

Report for Discussion

Report to Sustainable Development Panel
28 March 2012

Report of Head of Planning

Subject Evidence update for Site Allocations and Development
Management Policies DPDs

Item
5

Purpose

The report provides feedback on the main conclusions and implications of a 'health check' carried out for the emerging Site Allocations and Development Management Policies Development Plan Documents by Planning Officers Society Enterprises (POSe).

Recommendations

To note the report's key findings, and its implications for additional work required prior to the Regulation 27 consultation due to be held in autumn 2012.

Financial Consequences

There are no financial consequences for the council relating to endorsing this document.

Risk Assessment

Not applicable.

Strategic Priority and Outcome/Service Priorities

The report helps to meet a number of corporate priorities including "to make Norwich a prosperous City", provide "decent housing for all" and "a city of character and culture". It also contributes to the key action "to manage the development of the City through effective planning and conservation management".

Cabinet Member: Cllr Bremner

Ward: All

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Report

Background

1. Over the past few months members have been briefed on aspects of the emerging Site Allocations and Development Management Policies development plan documents (DPDs).
2. The plans are due to undergo a 'soundness' consultation commencing in August 2012, under Regulation 27 of the Town and Country Planning Act. This will focus on the key soundness issues as set out in current planning regulations, proposed to be amended by the National Planning Policy Framework (NPPF) once published in its final form (expected in April 2012). In order to be sound, plans must be:
 - **positively prepared:** the draft NPPF states that the plans should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements with the presumption in favour of sustainable development
 - **justified:** the plans should be the most appropriate strategy when considered against the reasonable alternatives; they should be based on proportionate evidence; and their development should have allowed for effective engagement with key stakeholders and interested parties
 - **effective:** plans should be deliverable, flexible, and capable of being effectively monitored
 - **consistent with national policy:** they should enable the delivery of sustainable development in accordance with the policies set out in the NPPF.

Independent review of the plans' soundness

3. Officers reported to the December SD Panel the intention to commission a local plan 'health check' to be carried out for both DPDs by external consultants. Its purpose was to provide an independent assessment of both emerging plans for their robustness and soundness, and an assessment of the plans at a wider level in relation to the Localism Act and the NPPF, enabling early identification of issues that might impact on soundness, e.g. whether the evidence base is sufficient and up-to-date and whether the correct procedures have been followed in plan making. Given current policy uncertainties, this was considered to be helpful in managing the transition to NPPF, and reducing risk of the plans being found unsound in the examination process.
4. The health check was undertaken by Planning Officers Society Enterprises (POSe) in January - February. POSe has previously undertaken similar

health checks for the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), and for the Northern City Centre Area Action Plan.

Summary of key findings and recommendations

5. The consultant's report is attached at Appendix 1 which sets out a summary of the health check findings and a series of recommendations for action.
6. Overall, the consultant concludes that both DPDs 'fit' well within the emerging NPPF and adopted JCS, and the proposed policies and allocations are justified by evidence and help to meet the local community's vision for the city. However the consultant's report does identify a number of areas which require some further consideration and work prior to submission. These are discussed below.

(a) Engagement with the local business community

7. The report recommends that further work be undertaken with business communities in line with the requirement in the draft NPPF to better understand their "changing needs and identify and address barriers to investment" (paragraph 29, draft NPPF).
8. Officers acknowledge that this new requirement set out in the draft NPPF may not be fully reflected in the emerging plans despite the extensive public and stakeholder engagement that has taken place to date. It is therefore proposed that specific efforts will be made to engage with the local business community, to explore their needs and how they are reflected in the plans, particularly in relation to the emerging Development Management policies. This will be a good opportunity to explain the implications of the final version of the NPPF, following its publication, the proposed policy response to this, and how this can help address barriers to delivery.
9. Officers are currently organising a meeting with representatives of the business community, which is planned to take place in the second half of April. The meeting has been publicised at the recent Lord Mayor's reception; the Chamber of Commerce and New Anglia Local Enterprise Partnership will also be invited. Officers will also take part in a Developer Forum to be held in May and will seek the views of agents and developers there.

(b) Consideration of viability and deliverability for allocated sites

10. The report recommends that the Council should evaluate the need to explore viability of development in greater depth than is currently apparent in the draft plans, and to understand fully the barriers to the release of specific allocated sites. Paragraph 39 of the draft NPPF states: "To enable a plan to be deliverable, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened".

11. In order to address this, officers will re-evaluate its approach to viability and reflect this more fully in the text of both plans, particularly the Site Allocations DPD, explaining the current flexible approach to viability in the form of the planning obligations prioritisation framework, affordable housing policy, the implications of the introduction of the Community Infrastructure Levy (CIL), and the need for effective monitoring of activity. The DM policies plan will need to reflect this approach more explicitly in its planning obligations policy.

(c) Consideration of contingencies for responding to circumstances that change unexpectedly

12. The report notes that the plans do not appear to acknowledge uncertainty, and have few delivery mechanisms and timescales to enable policy implementation to be monitored and judged. It recommends that they set out the Council's contingencies in the event of unforeseen events in key policy areas.
13. In responding to this issue, the plans will be reviewed prior to the pre-submission consultation to be more explicit in relation to contingencies, stressing the importance of effective monitoring to identify issues that require a response, and highlighting their flexible approach to enable rapid response to changing circumstances.

Conclusions and next steps

14. The consultant is generally positive about both plans in relation to most of the tests of soundness, and states that there is nothing to suggest that the Council needs to reconsider or delay its submission of the DPDs to the Secretary of State. The additional work required in response to the health check will help to improve the soundness of both documents and reduce the risk of either or both of them being found unsound at public examination.
15. Appendix 2 sets out the Council's initial response to the consultant's recommendations, for information. It is considered that the extra work required as a result of the report can be absorbed into the Policy Team's workload over the next couple of months and will not impact on the previously agreed milestones for progressing both plans set out below.

Pre-submission consultation (Regulation 27)	August – October 2012
Submission and examination	Spring / summer 2013
Adoption	August 2013

Appendix 1:

Development Management and Site Allocations DPDs Health Check

Norwich City Council

Assessment Findings – An Overview

1. The decision to prepare and submit Site Allocation and Development Management DPDs alongside one another can put a significant strain on a small Policy Team. However, those Councils that do make this commitment are rewarded with a more fully integrated and robust framework of documents. The Council can be proud of the team's achievements to date and there is every prospect of a successful conclusion to the work programme.
2. The Health Check has revealed documents that 'fit' well within the emerging national planning policy framework (NPPF) and the adopted Joint Core Strategy for the Greater Norwich Development Partnership (GNDP) area. The documents demonstrate clearly how the preferred policies and allocations have been justified by the evidence, generally meet local needs and help realise the local community's vision for the city. In only a few respects might the 'soundness' of the Documents be in any doubt.
3. The Joint Core Strategy (JCS) for Greater Norwich has established the strategic priorities for the area, including the land requirements necessary to meet housing needs. The DPDs seek to implement those policies. However, given what has happened to the economy since the JCS priorities were formulated, it may be wise to take steps to secure their reaffirmation, especially by the local business community.
4. Given the government's wish to remove barriers to the private sector's contribution to the country economic recovery, the selective efforts made by the Council to engage with the local business and development community could be a weakness. The Council may not be able to convince an Inspector that it has worked closely enough with the business community "to understand their changing needs and identify and address barriers to investment" (paragraph 29, NPPF). Some further work in this area would be appropriate.
5. The extent to which the viability and deliverability has been addressed for sites to be allocated is not yet fully explained in the emerging Documents. A thorough re-evaluation of the Council's approach to testing viability should be undertaken before the Regulation 27 Documents are finalised.
6. There is little recognition of uncertainty. No contingencies are in place for responding to circumstances that change unexpectedly. The DPDs reveal

few delivery mechanisms and timescales to enable policy implementation to be monitored and judged. These shortcomings need to be addressed in the Regulation 27 version of the Documents.

7. Nothing in this assessment should be taken to suggest that the Council might reconsider or delay its submission of the DPDs. The consultant is convinced that the Documents will serve the Council well in the coming years as this attractive and prosperous City is called upon to contribute all it can, within its environmental capacity, to national economic recovery.

Purpose, Context and Limitations

8. The Council's Development Management and Site Allocations DPDs have reached an advanced stage. The next milestone will be a Regulation 27 consultation on both Documents in the summer of 2012. This consultation document, however, will not be finalised until the Council has had the opportunity to take into account the adopted version of the NPPF, due to be published in the spring.
9. Planning Officers Society Enterprises (POSe) has been invited to carry out a review of the early drafts of these Documents and to help the Council identify issues that remain to be addressed. At a later stage of the process, POSe will carry out a short review of the final draft version of each Document to assess their 'fit' with the NPPF.
10. The consultant, Keith Nicholson, has provided Critical Friend support to the City Council in the preparation of the Northern City Centre Action Area Plan. Keith also supported the Greater Norwich Development Partnership in its work on the Joint Core Strategy (JCS).
11. This Health Check has involved a review of unpublished 'working' drafts of each Document with some reference to the extensive evidence base that underpins the Council's position. The instructions did not ask for a qualitative assessment of the evidence base itself.
12. The consultant's 'desk-top' review was supplemented by a structured discussion about processes, evidence base findings and policy options. The discussion took place at the offices of the Council with members of the policy team and the head of service.
13. At Examination, the Inspector will not call into question a DPD unless, in response to challenges, it is found to be 'not sound'. The consultant, therefore, has sought to identify omissions and issues that may prompt a challenge. An assessment has been made of the Council's ability to respond successfully to these omissions and potential challenges. In consequence, the Health Check is selective. It's intended to complement rather than be a substitute for a full 'self-assessment' (using tools and guidance notes prepared from time to time by the Planning Advisory Service and the Planning Inspectorate).
14. The two DPDs are clearly not yet ready for submission. The Development Management DPD and the Site Allocations Map are almost complete albeit in draft form. Only part of the main report of the Site Allocations Document was available for review. Specific policies for allocated sites were not reviewed.

15. Adoption of the Joint Core Strategy is being challenged in the courts. At the time of the Health Check the outcome of the challenge was not known. This report does not speculate on the implications of the court's decision.
16. The Council has asked for this Health Check to help direct and give confidence to its work over the next few months as it prepares for the submission of the Documents.

Process and Background

17. An impressive amount of skill and energy has been applied in the preparation of these Documents by a relatively small yet very experienced team. That work has been informed and guided by regular contact with Members, the Head of Development Management and the Head of Service.
18. The approved Local Development Scheme (LDS) indicates that the City Council intended to submit the Documents to the Secretary of State in August 2011. However, as it became clear the review of the NPPF was not progressing at the pace originally intended by government, the Council decided to revise the timetable. The decision was well founded and is one that many other Councils have taken in similar circumstances. The LDS will be updated as soon as the NPPF is in place.
19. Current Development Management policies have been derived from a series of policy documents produced at regional, sub-regional and local levels over many years. However, national policy has consistently discouraged authorities from repeating national and regional policies in 'lower order' planning documents. For example, in some regions, district councils have relied on Regional Plans for a broad range of nature conservation policies.
20. Given that the East of England Plan and many Planning Policy Statements are likely soon to be revoked, the Council should take steps to ensure that all the relevant policies that remain justified and effective, and are valued by the Council, should be adopted as part of the DM DPD. That applies equally to all such 'saved' Local Plan policies, especially where they have been consolidated into new ones. This review task might usefully be undertaken by staff from the Development Management team; staff who are called upon routinely to apply them.
21. Specifically, the reference in draft Policy DM9 to PPS5 may not be safe. Policy DM9 should incorporate criteria for development affecting ancient scheduled monuments, many of which may be drawn from PPS5.
22. If/where there is divergence from 'saved' Local Plan policies, the Council must satisfy itself that it can provide a sound justification for the change.
23. In discussions between the consultant and the policy team, a divergence between the adopted Area Action Plan for the Northern City Centre and the draft Documents was identified. The divergence, together with the reasoned justification for the policy change, should be incorporated 'on the face' of the Documents.

Tests of Soundness

24. Under the draft NPPF there are to be four tests of soundness ... justified; effective; consistent with national policy and positively prepared.

Justified

25. The Council has considerable experience of meeting the 'justified' test of soundness. It has applied this experience with skill.
26. The DPD process for both Documents has allowed for options and choices to be tested by a wide cross-section of stakeholders and interested parties at each stage. The messages from that engagement have been well documented.
27. In this context, the involvement of the local business community appears to have been relatively scant. This may become a potential threat to the adoption of the Documents given the emphasis being placed on the role of local plans in the economic recovery and the high standards expected of developers in the City. In its present form, the Council may not be able to convince an Inspector that it has worked closely enough on the DM DPD with the business community "*to understand their changing needs and identify and address barriers to investment*" (paragraph 29, draft NPPF). Some further work in this area would be appropriate. The Council might re-convene the Economy Round Table and re-activate the Developers and Planning Agents Forum as means to achieve this objective.
28. The Documents are based on a rich source of contemporary evidence about local needs and opportunities for development gathered to inform and support the full LDF programme, including the recently adopted Joint Core Strategy (JCS) for Greater Norwich and the Area Action Plan (AAP) for the Northern City Centre. The evidence base is comprehensive and the Council has taken steps to ensure that key studies have not lost their currency by up-dating source information and reviewing the significance of that information.
29. The reasons for selecting the preferred policies from amongst the full range of alternatives is described 'on the face' of the Documents. These descriptions have been prepared with commendable rigour and fulsome explanations. The evaluation of alternatives has been guided by a Sustainability Appraisal (SA) undertaken routinely at each stage of the process. It should not be difficult to demonstrate to an Examining Inspector that the SA has been 'mainstreamed'.
30. The Joint Core Strategy (JCS) for Greater Norwich has established the strategic priorities for the area, including the land requirements necessary to meet housing needs. The DPDs seek to implement those policies. However, given what has happened to the economy since the JCS priorities were formulated, it may be wise to take explicit steps to secure their reaffirmation especially by the local business community.
31. The Council is confident that the housing yield from land identified in Site Allocation DPD will exceed the main housing requirement set down in Policy 9 of the JCS. It should also satisfy itself that, collectively, the sites

are capable of delivering the mix of housing types and tenures identified in the Housing Needs and Market Assessments. These appear to reveal challenging housing type, social rented housing and institutional housing requirements. The analysis should, therefore, seek to identify sites that must be safeguarded to satisfy specific needs (as a result of their size or location, for example), suggesting the need for a site-specific policy in support of policies DM12 and DM13.

32. The City Council's preferred policies are, by and large, consistent with the Joint Core Strategy (JCS) for Greater Norwich. There is one area of 'difference' between the City Council and Broadlands Council over the use of a generic policy rather than site specific proposals for accommodating gypsies, showmen and travelers. The difference has been acknowledged and openly recorded. Given the nature of the difference between the two Councils it appears that the issue will have to be addressed at Examination. It would be useful to review recently Examined DPD in the search for examples where a similar dispute has been found in favour of the generic approach.
33. It may be necessary to secure a Certificate of Conformity with national policy for the JCS. Adjustments to strategic priorities required to achieve conformity could yet impact on one or both of the Documents. Otherwise, the fact that the DPDs have been prepared in the context of the draft NPPF should ensure that relatively few last minute changes are necessary to demonstrate conformity for the DPDs themselves.

Effective

34. The draft DPDs give the impression that the Council has absolute confidence in its ability to deliver its chosen policies and site allocations. There is little recognition of uncertainty and no contingencies are in place for responding to circumstances that change unexpectedly. This confidence should be carefully and realistically reconsidered and the ways in which the Council's policy framework will respond to changing circumstances should be more apparent in the final version of the Documents.
35. For example, the Council has made changes to its long-established retail frontages policy in the light of changes in the nature of non-retail uses and market conditions in City Centre properties. But there is no indication as to whether and, if so, in what circumstances this adjustment might need to be reconsidered as the impact of large-scale housing and population growth becomes more evident over the plan period.
36. The DPDs reveal few delivery mechanisms and timescales to enable policy implementation to be monitored and judged. Many of these mechanisms and timescale, of course, will have been set down in the monitoring arrangements for the JCS. However, a review should be undertaken to ensure that there are no objectives introduced in the Documents that are not represented at the JCS level. Where any are revealed, delivery shortcomings must be addressed in the Regulation 27 version of the Documents.
37. One useful practice that the Council may consider helpful is to capture 'indicators' and 'targets' at the end of each policy alongside the

'references'. An example of this approach can be seen in the recently adopted DM DPD for the London Borough of Richmond.

38. At Examination, the Council will be expected to demonstrate its understanding the viability and deliverability implications of its policies. Paragraph 39 of the draft NPPF drives home this point. "To enable a plan to be deliverable, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened".
39. The extent to which the viability and deliverability has been addressed for sites to be allocated is not yet fully explained in the emerging Documents. It may be necessary to explore viability in greater depth and to understand more fully the barriers to the release of specific allocated sites. A re-evaluation of the Council's approach to testing viability should be undertaken in the context of the responses to the current consultation on CIL Charging Schedules in the GNDP area. Unless the adopted version of the Charging Schedules provide this information, it will be especially important for Policy DM34 to spell out the criteria against which the Council will judge applicants' requests to be excused obligations on viability grounds.
40. The JCS confirms that there will be a "significant improvement to the bus, cycling and walking network, including Bus Rapid Transit on key routes in the Norwich area". It is surprising, therefore, to find no policy that safeguards sites required to implement these improvements from compromising development. The County Council should be pressed, in the remaining time before the publication of the Regulation 27 Documents, to complete preliminary design investigations at all network bottlenecks to reveal the need for property acquisition outside the highway boundary.
41. The Council has also, correctly, put the County Council under notice that it should come to a conclusion quickly on its deliberations about the need for a new schools in the City. The Site Allocations DPD should reflect any firm proposals. Of course, there may be no alternative but to deal with a 'late' decision by way of an objection.
42. Policy DM22 does not mention explicitly 'free' schools. Serious consideration should be given to adjusting the policy (or formulating a separate policy) to indicate what considerations will be brought to bear on such development proposals.
43. Policy DM2 fails to give clarity to the Council's requirements for "*high* standards of amenity, *satisfactory* living and working conditions, "*adequate* levels of light" and "*suitable* external private or communal amenity space". Whilst the Document makes the point that firm standards can be overly prescriptive, the Document should at least indicate a starting point for exercising this policy prescription and describe the factors that will be taken into account in accepting lower standards in the face of other considerations.
44. Cross-references could usefully be made between Policies DM3/DM6 and the emerging Biodiversity Off-Setting Scheme (national pilot) to provide prospective applicants with greater pre-application clarity.

45. Policy DM6 should incorporate a reference to the importance of hedgerows (as well as woodland) and discuss how the Council will have regard to the Hedgerow Regulations.
46. Discussions with officers revealed an ambition on the part of the Council to make some employment areas more 'fit-for-purpose'. A site-specific policy for such areas might be helpful but only where there are circumstances that dictate the imperative of a comprehensive approach.

Consistent with the draft NPPF

47. Wisely, the team has prepared the current draft versions of the DPDs in the context of the draft NPPF. It is clear from the draft Documents that this work has been thoughtful and thorough. The discipline should reap rewards if, as widely predicted, there are few substantive changes between the draft and adopted versions of the NPPF.
48. The most significant feature of the government's planning policy approach is its focus on economic recovery. *"The government's top priority in reforming the planning system is to promote sustainable economic growth and jobs"*. Its expectation is that *"the answer to Development and growth should, wherever possible, be 'yes'"* (Minister of State for Decentralisation, Written Statement, 23 March 2011). The draft NPPF goes on to require Development Management DPDs to demonstrate *"significant weight to the benefits of economic and housing growth"*.
49. Some of the opportunities to demonstrate the Council's commitment to this philosophy are, however, missing from the emerging Documents. The DM Document should indicate how the Council will encourage pre-submission discussions with applicants and seek to minimise uncertainty for business, including the use of planning performance agreements. (Paragraphs 56-61, draft NPPF).
50. Commendably, the DM DPD indicates how planning policy and control mechanisms will accommodate neighbourhood plans.

Positively Prepared

51. This is a new test of soundness, introduced for the first time in the draft NPPF. It is a further example of the government's determination to harness the planning system to enable and encourage growth and development rather than put obstacles in its way. There is little doubt that it will remain in the final version of the NPPF.
52. Of course, by their nature, both DPDs must give emphasis to 'control measures' as well as 'encouragement'. Nevertheless, there should be plenty of evidence to place before an Examiner to demonstrate that a positive approach has been adopted by the Council in the preparation of its DPDs. Subtle changes to the style of the Documents, as discussed elsewhere in this report, could be made to give further emphasis to this objective.
53. The Council is giving serious consideration to the preparation of a Local Development Order. It would be particularly helpful if the Regulation 27 Documents could confirm the Council's intentions for such initiatives in both the short and the long term.

Legal Compliance

54. This commission did not allow for an assessment of the procedures followed at each stage of the plan-making process. However, no omissions or errors were apparent to the consultant during the course of his review of the draft DPDs.

Document Presentation

55. Whilst this Health Check has found plenty of evidence to demonstrate that the DPDs have been “positively prepared”, the *impression* given to the reader from the style and content of the early policies of the Development Management DPD is one of primarily of regulation and control rather than being seen to “drive and support the development that this country needs” (paragraph 19, NPPF). Editorial changes to achieve a more appropriate impression have been discussed with officers.
56. The introductory chapters to both DPDs are very clearly written. However, there are some style inconsistencies in the policy chapters of the DM DPD. This may reflect that fact that some policy chapters have been ‘refined’ whilst others remain unchanged from an earlier version.
57. There should be an index to DM policies. This could be provided either on the Contents page or at the beginning of the Policies section. Abandoning the simple sequential numbering of paragraphs from the beginning to the end of the DM Document can be unhelpful to the reader who has specific needs. Sequential numbering of sections and then of paragraphs within each section should be given serious consideration.

Recommendations

58. Update the LDS as soon as possible following the publication of the NPPF.
59. Consider inviting Development Management staff to review the completeness of emerging DM policies against PPS and Regional Plan and ‘saved’ Local Plan policies routinely relied upon.
60. Review the wording of DM9 in the light of the possible revocation of PPS5.
61. Identify and justify any divergence between ‘saved’ Local Plan and DM DPD policies.
62. Identify and justify the proposed policy divergence between the Northern City Centre AAP and the DM DPD.
63. Undertake some further work with business communities to understand better their “changing needs and identify and address barriers to investment”.
64. Seek reaffirmation of the strategic priorities for the area.

65. Review the need for site-specific policies to meet the housing mix requirements.
66. Search for examples where a similar dispute to that with Broadlands Council on meeting the gypsy and traveller requirement has been resolved.
67. Consider outlining the Council's contingencies in the event of unforeseen events in key policy areas.
68. Ensure that monitoring arrangements are in place to gauge the achievement of all key objectives.
69. Consider showing 'indicators' and 'targets' at the end of each policy section.
70. Evaluate the need to explore viability in greater depth and to understand fully the barriers to the release of more allocated sites.
71. Press Norfolk County Council to complete preliminary design investigations at all network bottlenecks and to determine the need for new school site allocations.
72. Consider adjusting policy DM22 to deal with 'free school' applications.
73. Review the terms of DM2 to achieve greater clarity of terms.
74. Insert cross-references between Policies DM3/DM6 and the emerging Biodiversity Off-Setting Scheme.
75. Incorporate references to hedgerows in Policy DM6
76. Consider inserting a site allocation policy for those employment areas where the Council wishes to see a comprehensive approach to their renewal.
77. Indicate how the Council will operate pre-submission discussions and when it will enter into planning performance agreements with applicants.
78. Consider confirming the Council's intentions to introduce Local Development Orders over the plan period.
79. Make editorial changes to demonstrate more clearly how the Council will "drive and support the development that this country needs"
80. Provide an index to DM policies and consider more helpful paragraph numbering for the DM DPD.

Author:

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February 2012

Appendix 2:

Local Plan health check: POSe recommendations and the Council's proposed responses

Para Ref	Health check recommendation	Suggested council response & timescale
58	Update the LDS as soon as possible following the publication of the NPPF.	Following enactment of the new local planning regulations (expected shortly) there will no longer be a statutory requirement to produce a Local Development Scheme. However the Council will undertake to publish its programme of work relating to the Local Development Framework on its website (April / May 2012) and to keep this regularly updated.
59	Consider inviting Development Management staff to review the completeness of emerging DM policies against PPS and Regional Plan and 'saved' Local Plan policies routinely relied upon.	Agreed to review this: DM policies to be subject to internal consultation in April 2012 following publication of final version of NPPF.
60	Review the wording of DM9 in the light of the possible revocation of PPS5.	Agreed – currently being reviewed
61	Identify and justify any divergence between 'saved' Local Plan and DM DPD policies.	Agreed (although this is considered unlikely to be an issue) – review in March
62	Identify and justify the proposed policy divergence between the Northern City Centre AAP and the DM DPD (relates to the policy approach to changes of use in St Augustine's Street and Magdalen Street.	Agreed – currently being reviewed
63	Undertake some further work with business communities to understand better their "changing needs and identify and address barriers to investment".	Agreed. Set up meeting with local business community (publicised at Lord Mayor Reception in March) – to take place in latter half of April. Invitees to include members of the Chamber of Commerce and New Anglia Local Enterprise Partnership. Seek input from agents and developers at the next Development Forum to take place in May.
64	Seek reaffirmation of the strategic priorities for the area.	Agreed - review within the context of the final version of the NPPF (April – May 2012).
65	Review the need for site-specific policies to meet the housing mix requirements.	Agreed to review prior to consultation although not likely to be necessary to include a site specific policy.

66	Search for examples where a similar dispute to that with Broadlands Council on meeting the gypsy and traveller requirement has been resolved.	Agreed – review progress on study commissioned by Strategic Housing, and review evidence base supporting our policies (March / April 2012).
67	Consider outlining the Council's contingencies in the event of unforeseen events in key policy areas.	Agreed – need to refer to in text of both plans (March / April 2012), with reference to the Council's flexible approach and the importance of monitoring of activity (inc windfall evidence monitoring), and planning obligations framework.
68	Ensure that monitoring arrangements are in place to gauge the achievement of all key objectives.	Agreed – produce monitoring framework for DM policies DPD. Review section in Sites DPD on monitoring (March / April 2012)
69	Consider showing 'indicators' and 'targets' at the end of each policy section.	Need to consider this but it may not be necessary if a monitoring framework is included in the appendices.
70	Evaluate the need to explore viability in greater depth and to understand fully the barriers to the release of more allocated sites.	Agreed – both plans need to reflect this, but particularly the Sites DPD. Considerations include: final wording of NPPF, affordable housing policy and SPD, CIL, planning obligations policy, and the importance of monitoring to identify barriers to delivery.
71	Press Norfolk County Council to complete preliminary design investigations at all network bottlenecks and to determine the need for new school site allocations.	Preliminary design investigations - not sure this is necessary / feasible at this stage but BB to follow up with County. Add clause to DM30 to ensure future junction improvements are not prejudiced. School allocations – press for clarification from County
72	Consider adjusting policy DM22 to deal with 'free school' applications	Agreed – policy DM22 has now been reviewed to address the issue of schools development generally and the supporting text mentions the anticipated growth of free schools specifically.
73	Review the terms of DM2 to achieve greater clarity of terms.	Accept that some tightening up of terminology is required where possible, however it is difficult to establish a fixed benchmark for some of these terms as much of the negotiation around these issues will be undertaken by DM staff in any event. This will be highlighted as an issue in the forthcoming internal check of the DM Policies plan by DM staff.
74	Insert cross-references between Policies DM3/DM6 and the emerging Biodiversity Off-Setting Scheme.	Agreed that this needs to be reviewed.
75	Incorporate references to hedgerows in Policy DM6	Agreed – this policy has now been updated.
76	Consider inserting a site allocation policy for those employment areas where the Council wishes to see a comprehensive	This is judged as not necessary – we have responded to Asset Management representations which have not specified need for

	approach to their renewal.	comprehensive renewal of any employment areas (check)
77	Indicate how the Council will operate pre-submission discussions and when it will enter into planning performance agreements with applicants.	Agreed to review, and clarify content of the DM Policies Plan accordingly.
78	Consider confirming the Council's intentions to introduce Local Development Orders over the plan period.	Agreed- update text of DM Policies plan to reflect the emerging LDO for replacement windows
79	Make editorial changes to demonstrate more clearly how the Council will "drive and support the development that this country needs"	Agreed – both documents are currently being edited to do this (particularly relevant to DM policies plan).
80	Provide an index to DM policies and consider more helpful paragraph numbering for the DM DPD.	Agreed – index now done.

JD March 2012