

Report to	Sustainable development panel 9 January 2013	Item
Report of	Head of planning service	5
Subject	Site Allocations and Development Management Policies DPDs: update on consultation and next stages	

Purpose

This report provides members with an overview of the representations made to the recent consultation on the soundness of the Site Allocations and Development Management Policies development plan documents. It also sets out details of the next stages for both plans, including an indicative timetable for examination and adoption.

Recommendation

That Members note the contents of this report.

Corporate and service priorities

The report helps to meet the corporate priority a prosperous city and the service plan priorities to deliver the Site Allocations and Development Management Policies DPDs.

Financial implications

There are no direct financial implications to this report.

Ward/s: All wards

Cabinet member: Councillor Bremner – Environment and development

Contact officers

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Background documents

None

Report

Background

1. This report provides an update on the progress of the Site Allocations plan and Development Management Policies plan. These plans were recently subject to soundness consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation on both plans took place concurrently and lasted for 12 weeks (6 August - 26 October 2012).
2. The purpose of this report is to give Members an overview of the representations received during this recent consultation, providing an indication of the scale of objections to and support for each plan, and the main issues likely to be addressed at public examination.
3. The report will explain the key stages which the council will follow to submission to the Secretary of State, and briefly explain the examination process that will follow. It will also indicate approximate timescales through to eventual adoption.

Summary of consultation representations

4. The Regulation 19 consultation sought views on the soundness and legal compliance of the Site Allocations and Development Management Policies plans and the Policies Map, and was the last stage for public comment prior to submission of the plans to the Secretary of State for examination. Views were also sought on the Sustainability Appraisals for each plan which were prepared by independent consultants (Land Use Consultants).
5. All representations made to the plans and Policies map will be summarised and incorporated into comprehensive consultation statements for each plan which will be part of the submission documentation.
6. In summary, 215 valid representations were made during the consultation period, across both plans. Most respondents made a number of individual representations to policies, and in some cases these representations cover a number of separate issues so have been broken down further by officers when considering responses. A summary of representations made is as follows:
 - Site allocations plan: **140** representations were made by 43 individual respondents. Please note that 33 sites (out of a total of 79) did not attract any representations, and 3 sites received only supporting comments.
 - Development management policies plan: **69** representations were made by 29 individual respondents. 10 policies (out of a total of 33) received no representations.
 - Policies map: **4** representations were made by 4 respondents.
 - Sustainability appraisals: **2** representations were made by 2 respondents.
7. Officers propose to make a number of minor changes to both plans in response to representations, where the change is not substantive but is either for clarification or is a factual update. Some additional minor changes, not related to representations, will also be proposed where officers consider that they are required to reflect updated information or new legislation for example. All these changes will be brought before Members when the proposed Submission plans are reported to the sustainable

development panel, cabinet and full council (timescales set out in paragraph 13 below).

8. There are also a very small number of more substantive changes to policies which officers are minded to support (both in relation to representations and where there is a need to reflect new legislation etc). It would be possible to make these changes through a 'focussed changes' consultation prior to submission but this would have the effect of further lengthening the plan making process by a minimum of 2 months. In order to reduce delays, these changes will instead be presented to the Inspector for consideration at the examination. This course of action has been agreed as appropriate by the Planning Inspectorate. Again, these prospective changes will be set out in the reports to sustainable development panel, cabinet and council.

Likely issues for examination

9. The examination process begins once a plan is submitted to the Secretary of State and continues through the hearing stage to final adoption. The process no longer focused on individual objections (as used to be the case at local plan inquiries) but is concerned with the legal compliance and soundness of plans as a whole. This means that, following submission, the Inspector will be guided by what he or she regards as the critically important issues in relation to the soundness of the plan, and could raise an issue for discussion at examination that was not identified by a representation. Therefore the issues identified below as potential issues for examination, arising out of the representations for each plan, are not definitive and may change following submission.
10. The key issues likely to go to examination for the Site allocations plan include:
 - the non-allocation of the Bartram Mowers site at Bluebell Road
 - the exclusion in the current King Street Stores site allocation of the Lincoln Ralphs sports hall
 - the proposed alternative allocation of a site at Garden Street (currently allocated under policy CC11) for a school site for Norfolk County Council, as a precautionary measure
 - the designation of Lakenham Sports ground site for open space – some objectors wish it to be allocated for housing and open space as in earlier versions of the plan
 - the level of residential use at Deal Ground – objections are concerned that this may prejudice the continued operation of the neighbouring mineral operation.
11. Key issues likely to go to examination for Development Management Policies plan include:
 - flood risk policy (DM5) – it is suggested that the policy should require detailed assessments covering surface water flood risk for any site where such flooding is likely (rather than only within areas shown to be at exceptional risk, as currently proposed) these assessments also need to address the potential for development to cause flooding elsewhere. There is also a request that flood risk assessments should be required for all householder development, and a number of issues need to be clarified in relation to emerging county council responsibilities in relation to sustainable drainage (Environment Agency and Norfolk County Council)

- housing development (DM12) – objectors consider that the minimum housing density of 40 dwellings per hectare is not flexible enough and should be deleted
- main town centre uses (DM18) – objectors are concerned that an embargo on further development at Riverside is not justified, also that indicative size thresholds given in Appendix 4 for the acceptance of retail and other development in defined centres are not supported by an appropriate and up to date evidence base.
- Evening Economy (DM23) – objectors have contested the embargo on residential development and conversion within and adjacent to the late night activity zone, regarding it as negatively worded and over-prescriptive. It is considered that the policy should allow for “low impact” uses such as student accommodation in the late night zone.
- Parking Standards (DM31) Objectors have challenged the basis of reduced car parking standards for out of centre retail development. A separate objector suggests that city centre car parking standards should be calculated having regard to “baseline” parking provision (i.e. they should not propose a reduction in parking on a particular site compared to what is already there).
- A number of site specific objections (such as that in relation to the Deal Ground) are also seeking changes to relevant development management policies which are considered to place undue restrictions on existing business operations.

12. Further information on these key issues will be provided in the reports to SDP, cabinet and council in the next couple of months (see below).

Timescale to Submission

13. The timescale for each plan to submission is as follows:

	Development Management Policies Plan	Site Allocations Plan
Sustainable Development Panel	23 January 2013	27 th February 2013
Cabinet	13 March 2013	13 th March 2013
Council	26 March 2013	26 th March 2013
Submission	April 2013	April 2013

14. Following submission it is anticipated that the public hearings will take place in either July or September, depending on the Planning Inspectorate. If the Inspector needs to make modifications to the plans (which is anticipated) there will be a minimum 6 weeks of consultation on the proposed changes, and concurrently on the Sustainability Appraisal of the changes. It is anticipated that the plans will be adopted in early to mid 2014.