for funding opportunities to support the RAMS Programme objectives
- q. Working across various diverse locations within the County, with a mix of office and some field work.

RAMS Mitigation Package Review Study

14. Alongside the implementation of the tariff and the set-up of the governance of the RAMS, a review of the mitigation package is being completed. The key principles of the review will be to provide a more detailed mitigation package through:
 - A detailed review of all individual Natura 2000 sites looking at site improvement plans, existing access and visitor management measures and identify other proposed measures within the protected sites
 - The identification of the degree of intervention needed to avoid likely significant effects based on visitor increases expected
 - Working with site managers/landowners to identify and prioritise the key projects and priorities
 - Maximising use of existing resources at sites
15. Footprint were commissioned in early 2023 to complete this work and this is now in progress, Footprint have spent a number of months engaging landowners and site managers to understand the impacts on designated sites of increased visitor numbers and likely mitigation requirements. Recently a number of workshops have been held to go over details of the projects put forward. Footprint will provide further details on progress verbally at this member forum.