

EAST RIDING OF YORKSHIRE COUNCIL

Report to: The Cabinet
29 November 2005

Wards:

Proposed Roll back Policy for Houses and Farmsteads

Report of the Director of Corporate Policy and Strategy

A. Executive Summary

The Forward Planning Unit has prepared a draft 'Roll back' policy and guidance specifically for houses/farmsteads threatened by coastal erosion. The proposed 'Roll back' policy has undergone a limited form of public consultation in order to gauge local opinion, the outcome of which is referred to in the report. Approval is now sought for the proposed 'Roll back' policy to be used as an interim development control tool until a formal policy can be included in the forthcoming Local Development Framework.

B. Shared Priorities

A Well Managed Authority
Healthier Communities
Safer and Stronger Communities
Sustainable Communities

C. Portfolio

Strategy, Policy and Partnerships

D. Recommendation and Reason for Recommendation

That the Cabinet agree the proposed 'Roll back' policy, detailed in Appendix 2, as an interim development control tool, pending the inclusion of a policy in the Local Development Framework.

1. Background

- 1.1 'Roll back' is a term used to describe relocating property/infrastructure further inland from the eroding coast. The concept of roll back stems from policy aims set out in the Integrated Coastal Zone Management (ICZM) Plan, adopted by the Council in June 2002, which provides guidance on the management of coastal areas using the principles of sustainable development. In particular, the Plan seeks to manage coastal change by promoting alternatives to hard-

engineered coastal protection works, because it is not considered to be economically viable or environmentally sustainable to protect all development along the coast.

- 1.2 In order to implement the roll back of property and infrastructure to a new site further inland, planning permission is required. Applications for planning permission are determined in accordance with planning policies contained within the development plan (unless any material considerations indicate otherwise). The current development plan¹ does not contain specific policies relating to roll back, and therefore it is not particularly clear to applicants what is required when submitting such proposals. Consequently, there is the possibility that existing policies within the development plan, aimed at restricting development in the coastal zone, the open countryside and small settlements, could be interpreted in such a way as to unacceptably inhibit applications for roll back.
- 1.3 In recognition of this, the Cabinet has already adopted a roll back policy for caravan and holiday home parks (June 2004), to help facilitate a pilot project funded by Yorkshire Forward aimed at implementing a sustainable solution to the loss of important tourism infrastructure. While the policy is not part of the statutory development plan, it carries some weight for development control purposes and signals that the Council is positive towards sustainable development options such as roll back. It is likely that this policy will become part of the development plan in due course, through the preparation of the Local Development Framework.

2. Considerations including Options

- 2.1 Following on from this work, the Forward Planning Unit has prepared a draft 'roll back' policy concentrating on residential dwellings and farmsteads that are likely to be affected by coastal erosion. Based on past erosion rates, it is possible that over 100 dwellings/farmsteads could be lost to coastal erosion within the next 100 years. A roll back policy would provide guidance to any residents who may wish to apply for planning permission to replace and re-locate their dwelling/farmstead to a more sustainable location, thereby lessening the danger of residents living in increasingly unsafe locations.
- 2.2 The proposed policy approach set out in Appendix 2 considers the alternatives available to the authority and concludes that the preferred option is to produce and implement an 'informal' development control policy. This has the advantage of putting in place at relatively short notice a positive policy approach responding to a particular environmental threat. It will enable the authority to consider applications for development in a consistent way.
- 2.3 An alternative approach would be to rely on more general policies in the existing development plan and/or to produce a specific policy response in the forthcoming Local Development Framework. It is considered that the current policy framework is insufficient to respond positively to this issue. Waiting for the adoption of a policy in the Local Development Framework will inevitably take time. The work already undertaken in preparing this proposed roll back policy will clearly be reflected in the formal policy that will eventually be included in the Local Development Framework.
- 2.4 The proposed 'roll back' policy and guidance has included a limited external consultation exercise in order to gauge local reaction. The consultation was limited in scope due to the fact that the policy will not hold significant weight at present in planning policy terms. However, if the proposed policy were to be incorporated into the forthcoming Housing Development Plan

¹ The development plan applicable to the area affected consists of the Regional Spatial Strategy for Yorkshire and the Humber, the Joint Structure Plan for Hull and the East Riding, and two Local Plans, the Holderness District Wide Local Plan and the East Yorkshire Borough Wide Local Plan.

Document (a component of the Local Development Framework), the roll back policy would gain increasing weight in the process leading up to the formal adoption when it would become part of the statutory development plan.

- 2.5 The response to the consultation, which ran from 1st September 2005 to 28th September 2005, was minimal, but supportive. A list of consultees is presented at Appendix 1. The amendments made to the proposed policy to reflect some of the comments received are presented at Appendix 2.
- 2.6 Since work began on this roll back policy, the Environment Agency has published a consultation document entitled '*Planning for the Rising Tides: The Humber Flood Risk Management Strategy*', which provides policy guidance for the management of flood defences around the Humber Estuary on a 100-year time scale.
- 2.7 Although some consideration has been given to extending the remit of the roll back policy to include some of the very significant issues raised in this Strategy, it is suggested that to do so would not be appropriate. Flooding from the estuary will undoubtedly be an issue for the Local Development Framework, but this needs to be considered in the light of a strategic flood risk assessment for the entire district. In addition, at this stage the Environment Agency Strategy is in its consultation phase and therefore it is possible that the proposals contained therein could still change.
- 2.8 Having said this, the roll back policy approach is 'sensitive' to the emerging Environment Agency Strategy. In particular the approach being suggested for Kilnsea is of some relevance to the roll back policy. When considering future applications for roll back it will clearly be necessary to make a judgement about the suitability of any new location for accommodating such development. In the case of Kilnsea, due consideration will need to be given to existing and potential flood risk threats.

Jack Blackmore
Director of Corporate Policy and Strategy

Contact Officer: Angela Cowen
Planning Officer (Policy)
Telephone Number: 01482 391748
E.mail: angela.cowen@eastriding.gov.uk

Background Papers

Various background papers are available from the Forward Planning Unit.

Appendix 1 – List of Consultees and Table of Responses

Members of coastal wards in the affected area:

Bridlington North

Cllr R. Harrap
Cllr C. J. Matthews
Cllr J. C. Wilkinson

Bridlington Central and Old Town

Cllr C. Allertson
Cllr. R. Allertson

Bridlington South

Cllr M. R. Chadwick
Cllr D. Clark
Cllr D. J. Grange

East Wolds and Coastal

Cllr M. Chapman
Cllr J. Evison
Cllr J. M. Jackson

North Holderness

Cllr B. Y. Jefferson
Cllr P. Worsdale

Mid Holderness

Cllr D. M. Hoskins
Cllr M. E. Wastling
Cllr B. S. Willie

South East Holderness

Cllr C. J. Hunter
Cllr J. P. Parsons
Cllr R. Stead

Clerks to the Town/Parish Councils in the affected area:

Aldbrough
Atwick
Barmston
Bridlington
Carnaby
Easington
East Garton
Hollym
Holmpton
Hornsea
Lisset and Ulrome
Mappleton
Rimswell
Roos
Skipsea
Withernsea

Organisations:

Department of Environment, Food and Rural Affairs (DEFRA)
Government Office for Yorkshire and the Humber (GOYH)
National Farmers Union
Council of Mortgage Lenders

Appendix 2: Schedule of comments received and proposed changes

Ref.	Summary of response	Officer comments	Proposed changes to the document
Bridlington Town Council			
1.	No objections to ERYC including the proposed 'roll back' policy in the LDF.	Noted.	None.
Hornsea Town Council			
2.	In favour of the 'plan to slow down erosion by the installation of hard points'. The Council is aware that erosion can easily be controlled at a moderately low cost.	This Council is not aware of such a plan. Confirmation was sought to determine the Town Council's position in relation to the roll back policy. It appears that a misunderstanding may have occurred, and the Town Council may comment more formally on the roll back policy in June 2006 during public consultation on the Housing Development Plan Document (which forms part of the Local Development Framework).	None.
Withernsea Town Council			
3.	Support the draft 'roll back' guidance.	Noted.	None.
Internal ERYC Amendments/Updates			
4.	The following amendment to points A(iii) and B(iii) respectively: 'a planning condition is imposed to ensure the application secures the demolition of the existing dwelling and restoration of the site within three months of occupation of the replacement'	Accepted.	Amend points A(iii) and B(iii) as suggested.

Appendix 2: Schedule of comments received and proposed changes

Ref.	Summary of response	Officer comments	Proposed changes to the document
5.	<p>The following amendments to points A(vi) and A(vii):</p> <p>‘(vi) within the development limit, or adjoining it of a coastal settlement within the JSP Eastern Sub Area <u>Coastal Zone</u>.’</p> <p>‘(vii) within or adjoining the built-up area of a smaller coastal settlement (that does not have a development limit) within the JSP Eastern Sub Area <u>Coastal Zone</u>.’</p>	Accepted.	Amend points A(vi) and A(vii) as suggested.
6.	<p>Amend point B(i) as follows:</p> <p>‘the holding is expected to remain economically viable for the next 100 years’.</p> <p><u>‘the dwelling/farmstead remains in agricultural use through the imposition of an agricultural occupancy condition’.</u></p>	Accepted.	Amend point B(i) as suggested.
<p>Forward Planning (FP) FP has made a number of grammatical and minor amendments to the document in order to improve readability and clarity in places. The main amendments are as follows:</p>			
7.	<p>FP - suggest removing the following sentence from paragraph 1.3</p> <p>‘However, it is intended that this guidance be released for a four-week consultation period in order to gauge public opinion and give it credibility as a material planning consideration.’</p>	This is necessary to update the document because the consultation has now taken place.	Amend paragraph 1.3 accordingly.

Appendix 2: Schedule of comments received and proposed changes

Ref.	Summary of response	Officer comments	Proposed changes to the document
8.	<p>FP - suggest additional sentences in paragraph 1.7</p> <p>‘The fundamental purpose of this guidance is to encourage residents to relocate before their dwelling becomes at imminent risk from coastal erosion, placing them in a life threatening position. The guidance also offers opportunities to promote more sustainable patterns of development and to reduce the dispersed nature of households along the coast.’</p>	<p>These sentences give further clarification as to why the Council should adopt a roll back policy and the approach taken in doing so.</p>	<p>Paragraph 1.7 amended accordingly.</p>
9.	<p>FP - suggest additional sentence in paragraph 2.4</p> <p>‘However, there may be a variety of other factors that need to be taken into account when making judgements regarding future impacts of coastal erosion.’</p>	<p>This acts as a caveat to make clear that future predictions of coastal erosion cannot be based on past erosion rates alone.</p>	<p>Paragraph 2.4 amended accordingly.</p>
10.	<p>FP – suggest additional sentence in paragraph 3.12</p> <p>‘The JSP policies are however strategic in nature and a more detailed policy is required to ensure that replacement dwellings are appropriately located and respect local character/amenity.’</p>	<p>This sentence provides further justification in planning policy terms as to why a more detailed roll back policy is required in addition to the exiting policies in the development plan.</p>	<p>Paragraph 3.12 amended accordingly.</p>

Appendix 2: Schedule of comments received and proposed changes

Ref.	Summary of response	Officer comments	Proposed changes to the document
11.	<p>FP – suggest amending the opening sentences of policies A and B to include criterion (ii) of each policy: <i>‘the dwelling is judged to be threatened by coastal erosion within the next 50 years’</i>, to read:</p> <p>‘Proposals for the replacement of residential dwellings/agricultural dwellings/farmsteads considered to be at risk from coastal erosion <u>within the next 50 years</u> will be permitted where?’.</p>	<p>This change avoids unnecessary repetition in the policy and confirms from the outset, the geographical extent of the policy (i.e. all houses/farmsteads at risk within a 50 year period).</p>	<p>Policies A and B amended accordingly.</p>
12.	<p>FP – suggest additional words to the following sentence in policy A:</p> <p>‘In order to secure more sustainable patterns of development, this will be in the form of replacing the dwelling on a site <u>that is judged to have a life expectancy of at least 100 years.</u>’.</p>	<p>Although policy A directs roll back towards coastal settlements that are judged to be safe from coastal erosion for at least 100 years, this amendment ensures that roll back would not be acceptable in any settlements which may no longer be judged to be safe from erosion over the next 100 years.</p>	<p>Policy A amended accordingly.</p>
13.	<p>FP- suggest removing paragraph 4.2</p> <p>‘Given the variety of dwellings along the coast, from ribbons of bungalows to isolated farm houses, and the complexity of issues surrounding relocation, separate policies have been devised for permanent residential and agricultural dwellings, as detailed below.’</p>	<p>This paragraph does not add anything to the document and may be misleading. Justification is given to the policies in the supporting text (paragraphs 4.9-10).</p>	<p>Remove paragraph 4.2.</p>



EAST RIDING
OF YORKSHIRE COUNCIL

DRAFT GUIDANCE

**The 'Roll Back' of Residential and
Agricultural Dwellings at
Risk from Coastal Erosion
in the East Riding of Yorkshire**



October 2005

1. INTRODUCTION

- 1.1 The purpose of this policy guidance is to provide a proactive and consistent approach within the planning system to enable the 'roll back' of permanent residential and agricultural dwellings/farmsteads that are at risk from coastal erosion. The policy guidance is proposed as an interim measure, to be used primarily as a **development control tool**, until it can be incorporated into the Council's Local Development Framework (LDF)¹. This guidance is not a statutory document and therefore does not carry the same weight as a policy contained within the LDF.
- 1.2 The LDF is in its preliminary stages, and will contain a number of statutory Development Plan Documents (DPDs) on specific planning topics such as housing, employment and the environment. It is intended that this policy guidance is included in the 'Preferred Options' version of the Housing DPD, scheduled to be published in June 2006 for public consultation. The weight attached to the policy will therefore increase throughout this process leading up to formal adoption. The full time-scale for the LDF is set out in the Council's Local Development Scheme (LDS)².
- 1.3 'Roll back' is a term used to describe relocating property and infrastructure further inland from the eroding coast. The concept of 'roll back' stems from policy aims set out in the East Riding Integrated Coastal Zone Management Plan³, which seek to manage coastal change by promoting alternatives to hard-engineered coastal protection works.
- 1.4 Integrated Coastal Zone Management (ICZM) is a relatively new approach to coastal management, promoted by the European Commission as a means of involving the local community in addressing environmental, social and economic challenges that arise in coastal areas. It brings together different stakeholders to resolve issues and serves to ensure integration of plans and policies.
- 1.5 Emphasis is being placed upon strategies such as 'roll back,' because hard-engineered coastal defences are not considered to be economically viable or environmentally sustainable for protecting all development in the coastal zone. The Shoreline Management Plan (SMP)⁴ for the East Riding provides a large scale assessment of the risks associated with coastal processes and presents a policy framework to reduce these risks to people and the developed and natural environment in a sustainable manner. Coastal defences currently exist at Bridlington, Hornsea, Mappleton, Withernsea, and Easington gas terminal.
- 1.6 The majority of the coastline, characterised by open countryside, scattered hamlets, agricultural holdings and caravan/holiday parks, is to be left unprotected, and as a consequence, a number of permanent dwellings/farmsteads will be lost to coastal erosion in future years. The Council is faced with the following options:
- **Do nothing** - planning applications for a replacement dwelling for a dwelling threatened by coastal erosion would be determined using existing general policies in the development plan.
 - **Facilitate a 'roll back' policy** - this would enable a dwelling threatened by coastal erosion to obtain planning permission to be replaced and re-located further inland (a range of

¹ Planning Policy Statement 12: 'Local Development Frameworks', Office of the Deputy Prime Minister, 2004

² Local Development Scheme, East Riding of Yorkshire Council, August 2005

³ East Riding Integrated Coastal Zone Management Plan, East Riding of Yorkshire Council, June 2002

⁴ Shoreline Management Plan Sub Cell 2a/2b, Humber Estuary Coastal Authorities Group, April 1998

options exist within this broad option such as re-locating to an isolated location in the open countryside or to an existing town).

- 1.7 In order to help the residents of these dwellings, this guidance seeks to provide some flexibility within the planning system to enable residents to apply for planning permission to 'roll back' if they wish to. In the absence of such an approach, a fairly restrictive policy framework regarding development in the open countryside and in small settlements may discourage residents from relocating, which could result in some residents living in increasingly unsafe locations. The fundamental purpose of this guidance is to encourage residents to relocate before their dwelling becomes at imminent risk from coastal erosion, placing them in a life-threatening position. The guidance also offers opportunities to promote more sustainable patterns of development and to reduce the dispersed nature of households along the coast.
- 1.8 Please note that this guidance relates to permanent dwellings only and not temporary dwellings/structures, such as caravans, log cabins, holiday chalets or converted railway carriages. Separate guidance exists for caravan and holiday home parks that are at risk from coastal erosion⁵. The Council will assess each application for 'roll back' in order to ensure that the existing dwelling can be classified as a permanent structure and is occupied as a permanent residence. The justification for this approach is that the policy is seeking to address an identified housing need i.e. if the existing property is likely to be lost to coastal erosion then a need will exist for a replacement dwelling. This need does not exist in relation to second homes/holiday homes.

2. AREAS AT RISK

- 2.1 Within the next 100 years, it is possible that more than 100 residential dwellings/farmsteads will be lost to coastal erosion in the East Riding, which has one of the fastest eroding coastlines in North West Europe. Erosion of the coast has occurred since its creation following the last ice age, with over 30 villages lost since Roman times. However, despite this long history of erosion, coastal development has continued to occur, particularly in the form of coastal towns, villages, and isolated dwellings.
- 2.2 The East Riding of Yorkshire Council (ERYC) and its previous authorities have monitored erosion rates along the East Riding coast since 1951, with the establishment of 120 monitoring posts spanning the 50 miles from Sewerby to Spurn. The Council's Civil Engineering Services Division hold the data on coastal erosion and survey the coastline every six months using Global Positioning System (GPS) equipment, which provides an accurate record of actual cliff losses and helps to determine past erosion rates.
- 2.3 Whilst these can be used to give fairly accurate coastal erosion rates at any site, erosion rates over this relatively short period have tended to rise and fall in cycles, making it difficult to make accurate future predictions. Therefore, the Council's coastal engineers make it clear that predictions are only an estimate and that future erosion may be very different.
- 2.4 As a general guide, the coast erodes at a rate of 1-1.5 metres per year between Barmston and Atwick, and at a rate of 1.5-2 metres per year between Hornsea and Kilnsea, as shown in Map 1. This can be used as a guide to give a broad indication of a dwelling's life expectancy, and identify the whereabouts of those dwellings that are likely to be affected. However, there may be a variety of other factors that need to be taken into account when making judgements regarding future impacts of coastal erosion

⁵ The Rollback of Caravan and Holiday Home Parks from the Eroding East Yorkshire Coastline – Final Report, David Tyldesley and Associates, August 2003

3. THE PLANNING POLICY FRAMEWORK

National Planning Guidance

- 3.1 At the national level, the Government issues planning guidance in the form of Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs), establishing general principles for planning themes throughout the country. These inform Local Authorities' Development Plans, which are used to determine planning applications (unless any material considerations indicate otherwise). The national policies that are of most relevance in the preparation of this guidance are PPG 20 (Coastal Planning)⁶, PPS 7 (Sustainable Development in Rural Areas)⁷, and PPG 3 (Housing)⁸.
- 3.2 Paragraph 2.11 of PPG 20 states that undeveloped parts of the coast should not accommodate new development that could be located inland or in existing developed areas. In the East Riding, the majority of the coastal zone is classified as 'undeveloped' coast outside the main coastal settlements, due to its rural, open nature. In regard to coastal erosion, paragraph 2.16 states that 'development should not be allowed to take place in areas where erosion is likely to occur during the lifetime of the building.' Therefore, it is not permissible for a cliff-top dwelling to be replaced on or near a cliff top that is subject to coastal erosion.
- 3.3 In regard to sustainable development in rural areas, (which applies to most of the East Riding's coastal zone), paragraph 19 of PPS 7 indicates that the Government is 'supportive of the replacement of suitably located, existing buildings of permanent design and construction in the countryside for economic development purposes', and favours this where it will achieve an environmental improvement.
- 3.4 PPG 3 generally recommends that housing development take place in main urban areas, preferably on previously developed land and near to adequate services and facilities (paragraphs 30 and 31). If it is necessary for development to take place outside main urban areas, paragraph 65 advises that Local Planning Authorities should implement what is considered to be the **'most sustainable option'**.

ICZM Plan

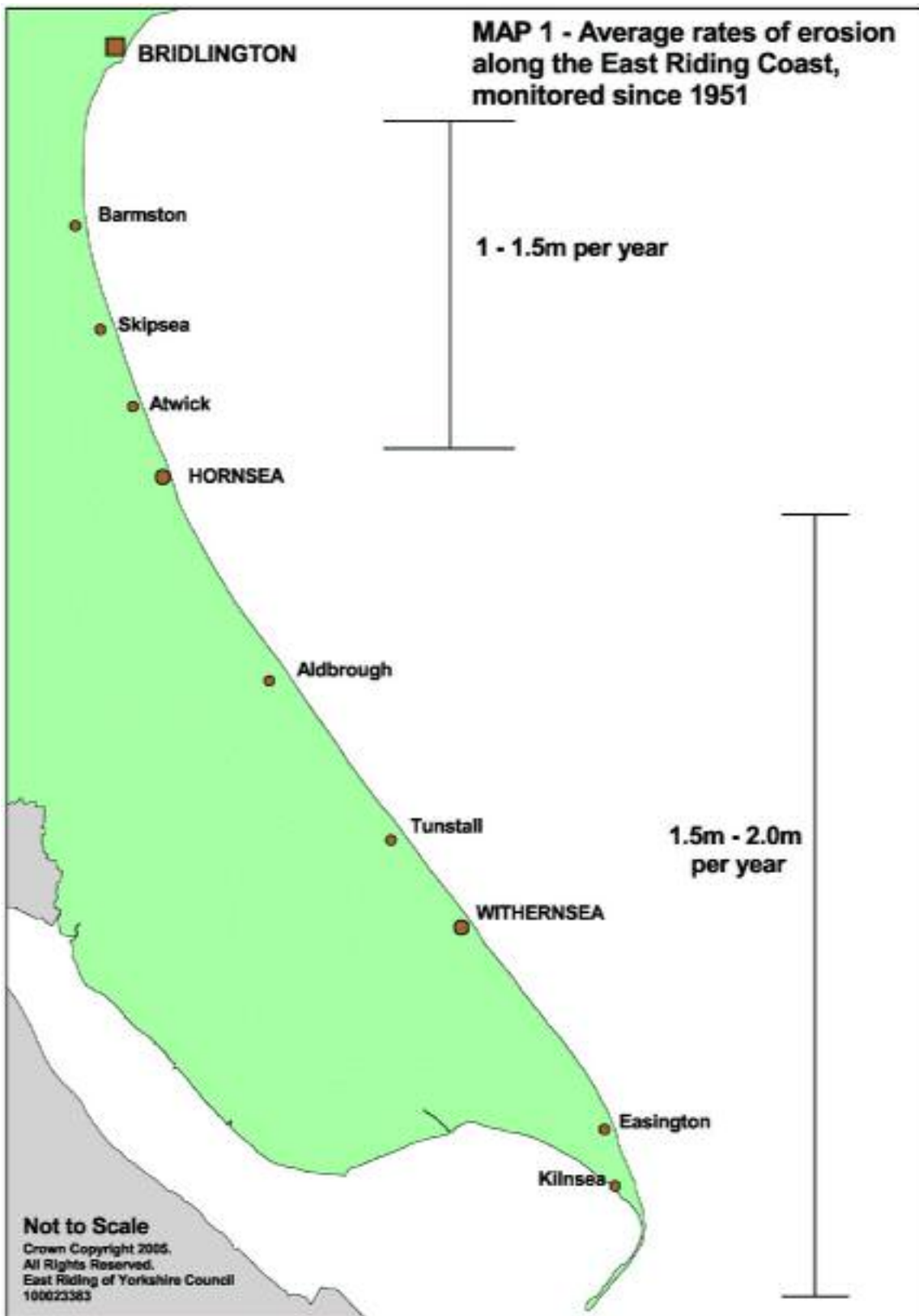
- 3.5 Sustainable options for coastal management have been the overarching aim of the East Riding Integrated Coastal Zone Management Plan. The ICZM Plan contains 67 policy aims dedicated to sustainable coastal management strategies, which are the outcome of detailed consultation and involvement with key stakeholders, decision-makers, and the local community within the coastal zone. The ICZM Plan was adopted by the Council in June 2002 as a framework for addressing coastal issues and guiding integration of future coastal plans and policies. Consequently, this Plan holds considerable weight as a material planning consideration. Policy aims relating to property threatened by coastal erosion in the ICZM Plan are detailed in Appendix A.

⁶ Planning Policy Guidance Note 20: 'Coastal Planning', Department of the Environment, September 1992

⁷ Planning Policy Statement 7: 'Sustainable Development in Rural Areas', Office of the Deputy Prime Minister, 2004

⁸ Planning Policy Guidance Note 3: 'Housing', Department of the Environment, Transport and the Regions, March 2000

MAP 1 - Average rates of erosion along the East Riding Coast, monitored since 1951



Not to Scale

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The Development Plan

- 3.6 The current Development Plan for the East Riding coastal area consists of four documents:
- the Regional Spatial Strategy for Yorkshire and the Humber (2004)⁹
 - the Joint Structure Plan for Kingston Upon Hull and the East Riding of Yorkshire (2005)¹⁰
 - the East Yorkshire Borough Wide Local Plan (1997)¹¹
 - the Holderness District Wide Local Plan (1999)¹²
- 3.7 The Regional Spatial Strategy (RSS) is prepared by the Yorkshire and Humber Assembly to provide a broad spatial planning policy framework for Local Planning Authorities in the Yorkshire and Humber area. Its policies feed into the Joint Structure Plan (JSP) for Hull and the East Riding, prepared jointly by the respective authorities, setting out an overall development strategy for the area. The RSS and JSP are the newer documents of the development plan, and contain coastal policies that encourage and reinforce the policy aims of the ICZM plan.

Regional Spatial Strategy

- 3.8 Policy R1 of the RSS calls for a ‘sustainable and environmentally responsible approach to coastal management’ and emphasises the role of Integrated Coastal Zone Management and Shoreline Management Plans in shaping coastal policies. This policy promotes effective collaborative working between local authorities and other key partners in the coastal area (see Appendix A).
- 3.9 ICZM is already well established in the East Riding, co-ordinated by the Council’s Community and Sustainable Development Division. Therefore, it is important that the policy aims of the ICZM Plan are taken into account in relation to development in the Coastal Zone.

Joint Structure Plan

- 3.10 The JSP policy NAT6 acknowledges the possibility of new forms of coastal management proposed by the ICZM Plan, such as relocation or ‘roll back’ of existing development, provided that new development is not at risk from coastal erosion during its expected lifetime (see Appendix A).
- 3.11 In relation to the coast this involves focusing most new development towards Bridlington (policy DS2) and, to a lesser extent, in Hornsea and Withernsea (policy DS3). Development in other smaller settlements should be very limited and should be to address local needs and/or to assist in sustaining the role of the settlement (policy DS4). Development in the open countryside will generally be resisted (policy DS5).
- 3.12 The implications for ‘roll back’ under the JSP are that the permanent residential dwellings affected should be replaced and re-located to Bridlington, Hornsea or Withernsea. A separate policy is not required to allow this type of development to occur. Roll back may also be acceptable in smaller settlements. Agricultural dwellings would be permitted to ‘roll back’ to a rural setting, under the provisions of policy DS5. The JSP policies are however strategic in

⁹ Regional Spatial Strategy for Yorkshire and the Humber to 2016 based on Selective Review of RPG12, Yorkshire and Humber Assembly, December 2004

¹⁰ Joint Structure Plan for Kingston Upon and the East Riding of Yorkshire, Hull City Council and East Riding of Yorkshire Council, June 2005

¹¹ East Yorkshire Borough Wide Local Plan, East Riding of Yorkshire Council, June 1997

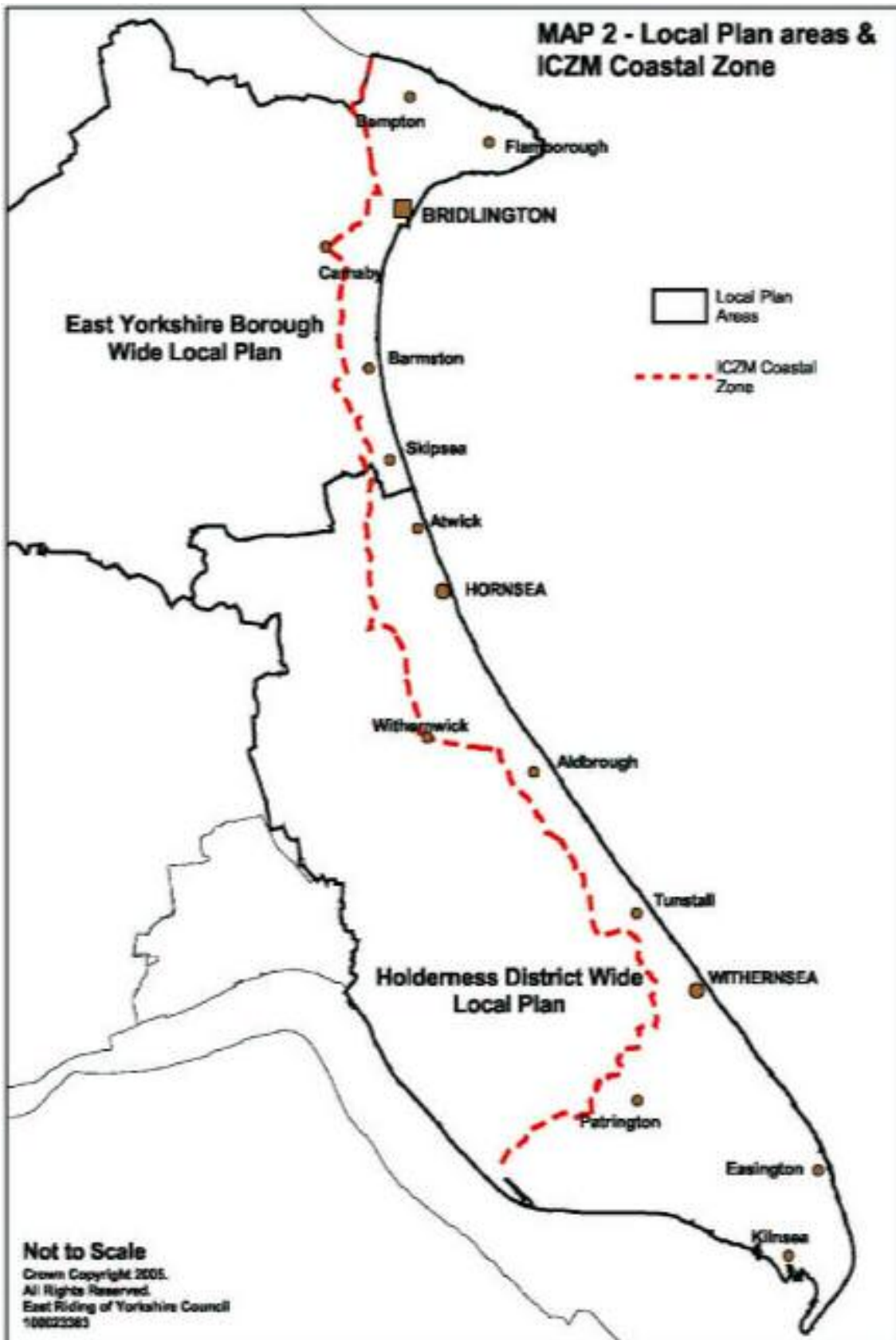
¹² Holderness District Wide Local Plan, East Riding of Yorkshire Council, April 1999

nature and a more detailed policy is required to ensure that replacement dwellings are appropriately located and respect local character/amenity.

Local Plans

- 3.13 The two Local Plans were produced by the former Borough Councils and do not contain specific 'roll back' or relocation policies for dwellings at risk from coastal erosion. The Local Plans are currently undergoing a review and will eventually be superseded by Development Plan Documents, which will form part of a Local Development Framework for the East Riding. Until that position is reached, this guidance provides a tool for addressing the situation of permanent dwellings/farmsteads at risk from coastal erosion.
- 3.14 The East Yorkshire Borough Wide Local Plan (EYBWLP) and the Holderness District Wide Local Plan (HDWLP) contain policies relating to development in the Coastal Zone and in the Open Countryside, which have been used for determining planning applications relating to the 'roll back' of residential dwellings. The Local Plan areas of the former Borough Councils are shown in Map 2.
- 3.15 Policy H4 of the EYBWLP (included in Appendix A) refers specifically to replacing dwellings in the open countryside. This policy introduces an 'exceptions' approach to normal planning policy but it does not deal with the particular circumstances of coastal erosion and the need for 'roll back'. Issues of scale and impact on character are referred to – both of which would also be of relevance to 'roll back' development.
- 3.16 The HDWLP also includes a specific policy relating to replacement dwellings in rural areas (policy H3 and other relevant policies are included in Appendix A). Again however, the relevance of this policy to 'roll back' is only limited. The Coastal Zone policies of the HDWLP (Env5 and Env8) place important restrictions upon development in the Coastal Zone in order to limit the need for coastal protection works, ensure nature conservation and safeguard development from coastal erosion.

MAP 2 - Local Plan areas & ICZM Coastal Zone



4. PROPOSED 'ROLL BACK' POLICY

4.1 In light of the planning policy background, outlined above, and having considered a number of alternative approaches, the Council recommends the following policies for permanent residential dwellings and farmsteads at risk from coastal erosion to be replaced and re-located to a more sustainable location (detailed below). The proposed policies are largely 'exceptions policies', inspired by a unique set of circumstances, designed to enable flexibility within the planning system to deal with such exceptional circumstances, where normally this would not be the case. This approach builds on the more general exceptions policies in the existing Local Plans.

A. Proposals for the replacement of residential dwellings considered to be at risk from coastal erosion within the next 50 years will be permitted where:

- i. the Council is satisfied that the dwelling is a permanent structure and is occupied on a permanent residential basis;**
- ii. the application secures the demolition of the existing dwelling and restoration of the site within three months of occupation of the replacement;**
- iii. the design of the replacement dwelling reflects the character and appearance of the new locality;**
- iv. the gross volume of the replacement dwelling is no larger than the dwelling it replaces, taking into account permitted development rights associated with the existing property.**

In order to secure more sustainable patterns of development, this will be in the form of replacing the dwelling on a site that is judged to have a life expectancy of at least 100 years:

- v. within the development limit,* or adjoining it, of a settlement within the Coastal Zone**;**
- vi. within or adjoining the built up area of a smaller settlement (that does not have a development limit) within the Coastal Zone.**

B. Proposals for the replacement of agricultural dwellings/farmsteads considered to be at risk from coastal erosion within the next 50 years will be permitted within the existing holding to a site that is judged to have a life expectancy of at least 100 years, provided:

- i. the dwelling/farmstead is expected to remain in agricultural use;**
- ii. the application secures the demolition of the existing dwelling and restoration of the site within three months of occupation of the replacement;**
- iii. the gross volume of the replacement dwelling is no larger than the dwelling it replaces, taking into account permitted development rights associated with the existing property;**
- iv. the design of the replacement dwelling reflects the character and appearance of the new locality.**

* The existing Local Plans both draw 'development limits' around certain settlements, within which development should normally be focused. Other (general smaller settlements) have no defined development limits. In accordance with the recently adopted JSP, this approach is being re-visited through the preparation of the LDF. The terminology used in this policy may therefore subsequently be changed.

** The Coastal Zone is defined in the Integrated Coastal Zone Management Plan (as shown in Map 2).

PROPOSED SUPPORTING TEXT TO NEW POLICY

- 4.2 In order for a dwelling to be replaced and relocated under this policy, the Council will carry out an assessment to determine whether the dwelling can be classified as ‘permanent’ and ‘residential’. In the past, such assessments have been based upon the structure of the building, its historical use, and Council tax records. These checks should assist in determining whether a genuine housing need would exist if the property were to be lost to coastal erosion
- 4.3 In the case of agricultural dwellings, the policy approach is intended to allow existing agricultural operations to continue. In order to ensure that this is the case, an agricultural occupancy condition will normally be imposed on the new property.
- 4.4 Another condition of these policies is that the dwelling must be judged to be threatened by coastal erosion within the next fifty years, estimated by the Council’s Civil Engineering Services Division. This enables residents of such property to take a pro-active approach to replace and re-locate to a more sustainable location, before coastal erosion becomes an imminent threat.
- 4.5 It is necessary that the original dwelling be demolished and the site restored to its natural state. This guards against the prospect of contamination and eyesores of abandoned dangerous buildings, as well as improving the quality of the environment.
- 4.6 The gross volume of the replacement dwelling must be no larger than the original dwelling, in order to minimise the impact upon the surrounding area. However, if this would severely detract from the character of the new location, an exception may be made to allow the replacement dwelling to be of a similar size to those in the immediate vicinity. For the same reason, it is important that the replacement dwelling is of an appropriate design that is in keeping with the character of the new locality. Normal Permitted Development (PD) rights will apply in relation to increasing (if required) the size of the dwelling. If PD rights have been used in the existing dwelling, further PD rights will not apply to the replacement dwelling.
- 4.7 The proposed re-location options for the replacement of permanent residential dwellings have been considered in line with the JSP development strategy (policies DS1-DS5), which gives preference to development in Principal Towns/Towns such as Bridlington, Hornsea and Withernsea over smaller villages and hamlets. The purpose of the JSP development strategy is to encourage more sustainable patterns of development by ensuring that residents have better access to important services and facilities and therefore have less need to use the private car for their every day needs.
- 4.8 The Council has considered different options regarding the re-location of the dwellings affected, and acknowledges that it would be unreasonable to restrict re-location to the coastal towns. Therefore, this policy adopts an exceptional approach that enables dwellings to be replaced in smaller coastal settlements if required, on the basis that coastal erosion may generate a genuine housing need that can be provided for under the provisions of JSP policy DS4, concerned with development in smaller settlements. Without this approach it would be more difficult to justify the need for such development. Sites for re-location will be restricted to the Coastal Zone defined in the ICZM Plan (see Map 2) to ensure that dwellings are re-located in relative proximity to the coast. Clearly, this would not restrict movement over a greater distance, however, the ‘exceptions’ approach would not apply in such circumstances.
- 4.9 In the case of agricultural dwellings, ‘roll back’ is permitted to a site within the holding, where it is judged to be safe from coastal erosion for the next hundred years. This is to ensure a more prudent and sustainable form of development in the countryside, and accords with the JSP development strategy under policy DS5, development in the countryside.

Appendix A

1. ICZM Plan

CP3: 'To encourage "rollback" as a response to erosion for all forms of development, where appropriate.'

LA2: 'To ensure that the development plan review properly considers the need for clear and consistent policies to enable relocation of infrastructure and property at risk from erosion, where appropriate.'

2. Regional Spatial Strategy

R1: 'Integrated Coastal Zone Management for the East Coast and Humber Estuary'

Local authorities and others should take an integrated and consistent approach to the management of the East Coast and Humber Estuary. In preparing and implementing their development plans and other strategies, local authorities and others should establish effective partnerships to bring together the wide range of different interests and powers in the coastal and estuarine zones and should take into account:

- (i) existing Shoreline Management Plans and other relevant strategies and plans*
- (i) the likely impacts of climate change on sea levels and other coastal and estuarine processes*
- (ii) the need to maintain and enhance the zones' high quality natural and historic environmental assets*
- (iv) the likely knock-on effects of any changes either through development or management regimes, on coastal and estuarine processes'*

3. Joint Structure Plan for Kingston Upon Hull and the East riding of Yorkshire

NAT 6: 'Development in coastal areas should, in general, be focused on existing settlements in accordance with the development strategy. Any new development proposed at an undeveloped coastal location, or the roll back of existing development, should avoid:

- (i) the risk from flooding, erosion and landslip, within the lifetime of a building;*
- (ii) areas subject to managed realignment or monitor/ review coastal defence management measures.*
- (iii) a requirement to construct new or to extend or enhance existing coastal protection or flood defences;*
- (iv) significant interference with natural coastal or estuarine processes; and*
- (v) increasing the risk of flooding and coastal erosion, or affecting accretion and deposition of eroded materials on sites elsewhere'*

4. East Yorkshire Borough Wide Local Plan

'H4 Replacement Dwellings in the Open Countryside

Proposals for the replacement of an existing dwelling in the open countryside will be permitted where they form part of a group of houses. Elsewhere proposals will only be permitted where the previous residential use has not been abandoned. In all cases, proposals will only be acceptable where they are of a similar size to the existing dwelling to be replaced and will be of a design and character to reflect the surrounding area.'

5. Holderness District Wide Local Plan

'H3 Replacement Dwellings Outside Development Limits

The Council will normally permit the replacement of existing dwellings even where the siting of these dwellings does not accord with normal planning policy, provided that the existing dwelling is beyond reasonable economic repair, and that the replacement dwelling is of an appropriate design and is no larger in terms of its gross floor

area (but taking into account any extensions which could be erected as permitted development) than the original dwelling, provided there are no other planning objections.'

'Env5 Coastal Zone

The Council will only approve development proposals in the Holderness coastal zone which are not likely during the life expectancy of the development to:

- 1. lead to a requirement to construct new or to extend or enhance existing coastal protection or flood defences*
- 2. interfere significantly with natural coastal or estuarine processes*
- 3. increase the risk of flooding and coastal erosion on site or elsewhere*
- 4. be affected by the risk of coastal erosion within the development's estimated lifespan*
- 5. conflict with nature conservation policies of this plan*
- 6. preclude reasonably practical options to conserve or enhance important coastal habitats by managed retreat or soft engineering techniques*

Small scale extensions to existing development will be permitted providing the whole development meets the life expectancy criterion.'

'Env8 Undeveloped Coast

In the undeveloped coastal zone (as defined on the proposals map), no development will be allowed to encroach within 30 metres of the cliff edge. Between 30 metres and the coastal zone boundary development of a generally open nature, extensions to or the conversion of existing buildings or structures may be permitted. Development of a temporary nature may also be permitted on the basis of a temporary planning permission and subject to its removal before it is affected by erosion. Where the developer is able to demonstrate that the development has specific locational requirements that make the location outside the coastal zone inappropriate, new development may be permitted within the coastal zone beyond 200 metres of the eroding cliff. In all the above cases proposals should accord with Policy Env5 of this Plan.'