

Report to Cabinet
20 March 2013
Report of Head of planning service
Subject Development management policies and site allocations
submission plans

Item

12

Purpose

To endorse the submission versions of the Development Management Policies Development Plan Document (the 'Development Management Policies plan') and the Site Allocations Development Plan Document (the 'Site Allocations plan') as legally compliant and sound.

Recommendation

That cabinet:

- a) endorse the proposed submission version of the Development Management Policies plan as legally compliant and sound; and authorise it and associated submission documentation for formal submission under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- b) endorse the proposed submission version of the Site Allocations plan as legally compliant and sound; and authorise it and associated submission documentation for formal submission under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- c) authorise the proposed submission version of the Policies Map for formal submission under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- d) delegate authority to the deputy chief executive (operations) in consultation with the cabinet member for environment and development, to approve the detail of any additional or updated technical documents and supporting evidence required to be submitted alongside both plans for consideration at examination; to make any minor edits and consequential changes necessary to either document following Council and prior to submission; and to prepare and give evidence in support of both plans at examination;

- e) agree to give authority to the inspector appointed to hold the public examination to make modifications to either or both plans under Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 as amended; and,
- f) agree that weight should be attached to emerging policies and proposals in the determination of planning applications.

Corporate and service priorities

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

Financial implications

The anticipated costs of taking the plans through examination to adoption have been incorporated into the planning budget for 2013/14.

Ward/s: All wards

Cabinet member: Councillor Bremner – Environment and development

Contact officers

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Background documents

None

Report

Background

1. The Development Management Policies and Site Allocations Development Plan Documents ('plans') and their accompanying Policies Map form part of the emerging local plan for Norwich, alongside the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) and the adopted Northern City Centre Area Action Plan (2010) which includes policies and site specific proposals aimed at regenerating the northern city centre. Despite the legal challenge to the JCS, its strategic planning policies remain adopted and provide the context for the other local planning documents.
2. The Development Management Policies plan sets out local planning policies to guide the council's decisions on planning applications for new development, which will apply across the whole city. The Site Allocations plan contains detailed policies for individual sites where change is anticipated or proposed. It will operate alongside the Development Management Policies plan. The Policies Map illustrates the policies and proposals of both plans, as well as particular policies of the adopted Northern City Centre Area Action Plan which will continue to apply.
3. Both local planning documents are being taken forward on the same timescale. Upon adoption the plans will replace the existing City of Norwich Local Plan (2004); the Policies map will replace the existing Local Plan Proposals map and will incorporate the policies and proposals in the adopted Northern City Centre Area Action Plan. It should be noted that the Joint Core Strategy key diagrams for greater Norwich and the city centre will continue to form part of the development plan for Norwich alongside the Policies map as they form part of the adopted Joint Core Strategy.
4. At recent meetings of the Sustainable Development Panel on 23rd January and 27th February, members considered representations to the Pre-submission (Regulation 19) versions of the Development Management Policies and Site Allocations plans, and endorsed the Submission versions of both plans, subject to minor amendments made in response to certain representations or to reflect factual changes. Sustainable Development Panel agreed to ask Cabinet to recommend that Council endorses both plans as legally compliant and sound, and to authorise them for submission to the Secretary of State.
5. 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).
6. The purpose of this report is to:
 - a) inform members about the specific representations made to the Development Management Policies and Site Allocations plans at Regulation 19 stage and the recommended response to each;

- b) highlight key documentation which supports the plans, which is available on the council's website;
- c) seek Cabinet endorsement of the proposed submission plans and the Policies map, attached at Annexes 4, 8 and 9;
- d) seek agreement to recommend that Council authorises each plan for submission to the Secretary of State.

Evolution of both plans

7. The Site Allocations plan has been in development since early 2009, and the Development Management Policies plan since 2010. Details of the plan-making process for both plans are set out in Annexes 4 and 8 (the text of the two Submission plans). Both plans have been subject to extensive public consultation to date, summarised in the table below.

DPD	Stage	Timescale	Approx number of representations
Site Allocations plan	Initial 'call for sites'	February – April 2009	170 sites identified
	First stage of public consultation on potential development sites	November 2009 – February 2010	400
	Second stage public consultation on preferred (or 'shortlisted') sites	January – March 2011	100
	Additional stage of consultation on preferred sites	July – September 2011	230
	Pre-submission consultation	August – October 2012	140
Development Management Policies plan	First stage of public consultation	January – March 2011	244
	Pre-submission consultation	August – October 2012	69

8. The Site Allocations plan commenced with a 'call for sites' in early 2009, and then had three separate formal stages of public consultation on draft versions of the plan as shown in the table above under Regulation 25 of the planning regulations (now referred to as Regulation 18 under the new 2012 regulations). The Development Management Policies plan had one stage of public consultation under Regulation 25

as shown above. The final soundness consultation for both plans took place in August-October 2012 (under Regulation 19 of the 2012 planning regulations).

9. Both plans have been subject to sustainability appraisal to meet legal requirements and ensure that they achieve sustainable development. The sustainability appraisal reports for both plans form part of the submission documentation referred to later in this report.
10. Both plans have evolved in response to representations made at each stage of consultation, internal discussion with council officers, engagement with stakeholders and statutory bodies, through discussion at Sustainable Development Panel, and by decisions made by Cabinet. Both plans have also had to respond to changes in government policy over the past two to three years, particularly the National Planning Policy Framework (NPPF) published in March 2012, the Duty to Co-operate introduced by the Localism Act 2011, and related changes to planning regulations. Further changes being promoted by Government in recent months, including the introduction of permitted development rights to enable change of use from commercial to residential uses, may have significant implications for the local plan.

Soundness consultation (Regulation 19)

11. The focus of the Regulation 19 consultation was on soundness and legal compliance. Legal compliance relates to whether the procedures used to prepare the plan follow the legal requirements set out in the relevant regulations. The tests of soundness are: whether a plan is positively prepared to meet objectively assessed development and infrastructure requirements for Norwich; whether it is justified as the most appropriate development strategy on the basis of evidence; whether it will be effective (i.e. capable of implementation in the plan period); and whether it is consistent with national policy, in particular the NPPF.
12. Approximately 1700 individuals and organisations were consulted on both plans.
13. The Development Management Policies plan attracted a total of 69 representations made by 29 respondents of which 6 were expressions of unqualified support, 45 were objections and 18 were comments (some suggesting that change would be beneficial but not amounting to a substantive objection). No objections were received about the plan's legal compliance, which means that there are no immediate concerns from objectors that the Council has not followed proper procedures in developing the plan or that it has not met the Duty to Co-operate with neighbouring authorities and other bodies. Two representations were made to the Sustainability Appraisal (SA) for this plan which are responded to in the SA report referred to later in this report.
14. The analysis of representations made to the Development Management Policies plan and the council's proposed response is set out in detail in Annexes 1a, 1b and 2. Officers' proposed course of action on each representation falls into one of five categories:
 - i) No change necessary: 6 representations of support which are noted and where no change is needed.

- ii) Minor change proposed for clarity: 15 representations which can be addressed by making small changes to the plan without affecting its substantive content (Annex 2). These are minor changes to clarify how a policy will be interpreted to reflect factual updates or correct errors in the text or on the Policies Map. The Planning Inspectorate (PINS) has advised that such minor changes can be made without further consultation provided they do not affect the interests of third parties or aggrieve other objectors. Officers consider it reasonable to make these changes and it is proposed that they are incorporated into the plan text at Annex 3 and taken forward for submission.
- iii) Seek change through examination – One representation to Policy DM21 on which a more substantive change is considered appropriate in order to resolve an issue highlighted by an objector. This is set out for members' consideration at Annex 3. The Planning Inspectorate assumes that that where practicable, most significant issues of disagreement will have been resolved at earlier stages in the plan making process. Consequently the regulations do not permit further changes to the submission version of the plan at this stage other than minor clarifications (see above). One option open to the council to take forward more wide-ranging alterations of this kind would be to undertake a further round of public consultation on a "focused change". However, this would add at least three months to the process and further delay examination and adoption of the plan. In order to avoid a lengthy delay to the whole plan arising from a single change, it is proposed that the plan is submitted as per Annex 4 (with minor changes only) and to take forward a revised form of wording as detailed in Annex 3. This would be made available to the inspector as a basis for further discussion and consideration at public examination alongside any statements of common ground between the council and the objector and evidence supporting the council's position. This course of action has been agreed as appropriate by the Inspectorate for changes of this kind.
- iv) No change proposed: 42 representations raise issues or make suggestions for changes to the plan which officers consider cannot be accepted. The outstanding objections on soundness relate to matters on which it has not been possible to reach agreement at earlier stages, or which reiterate earlier objections where the council has already stated its reasoned justification for not changing the plan. In a limited number of cases new representations are made requesting the inclusion of matters of detail which it is not appropriate to include in a development plan document, or matters which it is considered are adequately addressed by other plan policies or the JCS.
- v) Additional changes: 22 proposed changes for clarification do not arise directly from representations, but officers consider it expedient to make them in the interests of improving the plan's effectiveness. These are very minor changes and updates for clarity which can be included in the submission version of the plan and are incorporated into the text at Annex 2 or which involve minor amendments to the Policies Map.

15. The Site Allocations plan attracted a total of 141 valid representations by 43 separate respondents. A significant proportion (45%) of the 79 proposed allocations in the Pre-submission plan did not attract any representations (33 sites) or attracted representations of support only (3 sites).

16. Overall there were 11 representations of support for the Site Allocations plan, 69 objections and 61 comments. There were also 5 representations to the Sustainability Appraisal for the plan, which are responded to through in the SA report referred to later in this report.
17. Although a small number of representations query the plan's legal compliance, these are primarily concerned with objecting to specific sites and do not substantiate how they consider that the plan fails to be legal compliant. There are therefore no immediate concerns that the council has not followed proper legal process or that it has not met the statutory Duty to Co-operate with neighbouring authorities and other bodies for both plans. However as part of the submission documentation, the council will produce a statement showing how it has addressed legal compliance and soundness issues, and a separate statement to demonstrate how it meets the Duty to Co-operate.
18. The analysis of representations and the council's response to them is set out in detail in Annexes 6a, 6b and 7. Officers' courses of action for each representation falls into one of three categories set out below:
- i) No change necessary – 11 representations of support which are noted and where no change to the plan is needed (see Annex 6a).
 - ii) Minor change proposed for clarity – 85 representations which can be addressed by making small changes to the plan without affecting its substantive content (see annex 7).
 - iii) No change proposed – 45 representations raise issues or make suggestions for changes to the plan which officers consider cannot be accepted (Annex 6b).
19. Additional changes: two proposed changes for clarification do not arise directly from representations, but officers consider it expedient to make them in the interests of improving the plan's effectiveness. As with the DM Policies Plan, these are very minor changes and updates for clarity which can be included in the submission version of the plan and are incorporated into Annex 8, bringing the total of minor changes up to 87.

Issues for examination

20. An important principle of the examination process is that the Inspector, not the city council, determines which particular matters should and should not be discussed at examination and decides who should appear at the hearings. Officers' expectation is that the more fundamental issues - involving areas of disagreement or where further policy changes are proposed - are most likely to be the focus of debate at examination. These are principally those representations falling into the "no change proposed" category above, which are set out in annexes 1b and 6b to this report. However, it is open to the inspector to raise any issues he or she sees fit and to invite objectors to appear where it would assist in the overall understanding of the plan and enable a proper judgement to be reached on its soundness. This may include consideration of any previous objections (made at the draft stage) considered to be unresolved, as well as objections arising from the previous round of consultation.

Overview of the Submission plans

21. Both plans, as amended in response to representations, are now proposed to be submitted to the Secretary of State for independent examination, and are set out in annexes 4 and 8. A brief overview of each submission (regulation 22) plan is provided as follows:

- The submission Development Management Policies plan (annex 4) sets out a range of policies to guide development within the city in accordance with the sustainable development principles of the NPPF. The plan contains 33 policies around the broad themes of the Joint Core Strategy, covering issues related to housing, environment and design, communities and culture, the economy, and transport. Supplementary text is provided for each policy giving further detail and clarification. The plan also contains a specific development management policy on planning obligations and viability (DM33) and commentary on the role of the emerging Community Infrastructure Levy (CIL) regime which is likely to be in place by the time the plan is examined.
- The submission (Regulation 22) Site Allocations plan (annex 8) proposes to allocate a total of 78 sites for development in the plan period for a variety of uses; 35 of these sites are proposed in the city centre and 43 in the remainder of the city. Allocation of these sites will provide land sufficient for in the region of 3,350 new homes and seven hectares of additional land reserved for new employment and business uses. This exceeds the JCS target of 3000 new homes within the plan period. The housing sites are in addition to sites already permitted or allocated but not yet developed through the City of Norwich Replacement Local Plan (adopted 2004) and the Northern City Centre Area Action Plan (adopted 2010).

Sustainability appraisal

22. The council is legally required to carry out a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA) as part of the plan-making process for both plans. The Government recommends that both SA and SEA are undertaken in one process to meet the legal requirements and this process is referred to as the “Sustainability Appraisal”, with the overall aim of achieving sustainable development.

23. Legislation requires that sustainability appraisals must be prepared alongside local plans, identifying key sustainability objectives, assessing policies and proposals against these objectives, examining any reasonable alternatives, and putting forward recommendations where necessary to improve the overall sustainability of the plan. The aim of the SA process is to ensure that the proposed Site Allocations Plan and Development Management Policies Plan have as many positive effects as possible, and that any potential negative effects are avoided or mitigated.

24. The SA process has run in tandem with the development of both plans and is set out in detail in the separate SA reports for each plan. These are available on the council’s website as part of the submission documentation for each plan, and are available for members’ consideration through the following link:

<http://www.norwich.gov.uk/Planning/Pages/LocalPlanCabinetDocuments.aspx>

25. The recent Regulation 19 consultation sought views on the draft sustainability appraisal for each plan prepared by the council's retained consultants Land Use Consultants (LUC). No representations were received to the SA for the DM Policies plan. A total of 6 representations were received to the SA for the Site Allocations plans. Two of the six representations are in support of the SA and four object to the SA. No change is proposed to the plan in respect of these representations: the justification in relation to the response to each representation is set out in detail in Appendix 3 of the SA for the Site Allocations plan.
26. The Non-Technical Summary of the June 2012 SA for the Site Allocations plan included a number of recommendations to improve the sustainability of the Site Allocations plan. These recommendations were reported to Sustainable Development Panel in June 2012 and the Council's responses to them were agreed which included number of proposed changes to the plan in relation to some of the recommendations; a justification was provided where no change was proposed by the council. The outstanding recommendations have been carried forward into the final SA report for the Site Allocations plan; the justification for making no change in respect of the outstanding recommendations stays the same and can be found in the papers for Sustainable Development Panel on 20 June 2012 (at Annex 2b of that report).
27. The Non-Technical Summary of the June 2012 SA report for the DM policies plan also included a very small number of recommendations for further changes to policies. The council's response to these is set out in Appendix 5 of that report and, similarly, justifications are provided where no change was proposed by the council. One outstanding SA recommendation remains in respect of policy DM27 (Norwich Airport) where the consultants consider that scope remains for further clarification relating to the impact of Airport expansion on international sites of nature conservation importance. Having considered this recommendation it is not proposed to make any further change to the policy. The reasoning for this is set out in Annex 5 to this report.

Submission documents and supporting documentation

28. The documentation which is required under the Town and Country Planning (Local Planning) Regulations 2012 to be provided to the Secretary of State upon formal submission is set out below:
- The proposed submission document for each plan (attached at annexes 5 and 8 of this report)
 - The sustainability appraisal report for each plan (links provided in paragraph 24 of this report)
 - The submission policies map (attached at annex 9 in reduced form and available online at <http://www.norwich.gov.uk/Planning/Pages/LocalPlanCabinetDocuments.aspx>)
 - The appropriate assessment of each plan (available online at <http://www.norwich.gov.uk/Planning/Pages/LocalPlanCabinetDocuments.aspx>)
 - The adopted statement of community involvement (March 2010) (<<http://www.norwich.gov.uk/Planning/documents/Sci.pdf>>). Please note that this

is currently being reviewed; the current adopted version will be submitted to the Secretary of State in April and the revised SCI will be submitted later once formally adopted (anticipated June 2013).

- The Regulation 22c document which sets out details of the whole consultation process for each plan including representations made at each stage and how these have been responded to by the council. Note: this cannot be finalised for either plan until after the Council meeting on 26th March. However links are provided below to the existing consultation statements for each plan on the council's website, and the details of the latest consultation under Regulation 19 are attached to this report in annexes 1, 2, 3, 5 and 6.
 - a) Site allocations plan – Consultation statement for first stage of Regulation 25 consultation:
<<<http://www.norwich.gov.uk/YourCouncil/Consultations/ClosedConsultations/2011/documents/Statementofconsultationreg251.pdf>>>
 - b) Site allocations plan – Consultation statement for second stage of Regulation 25 consultation:
<<[http://www.norwich.gov.uk/Planning/Documents/ConsultationStatementReg25\(2and2a\).pdf](http://www.norwich.gov.uk/Planning/Documents/ConsultationStatementReg25(2and2a).pdf)>>
 - c) Development Policies plan - Consultation statement for first stage of Regulation 25 consultation:
<<<http://www.norwich.gov.uk/Planning/Documents/DMPConsultationStatementJun12.pdf>>>
- Copies of all representations made in accordance with regulation 20: these are the representations made on the Regulation 19 consultation which are discussed in this report. Copies of the representations will be placed on the council's website prior to submission.

29. In addition to the above documents, the council must also submit the key supporting documentation which it considers relevant to the preparation of each plan. This will include the evidence base for the plan, topic papers, and documents demonstrating compliance with the planning regulations and national policy. All these documents will be available on the council's website prior to submission as part of the submission documentation. Key supporting documents are set out below for information. Please note that the topic papers referred to below are currently available on the council's website in draft form and the final version of each will be available on the website by the time the plans are submitted.

- Housing topic paper
- Employment topic paper
- Transport topic paper
- Retail and town centres topic paper
- Open space, sport and recreation topic paper
- A joint statement for both plans of how the council has complied with the new Duty to Co-operate

- A joint statement for both plans demonstrating how their policies and proposals comply with the National Planning Policy Framework
- A joint statement for both plans of how the council has complied with the soundness requirements
- A statement for each plan on how the council has complied with legal compliance requirements
- A monitoring framework for both plans.

Legal issues

30. There have been changes to examination procedures arising from the 2012 Planning Regulations which reflect amendments to section 20(7C) of the Planning and Compulsory Purchase Act 2004. Following submission the council will be asked by the Planning Inspectorate (PINS) whether it gives authority to the inspector under Section 20(7C) of the Act to make modifications to the plan as part of the examination process, or whether it declines to do so.
31. The implication of agreeing to give the inspector authority to make modifications is that this will allow the inspector to make any changes to the plan to ensure its soundness. This is the normal approach taken by those local planning authorities who have submitted plans under the new regulations to date: PINS advises that no planning authorities have declined to give the inspector this authority.
32. Any subsequent modifications to either plan proposed by the inspector to address issues of soundness would require a period of consultation and would need to be subject to sustainability appraisal prior to being confirmed. This is likely to delay the examination process by 2 to 3 months. Council would then have the opportunity to resolve to adopt the plans as proposed to be modified by the Inspector.
33. A decision not to give the inspector authority to make modifications would mean no delay to the examination process arising from such modifications, but would increase the risk of the plan being found unsound. The inspector's report would be confined to identifying any soundness or legal compliance failures. If any such failures were found, the plan could not be adopted as submitted. Advice from the Planning Inspectorate suggests that all plans which have gone through examination since the introduction of the new regulations have involved modifications to plans to make them sound.
34. It is therefore proposed that members agree to recommend to Council that it agrees to give the inspector authority under section 20(7C) of the Planning and Compulsory Purchase Act 2004 to make modifications to the plan, to ensure that it is sound.

Conclusion and next steps

35. In conclusion, both submission plans, as proposed to be amended in annexes 4 and 8, have been prepared in accordance with the Duty to co-operate, legal and procedural requirements, and are considered to be sound.

36. Assuming Council approval on 26th March the plans will be submitted to the Secretary of State in April for public examination. The examination hearings are likely to take place in summer 2013, and adoption should take place by the end of 2013, although the timescale for adoption of either or both plans is dependent on the issues and matters to be identified by the Inspector following submission and any modifications proposed to either or both plans.
37. Given the short timescale between the Cabinet and Council meetings, if Cabinet decides to recommend any changes to either of the plans as set out in annexes 4 and 8, these will have to be reported to Council on 26th March as amendments to the Council report. Any such change proposed must be fully documented to provide clarity on the decision-making process. This will help reduce the risk of the plan being open to challenge through the public examination process or through a later legal challenge.
38. Members should note that as the plans near submission and adoption, progressively greater weight will be attached to the emerging policies and proposals they contain for development management purposes.

Integrated impact assessment



NORWICH
City Council

The IIA should assess **the impact of the recommendation** being made by the report

Detailed guidance to help with completing the assessment can be found [here](#). Delete this row after completion

Report author to complete

Committee:	Cabinet
Committee date:	20 March 2013
Head of service:	Graham Nelson
Report subject:	Submission Development Management Policies and Site Allocations Plans
Date assessed:	1 March 2013
Description:	The impact assessment is based on the recommendation to authorise the plans for submission, and not on the contents of the plan. Both plans have been subject of Sustainability Appraisal (including consideration of environmental, social and economic objectives) and have been screened for impacts on diversity considerations.

	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are costs associated with conducting the public examination but this is a statutory requirement.
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Limited impact on Design Print and Production service which will provide a small number of hard copies of the submission plans and supporting documents, and upload electronic versions on the council's website. A budget transfer will reflect.
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.
Economic development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The submission of the plans will not have a direct impact on economic development, which is reflected in the impact score. However eventual adoption of the plans following the examination process should have a positive impact on development generally.
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.
<u>S17 crime and disorder act 1998</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.

	Impact			
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.
Health and well being	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impact identified.
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The submission of both plans will have a positive impact on transportation as weight can be attached to the policies and proposals in the plans upon submission.
Natural and built environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The submission of both plans will have a positive impact on the natural and built environment as weight can be attached to the policies and proposals in the plans upon submission.
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no direct impacts of submission of these plans on waste minimisation and resource use.

	Impact			
Pollution	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The submission of both plans will have a positive impact on pollution as weight can be attached to the policies and proposals in the plans upon submission.
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no direct impacts of submission of these plans on sustainable procurement.
Energy and climate change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The submission of both plans will have a positive impact on energy and climate change as weight can be attached to the policies and proposals in the plans upon submission.
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Risk management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Likely to be neutral impact subject to clear reasons being given if any changes are made to the either plan.

Recommendations from impact assessment

Positive

Both plans should have many positive impacts following submission, and eventually following adoption, through the implementation of development management and site specific policies that will guide development in Norwich to support the growth promoted through the Joint Core Strategy.

Negative

No negative impacts have been identified.

Neutral

No impact has been identified in relation to the majority of issues.

Issues

The key issue is to ensure that risks to the soundness of both submission plans are minimised by clearly documenting the rationale behind any decision by Cabinet to amend either plan.

Annex 1a - DM POLICIES DPD Representations on which no change is necessary

Policy/Ref	Respondent	Summary of rep	Council Response
DM1	Simply Planning for Location 3 Properties Ltd.	Support policy and welcome approach of giving equal weight to economic, environmental and social dimensions	Noted and support welcomed.
DM3	Natural England	Welcomes plan; particular support for policy DM3	Noted and support welcomed.
DM3	Norfolk Wildlife Trust	Particular support for policy DM3.	Noted and support welcomed.
DM3	Environment Agency	Support requirement for use of sustainable materials and protection and enhancement of biodiversity	Noted and support welcomed.
DM14	South Norfolk Council	SNDC have raised concerns previously but now welcome the commitment the city council is making to Gypsy and Traveller provision in line with national policy and the local need assessment (GTAA)	Noted and support welcomed.
DM19	NLP for Capital Shopping Centres	Support policy approach - seeks a reasonable balance between protecting office space in appropriate circumstances and allowing beneficial development for alternative uses where this is justified.	Noted and support welcomed.

Policy/Ref	Respondent	Summary of rep	Council Response
General	The Theatres Trust	As a general point the supporting text is too long and much more detailed than is necessary. Also overlap between issues in separate chapters.`	NOT ACCEPTED. A conscious decision has been made to significantly expand the supporting text to explain the evolution of and reasoning for the policies rather than relegating this to topic papers. This gives the content more force and avoids the need for protracted discussion and clarification at examination. There will be some inevitable overlap between issues over separate chapters although the council has sought to minimise this.
DM2 DM19-017	Lafarge Aggregates	Policy insufficiently detailed to protect existing heavy industrial users from new development placing an unreasonable restrictions on activities. Additional criterion suggested to prevent new development placing an unreasonable restriction on or resulting in a change of planning condition to (sic) existing industrial development. DM2 considered to be in conflict with at least one site allocation.	NOT ACCEPTED: there is sufficient flexibility in policies DM2 and DM11 to allow an appropriate level of protection to be achieved for existing industrial operations whilst also ensuring their neighbours are properly safeguarded. The importance of the objectors' aggregate processing facility is acknowledged but it operates under a series of extant permissions, planning conditions and permits under other legislative regimes which will remain in force. It is not possible for new proposed development to result in a "change of planning condition to" existing development, rather it is the responsibility of those involved in delivering new development schemes to negotiate acceptable and workable compromises which respect the interests of all involved. A policy of indiscriminate blanket protection for all existing industrial users would be likely to stall beneficial regeneration, fail to meet the test of positive plan preparation and critically undermine the soundness of the document.
DM3 DM-19-016	Norwich Society	Plan does not include polices aimed at achieving high quality design and architecture. New section required to cover this.	NOT ACCEPTED: A requirement for high quality design is explicit in the NPPF and JCS Policy 2, moreover existing lower level guidance such as conservation area appraisals and design briefs can provide locally specific advice. Relevant national good practice guidance is cross-referenced at the end of the policy. It is not the role of this plan to act as a universal design manual for Norwich nor would such an approach be sufficiently flexible or effective to ensure a sound plan.

Policy/Ref	Respondent	Summary of rep	Council Response
DM3 DM-19-016	Norwich Society	Plan does not effectively address the issue of inappropriate development in residential gardens.	NOT ACCEPTED: Although policy DM3 contains appropriate stipulations on design, layout and density, proposals involving development of residential gardens need to be approached on a case by case basis taking account of the configuration, constraints and context of the site. Although in most cases "garden grabbing" would be strongly discouraged there are instances where limited development within residential curtilages could be beneficial in the interests of good design and the efficient use of land. The existing policy approach is considered to offer sufficient flexibility to allow for these exceptional cases while ensuring a generally high standard of design and layout.
DM3 DM-19-016	Norwich Society	Plan does not effectively promote energy efficiency improvements to existing buildings (e.g. significant extensions) as required by the NPPF: Uttlesford DC policy cited as example of good practice in this area.	NOT ACCEPTED: it is clear that policy DM3 (j) applies to both new build and significant extensions. The Uttlesford policy approach would effectively require any addition or extension to address energy efficiency shortfalls in the existing building too, which would be unworkable and onerous for many applicants proposing modest extensions during a period of austerity. A potentially more rigorous policy approach has already been considered and discounted through examination of the JCS.
DM3 DM-19-016	Norwich Society	Policy needs to promote use of large tree varieties, as smaller varieties are generally ineffective in combating the urban heat island effect.	NOT ACCEPTED: This level of detail is inappropriate to high level policies in a development plan document. Policy DM7 is more directly concerned with the issue of trees: the council's adopted SPD on Trees and Development provides further guidance. Expert officer advice is available to assist in choice of tree species for specific sites and various different circumstances and it would be inappropriate to require the use of large tree species in all cases.

Policy/Ref	Respondent	Summary of rep	Council Response
DM3 DM-19-017	Lafarge Aggregates	Policy does not take into account need to respect existing adjoining land uses (particularly industrial): additional policy criterion requested re “context”.	NOT ACCEPTED: this is already in clause (c) ("the design of all development must ... [give] significant weight to the uses and activities around it...". A dedicated section on context with the express purpose of safeguarding industrial uses from inappropriate development is unnecessary and would not make for a positively prepared and sound plan.
DM3 DM-19-027	RSPB	Suggest an additional requirement to incorporate nesting sites into built structures, e.g. swift bricks and bat roosts, to support declining populations of urban birds and bats	NOT ACCEPTED: this level of detail is inappropriate to a development plan document. The inclusion of swift bricks and bat roosts can be promoted in most cases as part of the general requirement for design features which safeguard wildlife habitats and promote biodiversity (DM3 Clause (i) (a) and (c)). The recommended policy wording was in fact negotiated and agreed to address a Green Party objection to the draft version of the policy which raised very similar concerns.
DM3 DM-19-029	English Heritage	Suggest definition of “landmark building” in supporting text 3.6 could usefully be incorporated in the policy wording.	NOT ACCEPTED: the suggested policy change would unnecessarily duplicate existing advice and be procedurally difficult. The supporting text makes clear how the requirement for landmark buildings should be interpreted in Norwich.
DM5 DM-19-007	Norfolk CC (Surface Water Management)	Concerned that sequential approach to site selection when considering flood risk would in certain circumstances exclude the consideration of reasonable alternative sites outside the city centre. Approach has not been justified and is inconsistent with that recommended in NPPF.	NOT ACCEPTED: The approach to sequential site selection in the city centre for DM purposes has previously been endorsed by the EA (2009), acknowledging the SFRA level 2 study's conclusion that the city's housing needs cannot be accommodated solely by using land in flood zone 1. In practical terms, proposals for development in the centre will be supporting JCS priorities for expansion and regeneration of the centre set out in Policy 11 as well as the requirement to support and promote centres in the NPPF. Consequently it is expected that any substantive development proposal intended to support the city centre could not be accommodated outside it by definition and a site outside the centre would therefore not be a "reasonable" alternative.

Policy/Ref	Respondent	Summary of rep	Council Response
DM5 DM-19-022	Environment Agency	Reduction of the relevant search area for reasonable alternative sites when applying the sequential test to flood risk in the city centre is not adequately explained: exemption of allocated sites from need to meet exceptions test appears not to be justified; more detail needed on requirement for FRA.	NOT ACCEPTED: The approach to sequential site selection in the city centre for DM purposes has previously been endorsed by the EA (2009), acknowledging the SFRA level 2 study's conclusion that the city's housing needs cannot be accommodated solely by using land in flood zone 1. In practical terms, proposals for development in the centre will be supporting JCS priorities for expansion and regeneration of the centre set out in Policy 11 as well as the requirement to support and promote centres in the NPPF. Consequently it is expected that any substantive development proposal intended to support and/or regenerate the city centre could not be accommodated outside it by definition and a site outside the centre would therefore not be a "reasonable" alternative.
	Norfolk CC (Surface Water Management)	Development should be required to have a positive, not just "neutral or positive", impact on flood risk.	NOT ACCEPTED: It is unreasonable to expect all new development to have a positive impact on (i.e. reduce) flood risk and it would be onerous to impose this on all forms of development of whatever scale. The expectation is always that a positive impact should be sought wherever it is possible to achieve it, but the important thing is that development should not contribute to increased risk. The "neutral or positive" wording was previously suggested by the Environment Agency and accepted by the council for the Reg19 draft of the plan.
	Norfolk CC (Surface Water Management)	5.20 - should not exclude householder development from need to submit FRA.	NOT ACCEPTED: Requirement for FRAs in householder development is necessarily limited by validation requirements and extant and proposed PD rights . To require them in "all development" would, in our opinion, impose an unreasonable burden on applicants contrary to NPPF advice on proportionate supporting information.
DM5 DM-19-030	English Heritage	Suggest that design of sustainable drainage systems should take account of the historic environment given the possibility of harm to buried archaeological deposits, etc.	NOT ACCEPTED: Sufficient safeguards are already in place in policy DM9 to address the issue of impact on buried archaeological deposits from development in general. This would include impacts from associated SUDS infrastructure. There is no need for a specific reference to this in policy DM5.

Policy/Ref	Respondent	Summary of rep	Council Response
DM5 DM-19-017	Lafarge Aggregates	Policy does not take sufficient account of flood risk from sources such as groundwater induced flooding: approach to sequential and exceptions test for flood risk is also contrary to NPPF.	NOT ACCEPTED: Evidence from the SFRA Level 2 study confirms that groundwater induced flooding is not a significant risk in Norwich. The sequential test methodology reflects an approach justified through the JCS and agreed with the EA.
DM6 DM-19-027	RSPB	Policy needs explicit mention of the River Wensum Special Area of Conservation and the requirement that there be no impact upon it.	NOT ACCEPTED: The Wensum SAC is already safeguarded through national legislation as an internationally protected site; the NPPF, ODPM Circular 6/2005 and the JCS require these sites to be explicitly protected from harmful impacts. The supporting text describes its status and explains why a reference to international sites is unnecessary in local policy. To include a reference in DM6 to the SAC would merely be duplicating existing protection.
DM6 DM-19-016	Norwich Society	Biodiversity offsetting claimed to be ineffective without independent objective assessment of measures proposed (which policy should explicitly require), experience shows replacement habitats often inadequate.	NOT ACCEPTED: It is not clear what evidence the objector can produce to show that biodiversity offsetting schemes are ineffective. The emerging pilot local biodiversity offsetting scheme for Greater Norwich is intended to promote a more systematic approach involving expert assessment of proposals and an objective scoring system to enable proper comparisons and ensure replacement habitats which are genuine and viable alternatives.
DM6 DM-19-024	The Planning Bureau for McCarthy and Stone	Request deletion of areas of open space and Yare Valley Character Area shown on the Policies Map in association with requested reinstatement of site R45 - Bartram Mowers.	NOT ACCEPTED: The decision of the council's cabinet not to allocate site R45 for development reflects legitimate member and community concerns re the impact of that development on the integrity of the river valley landscape.

Policy/Ref	Respondent	Summary of rep	Council Response
DM8 DM-19-010	Norfolk CC (NPPS)	Request additional criterion which would allow loss of open space where there is an overriding need to develop or extend a school and the benefits outweigh the loss.	NOT ACCEPTED: We acknowledge government imperatives to give great weight to the establishment and expansion of schools (NPPF para 74 and Letter to Chief Planning Officers of August 2011). However there is equally compelling policy advice in the NPPF (and JCS policy) re protection of valued community facilities and safeguarding of open space. These issues need to be considered in the round and a balanced judgment reached in each case involving the loss of playing fields, taking into account the relative provision of usable community open space in the locality as well as identified priorities for schools investment. Introducing a standard exceptions clause into DM8 would not give the necessary flexibility to address differing local circumstances.
DM8 DM-19-016	Norwich Society	Allotments should be protected for the long term: policy should require any new allotments permitted to be statutorily protected under the Allotments Act.	NOT ACCEPTED: Once established, new allotments would be regarded as open space and afforded appropriate protection under this policy. It is not possible in law for a policy operated under planning powers to stipulate that allotments must be statutorily protected because allotments and planning legislation are entirely separate.
DM8 DM-19-019	Lanpro	Object to the designation of the whole of former Lakenham Sports Ground site as open space under this policy; request reintroduction of originally proposed allocation R6 for housing and open space as in Reg 25 draft site allocations plan.	NOT ACCEPTED: The decision of the council's cabinet not to allocate site R6 for development reflects legitimate member and community concerns about the shortage of open space in the locality and potential impacts from the form of development proposed.

Policy/Ref	Respondent	Summary of rep	Council Response
DM8 DM-19-004	Dr Martin Hicks	Supports retention of Lakenham Sports Club site as open space to meet the shortfall in facilities for formal organised recreation. Suggested possible alternative use to accommodate future expansion of local government offices and associated facilities served via County Hall. Land could be held for open space in exchange for the release for housing of alternative site(s) in public sector ownership.	Noted and support welcomed. An alternative proposal for local government office use could not be taken forward without strong evidence to show how it could be practically delivered and how it would improve the soundness of the plan.
DM11 DM-19-017	Lafarge Aggregates	Policy contains insufficient detail re the approach to be taken where new development is proposed adjacent to an existing noise generating use.	NOT ACCEPTED: The policy wording and the supporting text at 11.23 makes clear that the effects of noise exposure in relation to the SOAEL measure should be considered in the round and appropriate noise mitigation would be needed irrespective of whether the noise originates from a proposed development or from established uses which that development would adjoin. No change proposed.
DM12 DM-19-017	Lafarge Aggregates	Policy should resist residential development where there is scope to create nuisance or restrict activities on adjoining industrial sites.	NOT ACCEPTED: We fully acknowledge the strategic importance of the objectors' aggregate processing facility but the change as proposed would amount to blanket protection of <i>all</i> existing industrial sites which might conceivably experience some degree of what the objector describes as "nuisance" from new housing development. This would include some uses which it is clearly expedient to relocate or redevelop in the interests of delivering beneficial regeneration. Such an indiscriminate approach is wholly unacceptable and the plan would not be sound if changed as suggested.

Policy/Ref	Respondent	Summary of rep	Council Response
DM12 DM-19-020	Bidwells for R G Carter	Inclusion of minimum density requirement of 40 dwellings per hectare does not give sufficient flexibility to meet a range of housing needs: should be deleted.	NOT ACCEPTED: There is clear local justification for applying a minimum density of 40 dwellings per hectare. This figure is entirely reasonable for an urban area and promotes the appropriate, efficient and sustainable use of land. The vast majority of new housing built in Norwich in the last ten years has been developed above (often well above) that density. The policy makes clear that exceptions can be made where the configuration and context of the site requires a lower density.
DM12 DM-19-025	Bidwells for Jarrolds	Inclusion of minimum density requirement of 40 dwellings per hectare does not give sufficient flexibility to meet a range of housing needs: should be deleted.	NOT ACCEPTED: There is clear local justification for applying a minimum density of 40 dwellings per hectare. This figure is entirely reasonable for an urban area and promotes the appropriate, efficient and sustainable use of land. The vast majority of new housing built in Norwich in the last ten years has been developed above (often well above) that density. The policy makes clear that exceptions can be made where the configuration and context of the site requires a lower density.
DM15 DM-19-021	Simply Planning for Location 3 Properties Ltd.	Consider wording of policy overly rigorous and unjustified where there is no prospect of historic housing allocations coming forward	NOT ACCEPTED: The process of site selection for the site allocations plan (including the Greater Norwich SHLAA) will have already considered and rejected any "historic housing allocations" which are unlikely to come forward. The sites currently identified in that plan are considered to be deliverable over the plan period and changes in development viability or deliverability can be identified through reviews of the relevant evidence over the plan period.
DM16 DM-19-017	Lafarge Aggregates	Policy sound in principle but should make provision for the safeguarding of railheads, wharves and other multimodal transport hubs.	NOT ACCEPTED: NPPF advice to this effect is acknowledged but with the exception of the objectors' site (which is already safeguarded in the minerals and waste CS) there are considered to be no commercial railheads, wharves or multimodal transport hubs in Norwich which would merit such generic policy protection. Such a policy would therefore be superfluous.

Policy/Ref	Respondent	Summary of rep	Council Response
DM16 DM-19-023	RPS for Costco	Policy (and para 16.11) should recognise the economic and employment-generating benefits of warehouse clubs and analogous sui generis uses and accept these on employment areas,	NOT ACCEPTED: Paragraph 16.12 makes clear that warehouse clubs and analogous uses will be assessed on a case by case basis and can be accepted on employment land if a sequential test justifies them. Unqualified acceptance would undermine JCS policy 5 requiring the protection of employment land and would tend to increase car dependency (contrary to national advice, JCS policy 6 and policy DM1), moreover it would not allow a balanced consideration of planning circumstances specific to a particular proposal.
DM18 DM-19-021	Simply Planning for Location 3 Properties Ltd.	Consider policy should have more flexibility in allowing for out of centre development where retail formats or nature of goods sold preclude an in-centre location	NOT ACCEPTED: It is clear that policy DM18 would allow out of centre retail development in these circumstances where a sequential test (and, where appropriate, impact test) justifies it - a similar approach has been taken in policy DM25 in relation to removal or variation of conditions. However it is the responsibility of the developer to show why the development could not be accommodated in a more sequentially suitable location.
DM18 DM-19-028	NLP for Capital Shopping Centres	Acceptance of main town centre uses should extend to the whole of the city centre not just to primary and secondary areas and large district centres.	NOT ACCEPTED: The geographical city centre is identified in the JCS as being at the top of the retail hierarchy. However large areas of the centre are outside the main retail core and dominated by residential or other incompatible commercial uses (e.g. the Late Night Activity Zone). In planning for the location of main town centre uses a more cautious discriminatory approach is needed which distinguishes between the areas of the centre of differing character which are prioritised variously for retail, leisure and office purposes. This is explained at length in the supporting text and appendix 4.

Policy/Ref	Respondent	Summary of rep	Council Response
<p>DM18 DM-19-033</p>	<p>Thomas Eggar LLP for Asda Stores Ltd</p>	<p>Re DM18 and Appendix 4: Indicative thresholds for scales of development included in Appendix 4 should be inherent in the policy; moreover the thresholds given are not supported by an appropriate evidence base. For local centres, they are too low for typical small format foodstore operators and should be applied to comparison retailing only. Supporting text suggests that impact test would be required for retail developments within centres - inconsistent with NPPF. Sequential and impact assessments are not required to assess scale, so this policy requirement should be removed. Parts of the policy in relation to criteria for assessing main town centre uses on employment areas unnecessarily duplicate advice already in NPPF.</p>	<p>NOT ACCEPTED: we acknowledge the need for more detail including an updated evidence based justification for the thresholds chosen and the overall policy approach, however this can be included in an updated retail and leisure topic paper. We consider there is little justification for a significant increase in the indicative minimum scale of floorspace applying to convenience stores. Such an approach would allow forms of foodstore development which would be clearly out of scale with the majority of local centres in the city. Consideration had been given to including indicative floorspace thresholds in policy DM18 itself rather than in appendix 4, however this would result in a particularly complex, detailed and inflexible policy which was not adaptable to change. No change proposed.</p>

Policy/Ref	Respondent	Summary of rep	Council Response
<p>DM18 DM-19-032</p>	<p>Savills for Henderson Retail Warehouse Fund</p>	<p>Although overall principles of policy are welcomed, a complete moratorium on additional retail development at Riverside Retail Park without sustainable transport improvements is unjustified; policy negatively worded, and does not recognise the existing sustainability advantages of Riverside's central location in terms of its accessibility by a range of modes and its sequential suitability as a large district retail centre. In relation to the traffic argument the NPPF states that proposals should be refused on traffic grounds only if the transportation consequences are severe: this policy is inconsistent with that advice. More flexibility is required in wording.</p>	<p>NOT ACCEPTED: A particularly rigorous approach to the management of new retail development at Riverside is justified by severe constraints in local highway capacity and resultant traffic congestion given that the retail park is predominantly orientated to car-borne customers. Consequently we take the view that the transport consequences of a significantly more permissive policy WOULD be "severe". The council would however take a proportionate approach and case by case exemptions can be made for very minor development which has no implications for increased trip generation.</p>

Policy/Ref	Respondent	Summary of rep	Council Response
<p>DM18 DM-19-026</p>	<p>Indigo Planning for Schroder UK Property Fund</p>	<p>Policy fails to recognise role of Hall Road Retail Park as an existing out of centre retail destination which helps to meet need and is sustainably located; application of sequential test should take account of these sites when assessing reasonable alternatives. Amendment suggested.</p>	<p>NOT ACCEPTED: Hall Road retail park may be regarded as a potentially more sequentially suitable location than some other retail parks (insofar as it adjoins a proposed district centre), but it cannot itself be regarded a centre as it does not form part of the defined hierarchy of centres in JCS Policy 19. Moreover its physical distance and separation from the proposed Hall Road District centre renders the argument of connectivity as an edge of centre site somewhat tenuous. Simply adding "or could not be located at an existing out of centre retail destination" to the DM18 sequential test criteria could perpetuate or intensify an unsustainable pattern of retail facilities if a given "destination" was particularly unsustainably located.</p>

Policy/Ref	Respondent	Summary of rep	Council Response
<p>DM19 DM-19-035</p>	<p>Bidwells (Aviva)</p>	<p>Exemption from the policy requirement for all sites in the Office Priority area to include an element of offices should clarify that proposals should also be consistent with the Site Allocations Plan and St Stephens Masterplan as well as meeting a viability test.</p>	<p>NOT ACCEPTED: Site specific proposals in the Site Allocations Plan which are located in the Office Priority Area (CC4, 5, 7, 19a, 19b, 30, 31, 32) all include a requirement for offices for consistency with the approach of this plan and the JCS. Provision of offices would however be subject to feasibility and viability testing under policy DM19 whether a site is allocated or not. There is no inherent conflict with site specific policy and the inclusion of the viability test will enable the economics of provision of offices on site CC31 and any other allocated site to be individually assessed. The St Stephens Masterplan is not itself a development plan document and it is not appropriate for Policy DM19 to require consistency with it. However its strategy will be implemented through the emerging local plan. The capacity of the area for significant office development to meet objectively identified needs in a sustainable city centre location remains a legitimate concern of local policies and must be retained in order to implement adopted JCS policy effectively.</p>
<p>DM20 DM-19-032</p>	<p>Savills for Henderson Retail Warehouse Fund</p>	<p>Support in general terms, although request an amendment to supporting text to emphasise the economic benefits of cafés, restaurants and other supporting services.</p>	<p>NOT ACCEPTED: It is reasonably clear from the commentary to DM20 (and the corresponding commentary to policy 11 in the JCS) that cafés restaurants and other supporting services will have an increasingly important role to play in supporting the vitality and viability of Norwich city centre and particularly expanding the evening economy. The intention of the policy is to promote a flexible and positive approach when assessing such applications in primary and secondary shopping frontages. No change proposed, although the point can be further emphasised within SPD if necessary.</p>

Policy/Ref	Respondent	Summary of rep	Council Response
<p>DM22 DM-19-005</p>	<p>The Theatres Trust</p>	<p>Support in general terms but suggest a more succinct definition of the term “community facilities” and query use of term “cultural centres”.</p>	<p>NOT ACCEPTED: The definition of community facilities is considered to be appropriate and necessary to enable the proper interpretation of the policy since different types of community use fall into different use classes in planning law. The term "cultural centres" was intended to refer to community facilities supporting a particular facet of artistic or cultural life (e.g. centres promoting some aspect of the arts, or geared to the needs of particular religious or ethnic groups). We see no particular problem with this term.</p>
<p>DM23 DM-19-018</p>	<p>Lanpro</p>	<p>Blanket restriction on residential use in Late night activity zone unjustified and inflexible: qualification sought to allow conversion of upper floors to low impact uses such as student accommodation in appropriate cases.</p>	<p>NOT ACCEPTED: It is clear that the issues of late night noise, disturbance and antisocial behaviour associated with the Late Night Activity Zone merit a particularly rigorous approach to managing new uses within and adjoining the zone. In particular an embargo on residential conversion is supported by evidence that living conditions in residential premises adjoining major nightclubs would be wholly unacceptable due to irremediable noise issues. It is unclear why it should be permissible to introduce student accommodation as a "low impact" use when students are long term occupiers and would be just as vulnerable to late night noise and disturbance as any other householder.</p>

Policy/Ref	Respondent	Summary of rep	Council Response
DM25 DM-19-031	Savills for Eskmuir Properties	Acknowledgment needed in the supporting text that Sweet Briar Retail Park is a significant retail destination forming part of a large mixed use retail/leisure/ commercial area with much potential for cross-visitation (sic). It can be regarded as both sustainable and accessible.	NOT ACCEPTED: Sweet Briar Retail Park is a freestanding car-based retail destination which is poorly connected to adjoining residential areas and whose location on the Outer Ring Road has very limited accessibility to bus services and local pedestrian and cycle routes. It is self-evidently far less sustainably located than any existing district and local centre or any of the other three purpose built retail parks in Norwich. The argument that it can be regarded as sustainable on the basis of co-location with and "cross-visitation" from other nearby facilities which are equally car dependent - including a drive in fast food restaurant - is extremely tenuous. We would also highlight factual errors and misleading statements in the objector's representation such as referring to "open space" to the south of the site which is in fact employment land reserved for the future expansion of Briar Chemicals, a site containing a notifiable hazardous installation. All these factors are likely to militate against significant <u>intensification or deregulation of retail use on this site.</u>
DM25 DM-19-026	Indigo Planning for Schroder UK Property Fund	Assertion in the supporting text 25.3 that out of centre retail parks are unsustainably located by definition fails to acknowledge Hall Road Retail Park as an existing out of centre retail destination which helps to meet need, is sustainably located and has relatively good access by non-car modes. Amendment suggested.	NOT ACCEPTED: Hall Road retail park may be regarded as a more sequentially suitable location than some other retail parks (insofar as it adjoins a proposed district centre), but it cannot itself be regarded a centre as it does not form part of the defined hierarchy of centres in JCS. See comments re policy DM18. No change proposed.
DM28 DM-19-017	Lafarge Aggregates	Policy does not recognise the need to safeguard and improve existing sustainable transport infrastructure related to the movement of freight and/or heavy goods.	NOT ACCEPTED: JCS policy 6 covers these issues in general terms. The scope for provision of enhanced rail freight facilities at the Deal Ground (site R10) has been investigated and such a scheme is unlikely to be viable or deliverable. We see no compelling case for a generic policy for these facilities when the scope to provide them within the city is extremely limited.

Policy/Ref	Respondent	Summary of rep	Council Response
DM30 DM19-011	Norfolk CC (Economic development and strategy)	Object to approach seeking more limited local standards for access and highway safety (and citing only a small range of instances where accesses onto main roads would be resisted) rather than referring to more comprehensive County Council guidance and design standards.	NOT ACCEPTED: The imposition of generic county wide access and highway safety standards is inappropriate in the historic urban context of Norwich, particularly since these standards are excessively car dominated and not in accordance with best practice advice in the Manual for Streets. Moreover the County's standards are not founded in statutory adopted development plan policy, whereas the equivalent Norwich standards in the adopted RLP are.
DM31 DM-19-025	Bidwells for Jarrolds	Further detail necessary in supporting text to clarify that assessment of proposals for redevelopment of existing uses should take account of baseline parking provision and traffic generation.	NOT ACCEPTED: There is a clear evidence- and policy-based justification for the approach taken in actively reducing parking levels, discouraging unnecessary car use in favour of more sustainable modes and combating traffic congestion. Making allowances for "baseline parking provision" is not necessarily appropriate in cases where existing parking provision is obviously excessive or poorly located.
DM31 DM-19-026	Indigo Planning for Schroder UK Property Fund	Appendix 3 includes a reduction in parking standards for A class uses from 1 space per 20 sq.m (RLP) to 1 space per 25 sq.m. This is unjustified and inflexible. Request reinstatement of RLP standard or allow parent/child and disabled spaces to be provided in addition to stipulated maximum.	NOT ACCEPTED: There is a clear evidence- and policy-based justification for the approach taken in reducing the car parking standard for A class uses.
Appendix 3 DM-19-014	Mark Dunn (individual)	Suggested changes to Appendix 3 introductory text: additional requirements re facilities for cyclists.	Not accepted: This level of detail is perhaps inappropriate to a development plan document (in particular shower and changing facilities could not be required in all cases) but suitable provision can still be negotiated case by case and/or included in travel plans.

Policy/Ref	Respondent	Summary of rep	Council Response
<p>Appendix 6 DM19-001</p>	<p>EJW Planning for LSE</p>	<p>Objects to inclusion of LSE Gothic Works, Hardy Road on the Local List in Appendix 6/Policy DM9.</p>	<p>NOT ACCEPTED: At Reg19 consultation stage the LSE site was not yet locally listed: Appendix 6 is a candidate list of properties which merit local listing prepared by the Norwich Society (already consulted on and published in 2012) which is provided for information only. Inclusion in Appendix 6 does not necessarily imply an intention to locally list, although the city council has subsequently consulted owners and occupiers about including the majority of the properties (including the Gothic Works) on a formal, council endorsed local list . It is clear from the commentary to the policy and Appendix 6 that the city council must endorse and adopt an agreed list before the local listing status takes effect for the purposes of policy DM9 . The council's conservation planner has met with the objector and explained the implications of local listing for those elements of the building with heritage significance: it was made clear that locally listed status would not preclude redevelopment, provided that this significance was adequately acknowledged and addressed in any redevelopment proposal. No change proposed.</p>

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM1	English Heritage	Would like to see specific reference to protection and enhancement of the city's heritage assets as a component of sustainable development.	Amend second bullet point of policy DM1 to read <ul style="list-style-type: none"> • "protect and enhance the physical, <u>environmental and historic assets</u> of the city and to safeguard the special visual and environmental qualities of Norwich for all users"; Amend para 1.7 to read: " ... the quality of the built and natural environment raised, <u>environmental and heritage assets protected</u> and the wider advantages of growth made available to all sectors of the community...". Clarification.	Reinforces DM1 and makes clear that heritage should be considered as a component of sustainability
DM3	Norwich Society	Supporting text at 3.2 refers to design review of major developments but not to local design review arrangements: this is inconsistent with the NPPF.	Amend paragraph 3.2 to read "In accordance with NPPF recommendations, <u>local design review arrangements are in place to provide assessment and support to ensure high standards of design in Norwich. Formal comments on the design aspects of current planning applications have been provided on a monthly basis by the Norwich Society (the city's main local amenity society) for many years</u> . More significant development proposals may also be referred to an independent local design review panel ...". Clarification.	To acknowledge measures for design review at a local level.
DM5	Norfolk County Council	Plan should not set thresholds for requiring sustainable drainage measures in advance of national standards	Amend the second paragraph of policy headed "Sustainable drainage" as follows: Sustainable drainage measures appropriate to the scale and nature of the development shall be incorporated in all appropriate development proposals involving the erection of new buildings or the extension of existing buildings (other than householder extensions), until such time as thresholds are established by nationally applicable standards for sustainable drainage. Such measures will be required except where this is not technically feasible or where it can be demonstrated that other factors preclude their use.	It is accepted that the DM policies plan should not pre-empt national standards for sustainable drainage, however those standards are not yet in place. The policy now clarifies that the local thresholds will be an interim measure pending the introduction of national standards as part of the new drainage permission regime.
DM5	Norfolk County Council	In the Sustainable Drainage section of the policy, reference to ground conditions should be deleted as ground conditions would not preclude certain types of SuDS.	As above	It is accepted that ground conditions are not the sole determinant of whether SuDS are achievable, however there may be other factors which in exceptional circumstances prevent them being used.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM5	Norfolk County Council	Policy measures are needed to mitigate surface water flood risk where significant risk is identified outside of designated areas;	Delete the policy heading "Critical Drainage Areas" and replace with "Areas at risk from surface water flooding" Amend the following paragraph as follows: Within the critical drainage areas as identified on the Policies Map, and in other areas where the best available evidence indicates that a serious and exceptional risk of surface water flooding exists, all developments involving new buildings or extensions over 50 sq m, with the exception of householder development, will be required to be accompanied by a flood risk assessment which gives adequate and appropriate consideration to surface water flooding. ..."	It is accepted that elevated risk of surface water flooding may exist in areas other than Critical Drainage Areas, albeit that evidence to identify these in detail is not yet available.
DM5	Norfolk County Council	Text in 5.18-5.21 needs to better explain the role of the county council as lead local flood authority and the operation of the drainage permission regime.	In paragraph 5.17, delete the last sentence of the paragraph and replace with the following text: Upon full commencement of this "drainage permission" regime sustainable drainage systems will become mandatory for most forms of development. Notwithstanding the emergence of the new drainage approving role of the County Council, the sustainable drainage section of this policy retains a requirement for surface water drainage issues to be addressed in planning applications, both to ensure that surface water drainage issues are considered ahead of the commencement of the new regime and to ensure that the impact of drainage measures on the form and visual appearance of developments is properly taken into account in the design of new development.	Accept the point made by the objector - clarifies that these are interim requirements pending the introduction of the new drainage permission regime.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM5	Norfolk County Council	Text in 5.18-5.21 needs to acknowledge surface water flood risk outside CDAs	In paragraph 5.21, delete the text from the end of the first sentence to the end of the paragraph and replace with the following text: Norfolk County Council had intended to commission the technical modelling necessary to define the extent of these flood paths during the 2012-13 financial year, but at the time of writing the technical evidence is not yet available to enable any additional high-risk areas to be shown in detail on the Policies Map. The intention was to define them on the map under this policy as soon as the relevant technical report is published, prior to the formal adoption of this plan. Should this not be possible, the policy allows for the emergence of more extensive technical evidence on surface water flood risk to be taken into account over the plan period, so that in areas or sites outside of the Critical Drainage Areas where there is likely to be elevated risk of surface water flooding (e.g. as a result of specific topography) the same policy requirements would apply.	Accept the point made by the objector whilst acknowledging that the extent of such risk may need to be quantified through the emergence of better evidence.
DM6	Broads Authority	Request removal of reference in supporting text to the Broads "National Park".	Accepted: Amend first sentence of policy to read "... taking particular account of the need to avoid harm to the adjoining <u>Broads Authority area</u> and other identified areas of natural environmental value ..." Factual correction.	To reflect status of the Broads as equivalent to, but not actually, a National Park.
DM9	n/a - officer change		Reinstate heading "Archaeology" before section of policy commencing "In the defined areas of archeological interest ..."	Archaeology section has a missing heading (this was inadvertently omitted at Reg25 draft stage)
DM11	Environment Agency		Add the following to the end of paragraph 2 in the 'Air and Water Quality' section of the policy. 'Any development which has the potential to pollute should demonstrate that pollution mitigation measures, protective of the water environment, have been incorporated into the development. Additional regard should be had where a site falls within a Source Protection Zone (in particular zone 1), on a Principal Aquifer or adjacent to a watercourse.	Amendments to policy clarify and explain responsibilities to developers concerning water quality .
DM11	n/a - officer change		In the bullet point list of notifiable installations in paragraph 11.3, replace "Bayer Cropscience" with "Briar Chemicals Ltd".	Factual change, to reflect sale of the site by Bayer in September 2012 and rebranding of company.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM11	n/a - officer change		In paragraph 11.18, replace "the council has agreed to declare a single AQMA..." with "the council has now declared a single AQMA..."	Factual update. The order for the enlarged city centre AQMA was confirmed and came into force on 1 November 2012.
DM11	Environment Agency	Amendments to text needed to clarify and explain responsibilities to developers concerning water quality.	Amend first sentence of paragraph 11.21 to read: 'Developers must be mindful that the pollution of the water environment is an offence under the Environmental Permitting Regulations (England and Wales) 2010. Also, the Water Framework Directive requires there to be no deterioration in water status and for good status to be achieved in the long term. The proximity of the Norfolk and Suffolk Broads...'	Amendments to text to clarify and explain responsibilities to developers concerning water quality .
DM11	Environment Agency	Amendments to text needed to clarify and explain responsibilities to developers concerning water quality.	Add the following wording at the end of paragraph 11.22: 'Source Protection Zone 1 is particularly vulnerable to contamination, therefore a risk assessment will be required before anything other than clean roof water is discharged to ground in those areas.'	Amendments to text to clarify and explain responsibilities to developers concerning water quality .
DM14	n/a - officer change		In paragraph 14.4 (with reference to the Gypsies and Traveller Accommodation Assessment): (1) Line 1, delete "draft"; (2) Line 2, replace "2011" with "(published August 2012)"; (3) Line 8, delete "The final assessment report is expected to be published later in 2012." In the bulleted reference to the Gypsies and Traveller Accommodation Assessment at the end of the policy, delete "2011".	Factual update. The Greater Norwich Gypsies and Travellers Accommodation Assessment was agreed and published in August 2012.
DM16	n/a - officer change		In paragraph 16.2, replace "Bayer Cropscience" with "Briar Chemicals Ltd. (formerly Bayer Cropscience).	Factual change, see DM11.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM18	NLP for Capital Shopping Centres	Reasoned justification for prohibition of main town centres uses on employment areas is unclear, also not clear if this refers to employment areas in centres or to all employment areas.	<p>Accepted: Insert additional paragraph 18.11a, as follows:</p> <p>"18.11a As noted in paragraph 16.5 above, the Greater Norwich Employment Growth and Sites and Premises Study 2008 (the Arup Study) identifies a need to ensure adequate provision of employment land and premises to support strategic employment growth in Greater Norwich. Accordingly, JCS Policy 5 requires employment areas identified in local plans to be protected for their designated purpose. Thus, when considering proposals for main town centre uses on the employment areas identified under policy DM16 of this plan, it will be necessary to ensure that the proposed development would not only be appropriate in terms of its sequential suitability and impact, but also would not compromise the function of the employment area concerned or undermine prospects for its regeneration or improvement."</p> <p>Add "Greater Norwich Employment Growth and Sites and Premises Study (Arup/Oxford Economics 2008)" to the list of references at the end of the policy.</p> <p>Clarification of the reasoning for the policy approach.</p>	Clarification of the relationship of this policy with DM16.
DM20	NLP for Capital Shopping Centres	Qualified support, subject to minor amendment to remove the word "already" in that section of policy covering circumstances where proportion of retail frontage is "already below" the applicable percentage threshold.	<p>Accepted: Delete the word "already" from fifth paragraph of policy. To now read:</p> <p><i>"Within defined retail frontages, where the proportion of retail uses at ground floor level is below the minimum proportion specified, proposals will be considered on a case by case basis and accepted where the proposal ..."</i>. Corresponding change proposed in DM21.</p> <p>Clarification through removal of unnecessary wording.</p>	Objectors point accepted.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM20	NLP for Capital Shopping Centres	Re explanatory text 20.15 – support flexibility demonstrated through encouragement of alternative uses in long-term vacant premises and reduction of applicable marketing period for vacant shops from a year to nine months. Suggest it would be reasonable to grant temporary pp for alternative community uses for longer than a year.	Amend the last sentence of paragraph 20.15 to read: <u>Such temporary permission would typically be granted for an initial period of one year although there will be scope to agree longer periods in individual circumstances where it is appropriate and beneficial to do so. During this time the premises should still be actively marketed for retail purposes.</u> Clarification that there may be scope for flexibility in the application of the policy.	It is accepted that a longer period for temporary permissions may be appropriate in a difficult economic climate - responds to NPPF re flexible and positive policies.
DM21	n/a - officer change		Amend policy clause d) to read "the proposal would not result in a harmful impact on the vitality, viability and diversity of services in the centre, <u>in particular by not adding to the number of services or facilities which would not generally be available to the public during the normal working day;</u> and"	Responds to concerns of DM staff that a proliferation of evening only services, especially takeaways, could impact unacceptably on the vitality of local parades. Can be justified in terms of "Parades to be Proud of" and improves effectiveness of policy in clarifying what constitutes a harmful impact.
DM21	n/a - officer change		In policy clause f) replace "unacceptable environmental effects" with " <u>unacceptable impacts on residential amenity or other effects on traffic or the environment</u> ".	Improves effectiveness of policy in clarifying the impacts which are most relevant to protecting district and local centres.
DM21	n/a - officer change		In paragraph 21.11, after "large format retailers", add the following text: <i>"It will be particularly important to ensure that the range and choice of services in any one centre contributes to diversity and vitality across the whole of the working day and evening. Consequently the council would normally seek to achieve a balance of uses which is not disproportionately weighted towards evening-only services such as hot food takeaways, which often contribute very little to local and district centres if they are closed during the day. Conversely, uses such as cafés can offer significant benefits to the vitality and viability of local centres in both the daytime and evening through their role as community hubs and meeting places."</i>	New commentary to explain the reasoning for the changes to policy DM21 (d).

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM21	n/a - officer change		In paragraph 21.11, replace the second sentence commencing "Impact on diversity of services..." with the following text and commence this section as new para 21.11a as follows: <i>21.11a The policy does not seek to impose a strict quota on the number and type of non-retail A class uses and other services in centres. Rather, the impact on diversity of services of any particular proposal will be a matter of judgement on a case by case basis taking account of community needs, operators' business requirements, likely impact on neighbour amenity and considerations of how the range of services in individual centres might be changing and developing.</i>	New commentary to better explain the application of policy DM21 and the need for flexibility, whilst giving appropriate weight to the need to protect neighbour amenity.
DM22	n/a - officer change		Provision and enhancement of community facilities In the first section of the policy, replace "community facilities" with "public or community facilities"	Clarification requested by DM officers for consistency with NPPF definition.
DM22	n/a - officer change		Protection of community facilities: DELETE clause d) in this section of the policy, relating to assets of community value.	To reflect the status of Assets of Community Value and the related registration and community challenge processes as independent from, and unable to be directly influenced by, planning powers.
DM22	n/a - officer change		Subdivide paragraph 22.7, commence new para 22.7a after "... importance of the facility to its users." (sentence beginning "The Localism Act 2011...."). In this paragraph: (i) replace "permit community and voluntary bodies" with " <i>allowing duly constituted community and voluntary bodies ...</i> ". (ii) replace "enable those bodies" with " <i>enabling those bodies</i> " (iii) After "...threat of disposal." add the following sentence " <i>The Assets of Community Value (ACV) provisions are set out in Part 5 Chapter 3 of the Act, and accompanying Assets of Community Value (England) Regulations came into force in September 2012</i> ".	To reflect the status of Assets of Community Value and the related registration and community challenge processes as independent from, and unable to be directly influenced by, planning powers.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM22	n/a - officer change		<p>DELETE first sentence of paragraph 22.8 and replace with the following text:</p> <p><i>22.8 Whilst the designation of a site or building as an asset of community value is important, it cannot be regarded as a material planning consideration. The process of listing assets of community value is separate from the planning process, which should only assess the planning merits of a scheme. Inclusion on the ACV list simply confirms assets nominated by community groups which are considered by them to have some community worth; however it is not an objective assessment of community value. In addition it would be inappropriate to treat a designated asset of community value as a material planning consideration when deciding a planning application when other non-designated community assets might have greater community value but have not been recognised by formal designation.</i></p>	As above, and to reflect advice given to elected members in September 2012 with regard to the relative weight and materiality in planning decisions of Assets of Community Value status.
DM22	n/a - officer change		<p><i>22.8a For the purposes of this policy, therefore, the community value of individual assets affected by development proposals would need to be objectively assessed on a case by case basis, irrespective of whether they are included on the ACV list or not. In appropriate cases it may be necessary for intending developers to consider how the exercise of any statutory community right to buy or community right to challenge under ACV legislation might affect the timescale for the delivery of a scheme.</i></p>	As above, and to reflect advice given to elected members in September 2012 with regard to the relative weight and materiality in planning decisions of Assets of Community Value status.
DM22	n/a - officer change		Commence new paragraph 22.8b with sentence "As these opportunities arise, therefore..."; delete "these".	As above
DM22	n/a - officer change		<p>Under the Alternative Options section, replace the sentence commencing "Following the recent extension of the council's local list ..." with the following text:</p> <p><i>"Following the publication of the Norwich Society's prospective local list, the council's officially endorsed list of locally identified heritage assets (the Norwich local list) will be extended to a wider area of Norwich, and additional pubs would become protected as identified assets under policy DM9".</i></p>	To reflect the status of the emerging Norwich Society local list.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM22	n/a - officer change		In te list of references at the end of the policy, add <ul style="list-style-type: none"> • The Assets of Community Value (England) Regulations 2012. 	Factual update.
DM23	NLP for Capital Shopping Centres	Reference to leisure uses in the policy should be clarified as applying to D2 uses and not A3, A4 and A5: also requirement that such uses “will be restricted to” upper floors and basements in shopping frontages too onerous: should be changed to “will be encouraged in” to allow flexibility and permit some leisure operator presence at ground floor level.	Accepted: Amend paragraph 23.7 to read: <p>"23.7 <i>Leisure uses</i> are defined as D2 uses <u>which may either be focused on active indoor sport (e.g. gymnasiums and health clubs) or on passive public entertainment, such as cinemas and concert halls. The definition of leisure uses would also include theatres (which are sui generis uses and thus always require planning permission). The expectation of this policy is that in order to protect retail function, vitality and viability it will not usually be appropriate to locate these larger format leisure uses at ground floor level within the primary retail area, nor would it be practical in most circumstances to do so. There may however be scope to make use of underused upper floor or basement space and provide a dedicated entrance from street level, and this would not preclude proposals providing a mix of leisure and hospitality uses, for example including a ground floor café or shop in association with the upper floor use.</u>"</p>	Clarification re the practical application and interpretation of the policy.
DM25	n/a - officer change		Amend the first paragraph of the Alternative options section at end of policy following paragraph 25.7, as follows: <p>An alternative approach is not to have a policy on planning conditions for retail warehouse floorspace and rely solely on policy DM18. A lack of a strong policy may result in new forms of retail warehousing becoming established in unsuitable locations and the removal of appropriate and necessary conditions on existing retail warehouses. This is likely to have a harmful impact on the vitality of the city centre and increase dependency on the private car and high emission vehicles.</p>	To more properly reflect the purpose of redrafted policy DM25 as relating to controls over the use of existing retail floorspace rather than the development of new retail warehousing.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM26	Bidwells for UEA	General support subject to minor textual change re Earlham Hall (a "historic building" rather than "house")	Accepted: Amend para 26.10 to read: 26.10 Earlham Hall is a grade II star listed <i>historic building</i> which adjoins, but does not lie within the existing or proposed university campus. Factual correction.	Objectors point accepted.
DM29	NLP for Capital Shopping Centres	Additional policy criterion required accepting development in cases where a car park site is specifically allocated for development in the site allocations plan.	Add further criterion at the end of the policy: c) <u>specifically allocated for development in the Site Allocations Plan</u>	Objectors point accepted. The policy would be inconsistent with Site Allocation Plan proposals to redevelop Chantry Car Park (and others) unless this change is made.
DM33	Thomas Eggar LLP for Asda Stores Ltd	Support in general terms but suggested that policy may result in developers paying twice for infrastructure both through CIL charges and planning obligations: city council urged to avoid this situation. Supporting text at 33.7 suggests that purpose of Regulation 123 list is to specify s106 funded items: this is not the case as s106 funding for items on the list is expressly prohibited by legislation.	Accepted: Amend first sentence of paragraph 33.7 to read: <i>33.7 The city council's published "regulation 123 list" specifies the infrastructure items and projects which it intends to fund through CIL receipts. It is also intended (for the avoidance of doubt) to separately itemise those matters which remain appropriate to cover by means of a planning obligation.</i> NB: It is not the intention that developers would be in a situation where they would be expected to pay twice for the same infrastructure: paragraph 33.6 states this clearly and unequivocally.	Clarification of the purpose of the regulation 123 list.
DM33	Indigo Planning for Schroder UK Property Fund	Welcome flexibility in policy but consider that clause (a) should recognise cases where viability can be impacted by additional obligation requirements and development costs in isolation as well as in combination.	Accepted: Under "Viability Considerations", amend clause (a) to read: a) <i>the impact of CIL contributions, planning obligations and abnormal development costs either individually or in combination would result in a proposed development becoming economically unviable; and .."</i> Clarification: it is acknowledged that in some circumstances scheme viability might be significantly impacted by a single obligation.	Objectors point accepted.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
DM33	n/a - officer change		In paragraph 33.15, update the CIL adoption timetable as follows: <ul style="list-style-type: none"> • <i>Submission of final charging schedule with modifications: August 2012</i> • <i>Independent examination and consideration of objections: October 2012</i> • <i>Formal adoption of CIL (simultaneously by the three GNDP districts): expected early 2013.</i> 	Factual update.
DM33	n/a - officer change		In paragraph 33.16, for "see policy DM33 following" read " <i>see policy DM33 above</i> ".	Editorial correction consequent on late reordering the CIL commentary to follow policy DM33 rather than preceding it.
Appendix 2	n/a - officer change		Following the first paragraph in the preamble, add the following text: <i>"It should be noted that Bayer Cropscience have sold their site at Sweet Briar Road as a going concern and and from 1 September 2012 it trades as Briar Chemicals Limited. "</i>	See DM11 above.
Policies Map	English Heritage	Scheduled Ancient Monuments designation appears to be shown inaccurately at Carrow Priory. Also suggest that historic parks on the statutory Register should be identified specifically.	Corrections made. Additional errors have been identified by officers affecting scheduled monuments at Whitefriars and the Castle Bailey, consequently the entire dataset has been updated to align the policies map with the latest English Heritage map data. Historic parks on the statutory register are now indicated on the policies map in a distinctive notation (red "HP" overprint as opposed to black for non-registered) albeit that this distinction will not affect the practical application of the policy.	Factual correction to align the Policies Map data with the latest Scheduled Monument boundary data held by English Heritage.
Policies Map	Paul Holley (Norwich City Council)	Identified errors in depiction of existing and proposed Riverside Walk routes and Open Spaces boundary data on Policies Map are corrected.	Correct the policies map to incorporate these changes	Factual correction.

Policy/Ref	Respondent	Nature of rep	Council Response	Justification for proposed change
Policies Map	Joy Brown (Norwich City Council)	Inadvertent omission of part of City Centre Leisure Area within Northern City Centre Area Action Plan area inset has been reinstated.	Correct the policies map to incorporate these changes	Factual correction.
Policies Map	NLP for Capital Shopping Centres	Lower ground floor retail frontages of Chapelfield are shown on both the main inset map and the shopping centre thumbnail plans, suggesting there are three retail levels in Chapelfield not two. One of the thumbnail plans should be removed to eliminate duplication. Primary frontage definition unclear.	Correct the policies map to remove duplication of shopping frontages on the main part of the city centre inset where they already appear on the shopping centre inset plans for Chapelfield and Castle Mall	Amendment to remove ambiguity.
Policies Map	n/a - officer change		Conservation area boundaries updated to reflect recent change in boundary of Heigham Grove Conservation Area and others (note other CA boundary changes are proposed in response to recommendations in the Conservation Area Appraisals but have not yet been enacted).	Factual update.

Prospective Revision To Policy DM21

Justification: The Government's good practice advice "Parades to be Proud of"¹ states that

"... case studies have shown how local parades of shops can offer flexibility to welcome businesses that might not be part of the traditional make-up of a parade. This can include specialist shops with a wider or online customer base who still want or need a physical shop. It can also mean room for community organisations."

Officers acknowledge in the light of this advice there is a strong argument for some relaxation of the criteria for the acceptance of "non town centre uses" in district and local centres and there is likely to be scope for a more streamlined policy approach to remove excessive detail.

Previously, policy DM21 only accepted shops and other uses in district and local centres which fell into a narrow definition of a *main town centre use* in national policy, or were community uses such as health centres and surgeries. The draft policy also stated unequivocally that uses other than main town centre uses and community uses would not be permitted at ground floor level, which has given rise to an unresolved objection from Asda Stores Ltd. The policy as drafted was not positively worded and would not have been flexible enough to allow for uses such as launderettes and amusement centres or one-off uses - such as studios, rehearsal spaces or other local enterprises supporting the creative industries sector.

The council will consequently suggest the following revised wording to the Inspector at examination. This prospective revision incorporates additional text in paragraph 21.10 (underlined) and the minor changes for clarity detailed in Annex 2.

¹ CLG *Parades to be Proud Of: Strategies to Support Local Shops*; CLG June 2012
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6016/21568651.pdf

Protecting and supporting district and local centres

Policy DM21

Management of uses within district and local centres

Key principles

Within existing and proposed district and local retail centres, as defined on the Policies Map and shown in Appendix 4, appropriate supporting services including main town centre uses, public and community uses, and other uses complementing local shops will be encouraged and permitted where:

- a) their scale and function is consistent with the position of the centre in the hierarchy of centres set out in JCS Policy 19.
- b) they would not have a harmful impact on the vitality, viability and diversity of services in the centre, in particular increasing the number of units which would not be available to the public during the normal working day.
- c) they would not have a harmful impact on residential amenity, traffic or the environment which could not be overcome by the imposition of conditions;
- d) they would provide a community benefit or address an identified deficiency in provision in the area which can be shown to outweigh the loss of a retail use.

Changes of use involving the loss of shops or shopping floorspace (use class A1) will be permitted where they satisfy the above criteria and additionally:

- e) would not result in the proportion of A1 retail uses at ground floor level falling below 60% (in the case of district centres) or 50% (in the case of local centres), and
- f) would not result in the loss of, or significant reduction in, retail floorspace within any main foodstore serving the centre.

Other requirements

The beneficial use of upper floors will be permitted where the use is compatible with surrounding uses. Proposals involving the use of ground floors only must ensure that separate access is maintained to, and should not prejudice the beneficial existing or potential future use of, lower and upper floors.

Where necessary, permission will be granted subject to conditions restricting hours of opening and/or removing permitted development rights to change to alternative uses to protect the amenity of surrounding occupants and the vitality and viability of the centre concerned.

Supplementary text

- 21.1 The NPPF in Section 8: Promoting Healthy Communities, requires local authorities to plan positively for shared space and community facilities such as local shops, meeting places, sports venues, cultural facilities, public houses

and places of worship and other local services to enhance the sustainability of communities and residential environments. They should also guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and ensure an integrated approach to considering the location of location of housing, economic uses and community facilities and services.. Both this policy and policy DM22 following reflect those aspirations and the emphasis of the JCS on protecting and enhancing neighbourhood centres and supporting communities.

- 21.2 Norwich's neighbourhoods are generally well served by local and district retail centres. These retail centres provide convenient facilities for local people which are readily accessible on foot and by cycle and which are normally on or close to high frequency bus routes. Policy 12 of the JCS requires that local and district centres should be protected and enhanced. This policy seeks to ensure that a suitable range of local services is maintained within these centres to provide for everyday needs. It complements policy DM18 dealing with proposals for substantive new development for town centre uses.
- 21.3 For the purpose of this policy the same definitions of district and local centre are used as in the JCS. A district retail centre is a group of shops containing at least one supermarket or superstore and other services, providing for a catchment extending beyond the immediate locality. A local retail centre is a group of shops or services forming a centre of purely local significance.
- 21.4 As is the case in the city centre, the council has, historically, sought to protect the vitality and viability of district and local centres by requiring that these centres should, wherever possible, retain a minimum percentage of their premises in retail use. This minimum was fixed at 60% in the previous local plan. Trends toward a higher proportion of non-retail uses in some centres has meant that a 60% threshold has been exceeded in many cases and is no longer appropriate.
- 21.5 The council undertook detailed research in 2010 to establish whether there were any local and district centres where different percentage thresholds would be suitable, instances where local centres should be upgraded to district centres, or where the changing function of particular groups of shops not previously identified as local centres justified giving them status as such. Changes were recommended to the boundaries of some local and district centres and local centres are newly designated at the University of East Anglia, Aylsham Road/Copenhagen Way, Magdalen Road/Clarke Road, Long John Hill and St Stephens Road.
- 21.6 The results of this research informed the draft version of this policy, which took the approach of applying a range of minimum retail percentage

thresholds which differentiated between groups of centres according to their particular form and function. It also incorporated detail on the criteria to be used for the assessment of other town centre uses and community facilities proposed in district and local centres.

- 21.7 In Norwich, the majority of neighbourhood shopping centres are characterised by parades or clusters of small and medium sized shop units. Many rely for their continued vitality and viability on having a diverse mix of uses in which local shops predominate. Local centres in Norwich will usually include at least one small-scale local foodstore to meet day to day needs for top-up shopping. However, two particular centres – Eaton District Centre and the newly identified local centre at Aylsham Road/Copenhagen Way – are based around a single foodstore alongside a diversity of supporting uses rather than necessarily having a high representation of small traditional shops. The continued vitality and viability of these centres relies effectively on the retention of the foodstore and not to any great degree on the protection of a minimum proportion of retail units elsewhere in the centre.
- 21.8 As is the case with the city centre, the particular characteristics and mix of shops and services in district and local centres in Norwich has changed markedly since the inception of the previous local plan in 2001. There has been strong growth in one-stop local convenience retailing: national foodstore operators have sought opportunities to establish small scale local foodstores within and close to existing local and district centres, both through the development of completely new stores and by conversion of existing shops and other commercial premises to food supermarkets.
- 21.9 The trend toward one-stop convenience shopping and the growth of supporting non-retail services (in particular hot food takeaways) is a reflection of changing lifestyles and is sometimes alleged to have resulted in a harmful impact on retail diversity and local independent retailing; however the most recent research undertaken by this council shows that the introduction of new foodstores into local centres has in fact supported those centres and resulted in lower vacancy rates. It is not the role of this policy to inhibit competition between individual retailers as this would be contrary to national policy. Nor can the policy or the planning process in general influence the particular operator or business model of retail development accepted in these centres. Rather, this policy aims to be responsive to objectively assessed needs and aims to ensure that the vitality, viability and diversity of centres is protected and strengthened to meet day to day shopping needs and reduce the need to travel.
- 21.10 The council's approach to local and district centres is to seek a balance between retaining an appropriate range and choice of shops to meet local needs and allowing other beneficial supporting uses which complement and are appropriate to the scale and function of the centre. Priority will be given to promoting and supporting shopping, other main town centre uses and community uses in accordance with the NPPF and policy DM18, although

uses which do not fall readily into either of these categories can be accepted where they would be complementary and beneficial to the vitality and diversity of the centre.

- 21.11 In recognition of the changing characteristics of neighbourhood centres and the generally higher proportion of supporting services in them, the indicative minimum threshold for the proportion of A1 retail units has been set at 50% for local centres and 60% for district centres. The policy also seeks to discourage the loss or depletion of local foodstores, which are an essential feature of most centres, allowing for flexibility in circumstances where the retention of an anchor foodstore may be more critical to the vitality and viability of the centre than keeping a high proportion of smaller shops.
- 21.12 The requirement that proposals should not have a harmful impact on the diversity of services in centres should also ensure that particular types of service such as hot food takeaways would not become over-represented in any one centre and prevent centres becoming completely dominated by large format retailers. It will be particularly important to ensure that the range and choice of services in any one centre contributes to diversity and vitality across the whole of the working day and evening. Consequently the council would normally seek to achieve a balance of uses which is not disproportionately weighted towards evening-only services such as hot food takeaways, which often contribute very little to local and district centres if they are closed during the day. Conversely, uses such as cafés can offer significant benefits to the vitality and viability of local centres in both the daytime and evening through their role as community hubs and meeting places.
- 21.13 The policy does not seek to impose a strict quota on the number and type of non-retail A class uses and other services in centres. Rather, the impact on diversity of services of any particular proposal will be a matter of judgement on a case by case basis taking account of community needs, operators' business requirements, likely impact on neighbour amenity and considerations of how the range of services in individual centres might be changing and developing. More specific criteria for the consideration of hot food takeaways are included in policy DM24.
- 21.14 For the purposes of this policy, main town centre uses are as defined in the NPPF. The representation of A1 retail use within a defined centre will be calculated on the basis of the total number of separate premises at ground floor level within that centre. The boundaries of local and district centres have been redefined in some cases. This is to ensure that premises which do not contribute to their neighbourhood centre function, for example, isolated dwellings within or at the end of a parade of shops, are not included within the centre and are not taken into account in calculating the proportion of non-retail uses. Where suitable locations emerge adjacent to centres which can accommodate their appropriate expansion, the council will support such proposals consistent with the criteria in policy DM18.

- 21.15 The policy allows additional flexibility for the acceptance of other beneficial uses where it can be demonstrated that the use is underrepresented in the centre or it is for a community use (or other purpose) which is appropriate to the scale of the centre. Appropriate uses include – but are not confined to - residential, offices, restaurants and cafes, pubs and bars, non-residential institutions and leisure uses which are at an appropriate scale to serve a local catchment. The acceptance of these uses will be subject to compliance with other policies of the plan, in particular that they should not give rise to unacceptable impacts on the living and working conditions of neighbours (Policies DM2, DM11).
- 21.16 The NPPF advises local authorities to recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites. Local and district centres should be at the heart of communities and are the most sustainable and accessible location for new residential development as well as providing a wide range of retail and other services. Residential use is supported by this policy and where it is accepted in close proximity to centres should be at a higher density where this is in keeping with character of surrounding area (in accordance with policies DM3 and DM12). The beneficial use of upper floors within local and district centres will also be supported. Proposals providing for a main use of a building at ground floor level only must maintain or reinstate separate accesses to upper and lower floors to ensure that the future use of those areas of the building is not prejudiced. The council will not support proposals for ground floor uses that do not make provision for the effective use of upper floors in the long term.
- 21.17 It is important to ensure that uses proposed at all levels of a building are compatible. In assessing proposals for change of use, consideration will be given to likely impacts on the amenity of existing and future occupiers in accordance with policy DM2 of this plan. Conditions will be used as appropriate to limit hours of opening and/or restrict otherwise permitted future changes of use which would result in such undesirable impacts.
- 21.18 A new district centre at Hall Road (Harford Place) is proposed in the Site Allocations Plan in recognition of the need for a centre to serve the south of the city and of longstanding proposals to provide this through redevelopment of the former Bally Shoes site. Additionally, that plan provides for local shopping and leisure facilities to serve new mixed use development at the Deal Ground site at Trowse. The precise siting of any local centre has yet to be determined and, since it partly extends into South Norfolk, a discrete local centre to serve the Deal Ground may or may not be situated within Norwich.
- 21.19 Once implemented, the Harford Place centre will be considered as a District Centre and proposals for changes of use within it will be determined in accordance with this policy. A 60% indicative minimum threshold for retail uses will apply. In the event of a purpose built neighbourhood centre being

established at the Deal Ground within the city boundary, it would be regarded as a local centre and also subject to the provisions of this policy.

Alternative options

It is considered that not having a policy on district and local centres is not an option as national policy and the JCS do not contain sufficient detail to determine individual planning applications within Norwich's district and local centres.

One alternative is to adopt different boundaries for the district and local centres. The boundaries chosen are considered appropriate as they are defined so as to reflect the extent of retail and other complementary supporting services and to exclude uses which are clearly not contributors to the function of the centre. The boundaries reflect an up-to-date assessment.

Another option is to continue the Local Plan approach which sets a uniform 60% minimum for the retention of retail uses in all local and district centres. It is considered that this does not acknowledge the higher proportion of supporting services in many centres or the need for flexibility to respond to change over the plan period.

A further option is to retain the approach taken in the draft version of this policy and introduce more differentiation in the thresholds applied to individual centres. This approach is now considered to be too inflexible in responding to change and, in particular, does not acknowledge that in many centres it is the retention of a main foodstore and not the existence of a particular minimum number of A1 shops elsewhere that is the key to protecting its vitality and viability. The proposed policy is considered to strike the appropriate balance between promoting vitality, viability and diversity and preventing damaging changes to the core functions of neighbourhood centres.

References

- NPPF: CLG, 2012: Section 8: Promoting healthy communities: Deliver community facilities and local services; ensure that established shops and facilities are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.
- Parades to be proud of: Strategies to support local shops, CLG, June 2012
- JCS policy 7: Supporting communities
- JCS policy 12: The remainder of the Norwich urban area, including the fringe parishes
- JCS policy 19: The hierarchy of centres
- Norwich Sub Region: Retail and Town Centres Study (GVA Grimley, 2007)
- Retail Topic Paper: Local and District Centres (September 2010)
- Retail and Town Centres Topic Paper (January 2012).

ANNEX 5

**City Council Response to recommendation made in Sustainability Appraisal Report of DM Policies DPD at Regulation 22 stage
See SA report page 85 (Para 5.95)**

Policy	SA Recommendation (Reg 22 stage)	Council response
DM27	It is recommended that prior to permission being granted for airport-related development in line with policy DM27, Natural England and the Environment Agency are consulted on the measures required to ensure that such development will not have a significant effect on watercourses draining to the Broadland SAC, SPA and Ramsar site.	Both these bodies are statutory consultees who will be consulted in any case in respect of any substantive development at the Airport. Schedule 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 as amended, requires both the Environment Agency and Natural England to be consulted in relation to (inter alia) development involving major accident hazards, development of 1 hectare and over, development requiring an Environmental Impact Assessment and development for the purpose of refining or storing non-domestic mineral oils and their by-products. Any or all of these consultation requirements would apply to an application for a major operational expansion of the airport. It is not necessary for either Policy DM27 or its supporting text to refer to such standard procedural matters, nor would it be appropriate or lawful for a policy to impose any more onerous consultation requirements. No change.

Annex 6a - SITE ALLOCATIONS DPD Representations on which no change is necessary

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
GEN-001	Rosemary O'Donoghue (individual)	Support	Plan will help bring more homes to the city and reuse derelict sites.	NO CHANGE - support noted
GEN-003	Rev Keith Crocker	Support	Support	NO CHANGE - support noted
CC7-001	Broads Authority	Support	Support for policy inclusion of riverside walk at St Anne's Wharf site.	NO CHANGE - support noted
CC9-001	Broads Authority	Support	Support for policy reference to include a riverside walk at King Street Stores site.	NO CHANGE - support noted
CC23-001	Broads Authority	Support	Support for inclusion of Riverside walk at Duke's Wharf site.	NO CHANGE - support noted
R6-001	Rosemary Duff	Support	Support non-inclusion of Lakenham Cricket Ground site	NO CHANGE - support noted
R6-003	Brenda Harris (individual)	Support	Support non-inclusion of Lakenham Cricket Ground site	NO CHANGE - support noted
R8-001	Bidwells (Aviva)	Support	Support the principles of development at City Road site subject to objection made to policy DM12 concerning minimum density of 40 d/p/h	NO CHANGE - support noted
R28-001	Cornerstone Planning	Support	Support Raynham Street allocation for housing.	NO CHANGE - Support noted.
R33-001	Natural England	Support	The policy framework for the site (Heigham Water Treatment Works) provides sufficient safeguards for appropriate development of this site.	NO CHANGE - Support noted.
R38-001	Cornerstone Planning	Support	Support housing allocation at Havers Road	NO CHANGE - support noted.

Note: Two additional representations of support were made at Regulation 19 stage in respect of the Sustainability Appraisal report of the Site Allocations DPD. These are noted in **Appendix 3** of the Regulation 22 SA report.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
GEN-002	Peter Raiswell (individual)	Comment	Supports plan in general terms - however more local facilities such as doctors' surgeries, dentists, sports and leisure facilities are needed in the city centre	Noted and support welcomed: however NO CHANGE to plan. The DM Policies plan (in particular policy DM22) does strongly encourage such facilities to be located as centrally and accessibly as reasonably practicable prioritising the city centre and local and district centres and following the "town centre first" principles set out in national policy. It would not be appropriate to allocate sites specifically for named uses in the site allocations plan as the council cannot control the business decisions of private sports facilities operators or healthcare practices. It would not be possible to compel a facility to locate in a particular site or nominated premises in the centre. However a number of allocations have been identified as having scope for community provision as part of a preferred mix of uses.
CC4-001	Bidwells	Object – unsound (not effective)	Object to the design principle that the site must be designed to be accessed from Ber Street, towards the southern end of the site.	NOT ACCEPTED. The implementation of NATS within the City Centre includes provision for Golden Ball Street to be made two way, and for Westlegate to be closed to through traffic, creating a pedestrianised area. These changes will result in alterations to traffic patterns in the area, but even if that were not the case, the frontage of this site is close to a difficult junction, and has limited visibility to oncoming traffic. Consequently, the appropriate response is to limit the number of vehicular access points to the site, and keep them as far from the junction as practicable, within the constraints of good urban design. This means effectively placing any vehicular access close to the southern end of the site.
CC9-002	Norfolk County Council (NPS)	Object – unsound (not justified; not effective)	The allocation (King Street Stores) should be extended to include the sports hall site.	NOT ACCEPTED. This site allocation was amended by the Council's Cabinet in July 2012 to exclude the sports hall, on the following grounds: loss of an existing sports serving the local community; impact of loss of the car park on the sports hall and possibly Wensum Lodge; taking the sports hall and car park out of the allocation site would still enable allocation of the remainder of the site.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC11-001	Norfolk CC (Children's services)	Object – unsound (not positively prepared; not effective)	The Garden Street site should be reserved for a school as a precautionary measure. Norfolk County Council has identified the need for an additional school site in the city centre due to demographic and housing growth and it is unlikely that another site could be found. If it is shown that a school site is not needed in the city centre in the future then such evidence would amount to a "material circumstance" which might justify a departure from the site allocation.	NOT ACCEPTED. The possible use of this site as a school has not been consulted upon as representations were not received on this matter at the appropriate time. No clear evidence that a school site is needed in the city centre has yet been provided. Reserving the site as a precautionary measure is likely to prevent much needed city centre housing and small business uses coming forward without firm evidence that the site is needed for school use.
CC23-003/2	Environment Agency	Object – unsound (not effective)	Future Flood Zone 3b area should also be included as a constraint.	NOT ACCEPTED. The Flood Zone 3 issue is already addressed as a constraint in the explanatory text, hence NOT ACCEPTED.
CC28-001	English Heritage	Comment	Policy should include a requirement that the conversion should respect the significance of the listed fire station building	NOT ACCEPTED, as sufficient reference is already made to the significance of this building: paragraph 2 of the explanatory text already makes reference to the Grade II listed status of the fire station and the importance of preserving and enhancing it; policy CC28 makes reference to the listed status of the building.
CC29-001	NLP for Capital Shopping Centres	Object – unsound (not justified; not effective)	Amendments proposed to explanatory text and policy in relation to St Stephens Masterplan, to allow flexibility and encourage viable development.	NOT ACCEPTED: the explanatory text referring to the St Stephens masterplan is indicative only, not prescriptive; the policy reference to the masterplan is again not prescriptive, and allows for flexibility. However, policy DM29 of the DM Policies Plan is proposed to be amended to allow for redevelopment of car park sites which are specifically identified as allocations in this plan - this will remove a potential policy conflict between the two plans in relation to the Chantry Car Park and Aviva car park, Brazen Gate.
CC31-002	English Heritage	Comment	The St Stephens masterplan could be referred to in the policies for the site.	NOT ACCEPTED. The explanatory text refers to the masterplan and in any case the principles of the masterplan are reflected in the policy.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC31-003	Bidwells (Aviva)	Object – Unsound (not effective)	The policy should be reworded to remove the requirement for office accommodation on upper floors.	NOT ACCEPTED: Provision of offices would be subject to feasibility and viability testing under policy DM19 whether a site is allocated or not (see comments on the representation in respect of DM19). The inclusion of the viability test will enable the economics of provision of offices on site CC31 and any other allocated site in the office priority area to be individually assessed. The capacity of the St Stephens area for significant office development to meet objectively identified needs in a sustainable city centre location has previously been identified in the St Stephens Masterplan, remains a legitimate concern of local policies which carry forward its strategy and must be retained in order to implement adopted JCS policy effectively.
CC32-001	English Heritage	Comment	The St Stephen Street masterplan could be referred to in the policies for the site.	NOT ACCEPTED. The explanatory text refers to the masterplan and in any case the principles of the masterplan are reflected in the policy.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R3-001	Norwich City Council Green Group	Object – unsound (not justified; not consistent with national policy)	A number of concerns raised in terms of size of superstore, efficient use of brownfield land, pedestrian and cycle access, car parking and biodiversity	NOT ACCEPTED: Both allocation R3 and the scheme approved in December 2012 are significantly larger in scale than the equivalent allocation in the RLP first proposed in 2001. This recognises the additional need and capacity for retail floorspace up to 2016 identified in the 2007 GNDP retail study, which the scheme would help to meet. However even if no technical need were evident, showing need is no longer a material planning consideration. Sequential suitability has been justified in terms of the site's location within a proposed district centre and the scheme has also been demonstrated not to have a significantly harmful impact on the city centre. The design (alongside planning obligations and conditions) will ensure that the retail store will be fully integrated into the district centre and will deliver significant planning benefits as part of an overall package of supporting town centre uses, local employment, sustainable transport measures and accessibility enhancements. The proposal is strongly supported by the local community.
R3-001 continued	Norwich City Council Green Group			On balance it is considered that the regeneration benefits offered by the allocation and the approved scheme outweigh the drawbacks. The alternative would be an extended period of disuse and decline which would not further NPPF objectives of positive planning and productive reuse of previously developed land.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R5-001	Sport England	Object – unsound (not consistent with national policy)	Allocation for community facility on part of Hewett School playing fields does not comply with Sport England policy.	NOT ACCEPTED: The benefits of providing for a community facility outweigh the loss of a small amount of the school playing field in this location. The Open Space Needs Assessment prepared in 2007 concluded that there is a shortfall of outdoor sports facilities in the southern quarter of the city, partly as a result of the Lakenham Sports Centre just having been closed. However, since then, substantial new sports facilities have been provided at the Hewett school, consisting of all weather hockey and 5-a-side football pitches. A community centre would be more valuable and provide wider benefit for residents in this area given that the site itself is not in sporting use, there are tennis courts elsewhere at Hewett school and the great majority of the Hewett school playing pitches and facilities would remain available in sporting use, including the new high quality facilities.
R6-002	Lanpro	Object	Object to the designation of the whole of former Lakenham Sports Ground site as open space under DM policy DM8 and request reintroduction of originally proposed allocation R6 for housing and open space as in Reg 25 draft site allocations plan. Location is suitable for housing and confirmed by SHLAA as sustainable and deliverable.	NOT ACCEPTED: The decision of the council's cabinet not to allocate site R6 for development reflects legitimate member and community concerns about the provision of open space in the locality and potential impacts from the form of development proposed.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R9-001	Mark Dunn	Object – unsound (not effective)	This representation lists a range of aspirations from the development at Southwell Road including public participation, affordable housing, open space, energy, parking etc. In general it is considered that the Duty to Cooperate must include co-operating with local groups and residents and developers must ensure that the community has an opportunity for meaningful comment before applications are submitted.	NOT ACCEPTED. Many of the aspirations mentioned would in any case be required through JCS and DM policies (referenced in paras 6.13-17). The statutory Duty to Cooperate in s110 of the Localism Act is intended to ensure that local planning authorities cooperate with their neighbouring councils and other prescribed bodies in plan preparation. It does not relate to involvement of the local community. This is agreed to be an important, indeed essential, part of the planning process but is covered elsewhere in the Act (s122) and by other provisions. The council's Statement of Community Involvement strongly encourages developers to carry out pre-application consultation on major schemes and this will become mandatory for certain categories of development when the relevant regulations come into force.
R10-002/1	Broads Authority	Comment	Deal Ground policy should refer to an appropriate bridge height for the bridge across the river Wensum.	NOT ACCEPTED. Bullet point 11 in the explanatory text states that the height and design of the bridge should avoid compromising navigation. This is considered to be an appropriate level of detail for the plan.
R10-002/2	Broads Authority	Comment	Deal Ground policy should refer to the need for the bridge to open and whilst it refers to pedestrians and cyclists it also refers to vehicular use of the bridge.	NOT ACCEPTED. Matters of detail, such as specific clearance height and the need to open the bridge, are detailed matters for the Broads Authority to specify when processing planning applications affecting the river. In relation to use of the bridge by emergency vehicles, this is already covered in the policy under bullet point 7.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R10-006	Norfolk County Council (MW)	Object – unsound (not justified)	The proposed allocation is not justified as currently written. The application 12/00875/O has not been determined and therefore to include proposed housing numbers while not providing information on the issues raised, which may ultimately be material considerations in the determination of the application and factors determining whether those housing numbers could be delivered, does not provide a robust evidence base on which to base the choices made in the plan.	NOT ACCEPTED. The planning application for the Deal Ground currently under consideration has been informed by a range of studies carried out over a number of years to investigate the viability of mixed use development on this site, starting with the Initial Options Appraisal (Buro Happold, 2007), and subsequent studies funded by the Department for Communities and Local Government. The latter examined at a number of key constraints including flood risk, archaeology, contamination, transportation and ecology. The planning application itself has involved preparation of additional evidence by the applicant on key constraints such as noise impact and environmental impact, some of which is not yet available. To state that the allocation is not justified is conjecture at this stage, and could prejudice the outcome of the application.
R10-007	Norfolk County Council (MW)	Object – unsound (not positively prepared; not justified; not effective; not consistent with national policy)	Given its significant constraints, a more mixed use of the land at the Deal Ground with less emphasis on housing would be more suitable as an allocation. The allocation as currently proposed is contrary to para 123 of the NPPF.	NOT ACCEPTED. Deletion of the words ‘residential led’ from the policy is not appropriate. The existing policy wording is sufficiently flexible as it does not preclude a greater mix of uses on the Deal Ground should this be justified in terms of viability and feasibility. It should be noted however that a significantly different mix of development, with less emphasis on housing and more employment, would have impacts on viability through greater vehicular movements at peak times, given the finely balanced access structure of this site and the adjoining Utilities site. The allocation is not judged to be contrary to paragraph 123 of the NPPF: at this stage the Council has no evidence to suggest that development of the site will lead to adverse impacts as set out in paragraph 123 of the NPPF.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R10-008	Norfolk County Council (MW)	Object – unsound (not justified; not effective; not consistent with national policy)	The allocation, as currently written, raises concerns regarding deliverability and is not backed up by facts. It is considered that a more mixed use of the land would be more suitable as an allocation; the explanatory text should refer to the conclusions of the Initial Options Appraisal 2007 regarding mixed use development.	NOT ACCEPTED. It would be inappropriate to place undue emphasis on the Initial Options Appraisal 2007 as this was by its very nature an early appraisal of the viability and deliverability of the Deal Ground and Utilities sites, and itself acknowledged that further work needed to be carried out before it could be used to inform policy (see IOA Executive summary 1.1, paragraph 2).
R10-009	Norfolk CC (MW)	Object – unsound (not positively prepared; not justified; not effective; not consistent with national policy)	The evidence does not support the allocation of 600 dwellings. Objector wishes policy to be amended to delete reference to 600 dwellings.	NOT ACCEPTED. The current application includes approximately 600 dwellings on the Deal Ground. At this stage the Council has no evidence to suggest that this is not deliverable, subject to receipt and assessment of supporting evidence on several aspects of the development, including noise and environmental impacts. To change the number of units at this stage would be premature as the evidence is not yet available; the information should be available prior to the public examination.
R10-010	Norfolk CC (MW)	Object – unsound (not justified; not effective; not consistent with national policy)	The proposed residential development may prejudice the continued use of the safeguarded mineral operations, and is inconsistent with NPPF paragraphs 123 and 143.	NOT ACCEPTED. The explanatory text reflects these concerns in relation to 'relevant issues' in bullet point 4 in explanatory text on p191 of Reg 19 plan (as proposed to be amended - see proposed clarification for R10-004). It is considered inappropriate to include reference in policy that future applications may be unable to mitigate some potential impacts, as this would be to prejudice the planning application process and the evidence provided as part of this. Finally, in relation to ensuring that existing uses will not be prejudiced or subject to unreasonable restrictions as a result of new development, there is sufficient flexibility in Development Management Policies DM2 and DM11 to allow an appropriate level of protection for existing operations whilst also ensuring that their neighbours are properly safeguarded.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R10-011	CgMs Consulting	Object – unsound (not effective)	Proposed Wensum bridge should be able to cater for all types of vehicular traffic.	NOT ACCEPTED. The proposed bridge over the River Wensum is key to unlocking regeneration of both the Deal Ground and the adjacent Utilities site. Both allocations R10 and R11 are dependant on a range of sustainable transport measures to serve the sites and wider east Norwich area. This includes the bridge over the Wensum, public transport measures, and substantial improvements to walking and cycling. The proposal that the bridge is restricted to emergency vehicles only, as well as cyclists and pedestrians, is a key part of the proposed sustainable transportation measures for the comprehensive development of this area (see site specific policies R10, R11, CC17 and R12). General vehicular access from the Deal Ground through the Utilities site to the Kerrison Road / football club area is unacceptable as part of this set of measures, in terms of impact on the surrounding highway network, and is not possible through the site to Thorpe across Carey’s Meadow on environmental impact grounds.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R10-012	Lafarge Aggregates Ltd	Object – unsound (not justified; not effective; not consistent with national policy)	This site should not be allocated for mixed use development with an emphasis on residential land uses.	NOT ACCEPTED: The objector is aware that the Deal Ground is a major local plan priority for regeneration and that the council has been working positively and proactively with regeneration agencies and partners for many years to bring it forward. A series of objective assessments of development potential, viability, site constraints and the infrastructure investment required to overcome them have shown conclusively that an employment led scheme as proposed in the adopted local plan would not be economically viable and to retain it for that purpose would be directly contrary to NPPF paragraph 22. To be viable and deliverable the allocation now needs to include a significant quantum of housing, the design and layout of which is required to respect the environmental constraints of the site and take account of neighbouring uses and activities. To relinquish this major housing opportunity would seriously compromise Norwich's ability to meet housing needs over the plan period and put pressure on other, less sustainable sites. This will not accord with NPPF advice to encourage the effective use of land by reusing land that has been previously developed.
R10-013/2	Environment Agency	Comment	Future Flood Zone 3b area should also be included as a constraint.	NOT ACCEPTED. Flood Zone 3 is already addressed as a constraint in the explanatory text, hence NOT ACCEPTED needed.
R11-002/2	CgMs Consulting	Object – unsound (not effective)	Remove reference in policy R11 to potential for development of residential moorings	NO CHANGE TO THIS REQUIREMENT (but wording amended to remove potential ambiguity). There is a general expectation within saved RLP policy TVA3, emerging policy DM28 of the Norwich DM Policies Plan and policies DP12, DP16 and DP25 of the adopted Broads Authority DM Policies DPD that opportunities should be taken to improve access to waterways through development and to make appropriate provision for public and private moorings, where these are well-located and do not impede river navigation. Please note that the term "residential moorings" has been changed to "public moorings and/or private moorings serving new residential development", for clarification. The provision of such moorings would be encouraged but not required.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R11-002/3	CgMs Consulting	Object – unsound (not effective)	Include reference within policy R11 to the potential for development of leisure, cultural and / or educational facilities on site relating to its riverside setting	NOT ACCEPTED. None of these uses would be precluded by the policy wording as it stands and could be supported within a mixed use scheme.
R12-001/1	CgMs Consulting	Comment – sound but not effective	Reference to vehicular access between Gothic Works and Utilities sites should not seek to restrict the purposes of such an access. The reference to "emergency vehicular" should therefore be removed.	NOT ACCEPTED. There is little capacity in the surrounding highway network for additional traffic into the area, and the access to the Utilities site is severely restricted. Substantial levels of access by taxi would result in increased levels of traffic that the network cannot sustain, so any access arrangement needs to be very carefully considered. Any access arrangements need to be considered as part of the overall development of the whole area (including the development at the football club, and currently, the access strategy for public transport provides for a main stop on Geoffrey Watling Way.
R12-001/2	CgMs Consulting	comment	Policy R12 should also require that development of the Gothic Works site makes provision for a bus drop-off and turning point adjacent to the railway bridge to facilitate convenient pedestrian access for bus passengers to and from the Utilities site.	NOT ACCEPTED. It is generally not appropriate to extend bus services into cul-de-sacs (such as would be the case if a turnaround facility was required in the Gothic Works site), unless the number or people using the service is so significant as warrant such a diversion, as the end point would in itself be the major destination. Without an approved scheme, and an understanding of the demand for this service, such provision is not required. However, the policy does not preclude either of these suggestions, but without significantly more information about the detailed proposals for the Utilities site at this stage, it is impossible to make such a judgement. In the knowledge that the level of vehicular access to the site is severely restricted already, it is hard to justify a provision for access that might create the very problem that we are seeking to solve.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R20-001	Lanpro	Object – unsound (not justified; not effective or consistent with national policy)	The former Start Rite Shoes, Mousehold Lane site (R20) should be allocated for a mix of uses including a food store as proposed for site R21 at Sprowston Road/Windmill Road. Site R21 will not be available for development during the plan period.	NOT ACCEPTED. The suggested mixed use scheme to include a foodstore onsite is not accepted. Overall this site is not suitable for retail development. It is close to the local centre at Sprowston Road/ Shipfield, and would have a significant impact on the viability and vitality of the local centre, particularly given the degree of car parking proposed. The local shopping need is accommodated through the allocation of the site at Sprowston Road (ref R21), which is more naturally linked to the existing local centre. The objector's statement suggesting that the R21 will not be available for development during the plan period is incorrect. In fact, the agent has been continuously engaging with the Council trying to resolve the standing issues. In addition, the loss of housing land to retail development is not appropriate given the housing requirement set out in the Joint Core Strategy.
R20-002	Simply Planning for Location 3 Properties Ltd	Object (grounds not specified)	The site should be identified for alternative (retail) or mixed use as carrying over the historical allocation does not allow flexibility.	NOT ACCEPTED. The suggested mixed use scheme to include a foodstore onsite is not accepted. Overall this site is not suitable for retail development. It is close to the local centre at Sprowston Road/ Shipfield, and would have a significant impact on the viability and vitality of the local centre, particularly given the degree of car parking proposed. The local shopping need is accommodated through the allocation of the site at Sprowston Road (ref R21), which is more naturally linked to the existing local centre. The objector's statement suggesting that the R21 will not be available for development during the plan period is incorrect. In fact, the agent has been continuously engaging with the Council trying to resolve the standing issues. In addition, the loss of housing land to retail development is not appropriate given the housing requirement set out in the Joint Core Strategy.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R21-002	Lanpro	Object – unsound (not justified; not effective or consistent with national policy)	Site R21 will not be available for development during the Local plan period. The food store should be allocated at site R20 instead.	NOT ACCEPTED. The objector's statement suggesting that site R21 will not be available for development during the plan period is incorrect. In fact, the agent has been continuously engaging with the Council trying to resolve the standing issues. It is expected that a revised application will be submitted in the near future.
R32-001	S Mickleburgh	Comment	Building or parking etc at the Paddocks, Holt Road must be screened to help reduce noise.	Comment noted; however NO CHANGE as screening and noise mitigation are already required in the policy.
R32-002	CA Trott (Plant Hire) Ltd	Object – unsound (not positively prepared; not justified; not effective; not consistent with national policy)	The site should be allocated for employment use; access from Holt Road is appropriate.	NOT ACCEPTED: We acknowledge that the JCS provides for significant employment growth - including a 30ha business park - in the vicinity of the airport, for which an allocation is proposed in Broadland adjoining the A140/NDR junction. However it also gives priority to the expansion of the airport itself. At present there is insufficient evidence to demonstrate conclusively that the Paddocks site will not be required for operational purposes. Opportunistic release of the site for general needs employment with an independent access from Holt Road is therefore regarded as premature, particularly in view of the absence of an Airport masterplan and surface access strategy (see DM Policy DM27) and the need to assess the implications of airport related development being promoted in the emerging "Norwich Aeropark" scheme on Airport land further to the north.
R33-002/2	Environment Agency	Object – unsound (not effective)	Future Flood Zone 3b area should also be included as a constraint;	NOT ACCEPTED. Flood Zone 3b is already addressed in the explanatory text, hence NOT ACCEPTED made to this matter;
R35-001	Lanpro	Object – unsound (not effective)	Part of the required cycle path at Northumberland Street site is not deliverable due to ownership.	NOT ACCEPTED. The explanatory text states that although the site is in several ownerships it is important that it is developed in a comprehensive manner. The requirement for the pedestrian and cycle path remains an important element of the scheme and should not be changed.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R39-001	Gillian Bradley (individual)	Object	70 dwellings is too many on the Mile Cross depot site.	NOT ACCEPTED. This is a large site and has a potential to deliver both proposed employment use accessed from Mile Cross Road and about 75 dwellings accessed from the north (Valpy Avenue). Much of the existing development on the site is not compatible with adjacent uses and the site layout and densities represent an inefficient use of land. Redevelopment of the site provides an opportunity to reconfigure its layout and provide key employment opportunities in this part of the city whilst contributing to the Joint Core Strategy housing growth targets. Amenity of existing and future residential occupiers will be protected under Development Management Policies plan policy DM2. The required infrastructure to serve the site, such as schools, will be funded through the Community Infrastructure Levy. School improvements will be the responsibility of Norfolk County Council as <u>education authority</u> .
R42-003	English Heritage	Comment	The maximum figure of 7000 sq.m of development within the walled garden should be removed from the text.	NOT ACCEPTED. The figures in the policy, including a maximum of 7000 square metres in the former nursery garden, are derived from the Vision and Design Document produced by UEA and endorsed by Norwich City Council in October 2011. There is no intention to produce further development briefs to inform development of the site. There is a current planning application for the site. The site's capacity is being assessed through the planning application process and is a matter for negotiation with English Heritage and other consultees, to ensure that development proposals fully reflect this sensitive location.
R44-001/1	UEA	Comment	Minor textual changes required re phasing of development of land between Suffolk Walk and Bluebell Road to enable earlier release if needed.	NOT ACCEPTED. The reason for identifying the site as a strategic reserve is to promote development of brownfield sites at Blackdale School and adjacent to Earlham Hall to cater for UEA development needs ahead of this greenfield location.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R45-001	Jocelyn Briggs (individual)	Object – unsound (not justified or consistent with national policy)	The site (land west of Bluebell Road) should be included in Site allocations plan for the development of purpose built homes for the elderly as it will increase publicly accessible open space and footpaths, improving access to Yare Valley as promoted in Green Infrastructure strategy.	<p>NOT ACCEPTED: The decision of the council's cabinet not to allocate site R45 for development reflects legitimate member and community concerns about the likely impact of development of the site on the integrity of the river valley landscape.</p> <p>We note that the objector has indicated that the council has failed to meet the Duty to Cooperate, although this is not expanded on in the representation. The statutory Duty to Cooperate in s110 of the Localism Act is intended to ensure that local planning authorities cooperate with their neighbouring councils and other prescribed bodies in plan preparation. It does not require that elected members must always "cooperate" with the recommendations of their officers in making decisions on the plan. We conclude that the meaning of the Duty may have been misinterpreted and an objection on the grounds of failing to meet it cannot be substantiated.</p>
R45-002	John Morgan-Hughes (individual)	Object – unsound (not justified or consistent with national policy)	The site (land west of Bluebell Road) should be included in Site allocations plan as it will increase publicly accessible open space and footpaths, improving access to Yare Valley as promoted in Green Infrastructure strategy.	<p>NOT ACCEPTED: The decision of the council's cabinet not to allocate site R45 for development reflects legitimate member and community concerns about the likely impact of development of the site on the integrity of the river valley landscape.</p> <p>We note that the objector has indicated that the council has failed to meet the Duty to Cooperate, although this is not expanded on in the representation. The statutory Duty to Cooperate in s110 of the Localism Act is intended to ensure that local planning authorities cooperate with their neighbouring councils and other prescribed bodies in plan preparation. It does not require that elected members must always "cooperate" with the recommendations of their officers in making decisions on the plan. We conclude that the meaning of the Duty may have been misinterpreted and an objection on the grounds of failing to meet it cannot be substantiated.</p>

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R45-003	Gay Lind (individual)	Object – unsound (not justified or consistent with national policy)	The site (land west of Bluebell Road) should be included in Site allocations plan as it will increase publicly accessible open space and footpaths, improving access to Yare Valley as promoted in Green Infrastructure strategy.	<p>NOT ACCEPTED: The decision of the council's cabinet not to allocate site R45 for development reflects legitimate member and community concerns about the likely impact of development of the site on the integrity of the river valley landscape.</p> <p>We note that the objector has indicated that the council has failed to meet the Duty to Cooperate, although this is not expanded on in the representation. The statutory Duty to Cooperate in s110 of the Localism Act is intended to ensure that local planning authorities cooperate with their neighbouring councils and other prescribed bodies in plan preparation. It does not require that elected members must always "cooperate" with the recommendations of their officers in making decisions on the plan. We conclude that the meaning of the Duty may have been misinterpreted and an objection on the grounds of failing to meet it cannot be substantiated.</p>
R45-004	David Grapes	Object – unsound (not justified or consistent with national policy)	The site (land west of Bluebell Road) should be included in Site allocations plan as it will increase publicly accessible open space and footpaths, improving access to Yare Valley as promoted in Green Infrastructure strategy.	<p>NOT ACCEPTED: The decision of the council's cabinet not to allocate site R45 for development reflects legitimate member and community concerns about the likely impact of development of the site on the integrity of the river valley landscape.</p> <p>We note that the objector has indicated that the council has failed to meet the Duty to Cooperate, although this is not expanded on in the representation. The statutory Duty to Cooperate in s110 of the Localism Act is intended to ensure that local planning authorities cooperate with their neighbouring councils and other prescribed bodies in plan preparation. It does not require that elected members must always "cooperate" with the recommendations of their officers in making decisions on the plan. We conclude that the meaning of the Duty may have been misinterpreted and an objection on the grounds of failing to meet it cannot be substantiated.</p>

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R45-005	Mike Haslam (Mark Bartram)	Object – unsound (not justified or consistent with national policy)	<p>The site (land west of Bluebell Road) should be allocated for the development of purpose built homes for the elderly as:</p> <ul style="list-style-type: none"> - the allocation was supported by officers - there is no intention to apply for other forms of development as the site owners are in discussions with a provider of such homes, - development will enable additional public access and enhanced habitats in the Yare Valley - the removal of the site has reduced the likelihood of achieving the 3,000 required housing total through the plan - the landscape assessment provided shows development could reinforce local landscape character and minimise visual impacts. <p>Also concerns over the accuracy of supporting information.</p>	<p>NOT ACCEPTED: The decision of the council's cabinet not to allocate site R45 for development reflects legitimate member and community concerns about the likely impact of development of the site on the integrity of the river valley landscape. Previous planning applications for this site have been refused and appeals against refusal have been upheld. The landscape character assessment provided by the site's proposer is not considered to provide adequate evidence that visual impact could be minimised. It is also considered by that the benefits of increased access to the Yare Valley would not outweigh the negative visual impacts of development in the valley. In relation to housing numbers, while delivery of housing to accommodate the needs for elderly is promoted in the NPPF and the Joint Core Strategy, accommodation for elderly persons does not contribute to overall housing figures.</p>

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R45-006	The Planning Bureau for McCarthy and Stone	Object – unsound (not positively prepared; not justified; not effective; not consistent with national policy)	Provision for retirement housing should be reinstated to meet NPPF requirements to plan for all housing need and local known need for older persons accommodation in a very sustainable location, improved public access to what is largely inaccessible private land and the environmental and biodiversity improvements to the Yare Valley.	NOT ACCEPTED: The decision of the council's cabinet not to allocate site R45 for development reflects legitimate member and community concerns about the likely impact of development of the site on the integrity of the river valley landscape. Previous planning applications for this site have been refused and appeals against refusal have been upheld. The landscape character assessment provided by the site's proposer is not considered to provide adequate evidence that visual impact could be minimised. It is also considered by that the benefits of increased access to the Yare Valley would not outweigh the negative visual impacts of development in the valley. In relation to housing numbers, while delivery of housing to accommodate the needs for elderly is promoted in the NPPF and the Joint Core Strategy, accommodation for elderly persons does not contribute to overall housing figures.
R45-007	Joan Terry (individual)	Comment	Considers plan sound, but requests the reinstatement of the Bartram Mowers allocation.	NOT ACCEPTED: The decision of the council's cabinet not to allocate site R45 for development reflects legitimate member and community concerns about the likely impact of development of the site on the integrity of the river valley landscape.

Note: Four additional representations were made at Regulation 19 stage in respect of the Sustainability Appraisal report of the Site Allocations DPD. These are responded to in **Appendix 3** of the Regulation 22 SA report.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC2-001	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development.	ACCEPTED: Amend text as follows: In the second paragraph of the explanatory text, add "possible contamination," after "ground conditions".
CC4-002	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development.	ACCEPTED: Amend text as follows: In the fourth paragraph of the explanatory text, add "and possible contamination" at the end of the paragraph.
CC5-001	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: After the last paragraph of the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC7-002/1	Environment Agency	Object	Reference should be made to watercourse issue in relation to Flood Defence Consent.	ACCEPTED: Amend text as follows: Add a new paragraph to the explanatory text: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."
CC7-002/2	Environment Agency	Object	Minor amendments to the text are required to address surface water management issues.	ACCEPTED: Amend text as follows: In the last paragraph of the explanatory text, replace the sentence "Therefore a flood risk assessment and appropriate mitigation measures will be required." with "Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC7-002/3	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC8-001/1	Environment Agency	Object	Reference should be made to watercourse issues in relation to Flood Defence Consents;	ACCEPTED: Amend text as follows: Add a new paragraph to the explanatory text: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."
CC8-001/2	Environment Agency	Object	The text should clarify that contamination issues should be addressed through development.	ACCEPTED: Amend text as follows: At the end of the last paragraph, add "Development should also take into account possible site contamination." This suggested revision will be put before the inspector at the public examination.
CC8-001/3	Environment Agency	comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC9-003/1	Environment Agency	Object	Reference should be made to watercourse issues in relation to Flood Defence Consents.	ACCEPTED: Amend text as follows: To add a new paragraph to the explanatory text: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."
CC9-003/2	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC10-001 (R11-003)	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC11-002	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development.	ACCEPTED: Amend text as follows: In the third paragraph of the explanatory text - to add "possible contamination" after "... main archaeological interest,"

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC11-003	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected throughout the development of the site. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC12-001	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development.	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC13-001/1	Environment Agency	Object	Reference should be made to watercourse issue in relation to Flood Defence Consent	ACCEPTED: Amend text as follows: Add a new paragraph to the explanatory text: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."
C13-001/2	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development.	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC14-001 (R11-003)	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development.	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC15-001 (R11-003)	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development.	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC16-001	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development.	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC17-001/1	Environment Agency	Object	Reference should be made to watercourse issue in relation to Flood Defence Consent;	ACCEPTED: Amend text as follows: A new paragraph to be added to the explanatory text to address watercourse issue and flood risk assessment requirement: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC17-001/2	Environment Agency	Object	Minor amendments to the text are required to address surface water management issues.	ACCEPTED: Amend text as follows: Following the above, add "Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."
CC17-001/3 (R11-003)	Environment Agency	comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development.	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
CC19a-001/1	Environment Agency	comment	Suggestion for minor amendments for surface water management issues;	ACCEPTED: Amend text as follows: in the 4th paragraph of explanatory text: add "The site is also over 1 hectare in size." after "... Flood Zone 3a."
CC19a-001/2	Environment Agency	comment	Policy should clarify that contamination issues should be addressed through development.	ACCEPTED: Amend text as follows: after the end of the 4th paragraph, add "The site may also be subject to possible contamination."
CC19a-001/3	Environment Agency	object	Reference should be made to watercourse issue in relation to Flood Defence Consent;	ACCEPTED: Amend text as follows: add a new paragraph after the 4th paragraph: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."
CC19a-002	Bidwells	Object	Policy wording should be made flexible in terms of the provision of hotel.	ACCEPTED: Amend text as follows: Make a minor, non-substantive change to policy CC19a to ensure flexibility, as follows: delete bullet point "a hotel" and add the following text after the end of the second bullet point: "Subject to viability, development could also include a hotel as part of the mix."
CC19b-001/1	Environment Agency	comment	Suggestion for minor amendments for surface water management issues;	ACCEPTED: Amend text as follows: In the 4th paragraph of the explanatory text, add "and is over 1 hectare in size" after "... Flood Zone 2"

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC19b-001/2	Environment Agency	object	Reference should be made to watercourse issue in relation to Flood Defence Consent; policy could be made clearer to developers that contamination issues to be addressed through development.	ACCEPTED: Amend text as follows: Add a new paragraph after the 4th paragraph: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency. The site may also subject to possible contamination."
CC19b-002	Bidwells	Object – unsound (not effective)	Flexibility should be given for alternative proposals to allow the site to respond to market conditions.	ACCEPTED: Amend text as follows: Make a minor amendment for clarification to the first sentence of the policy to read "office-led mixed use development" rather than "office development". This reflects the intention to promote office-led development which is set out in the explanatory text.
CC20-001	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development	ACCEPTED: Amend text as follows: After the end of the last paragraph of the explanatory text, add "In addition development may need to address possible contamination issues."
CC21-001	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development	ACCEPTED: Amend text as follows: After the end of the second last paragraph of the explanatory text, add "In addition development may need to address possible contamination issues."
CC22-001	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development	ACCEPTED: Amend text as follows: After the end of the second last paragraph of the explanatory text, add "In addition development may need to address possible contamination issues."
CC23-002/1	Ingleton Wood LLP	Object – unsound (not justified; not consistent with national policy)	Policy should include an option for Class D1 use (non-residential institutions) at Duke's Wharf.	ACCEPTED: Amend second sentence of the policy (following the 2 bullet points) as follows: "Uses falling within Class D1 (non residential institutions) and hotel use may also be acceptable on this site." We acknowledge that class D1 uses, in particular expansion of schools and further education and training, are strongly supported by the NPPF and the JCS. Recent initiatives in the city centre, including grant of university status for the nearby College of Art, will extend accessible provision of education facilities: allowing D1 on this site would continue that trend.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC23-002/2	Ingleton Wood LLP	Object – unsound (not justified; not consistent with national policy)	Policy should be amended to change reference to “derelict” site	ACCEPTED: Amend text as follows: make minor amendment to text under Description (paragraph 1, second line) to replace “derelict” with “vacant”, for clarification.
CC23-002/3	Ingleton Wood LLP	Object – unsound (not justified; not consistent with national policy)	Amend reference to flood risk zones to reflect fact that only part of site falls within zones 2 and 3.	ACCEPTED: Amend text as follows: amend first sentence of fifth paragraph under Explanatory Text to read: "The site is adjacent to the river Wensum and part of it falls within flood zones 2 and 3."
CC23-003/1	Environment Agency	Object – unsound (not effective)	Reference should be made to watercourse issues in relation to Flood Defence Consents.	ACCEPTED: Amend text as follows: Add a new paragraph after the end of the second paragraph of the explanatory text: " This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated ‘main river’. It is recommended that developers engage in early discussions with the Environment Agency."
CC23-004	English Heritage	Comment	Proposals that retain and convert the buildings on the Duke Street frontage should be given favourable consideration.	ACCEPTED: Amend text as follows: Add new fourth sentence to paragraph 3 of explanatory text for clarification: "Development proposals that retain and convert the building on the Duke Street frontage will be given favourable consideration." Also add new sentence to end of paragraph 3 for clarification: "Demolition would need to be clearly justified on the grounds of the quality of any new development, although the demolition of the former Eastern Electricity Board offices is likely to be acceptable."
CC25-001	Lanpro	Object – unsound (not positively prepared; not effective)	The Norfolk House site is no longer available.	ACCEPTED: Delete this site from plan as it is no longer available.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
CC31-001	Bidwells (Aviva)	Object – Unsound (not effective)	Housing numbers at St Stephens Towers site should be reduced to 150 and new pedestrian link should be subject to viability.	<p>ACCEPTED: It is acknowledged that the explanatory text does not properly explain that the St Stephens Outline Masterplan is an indicative document setting out general parameters for development. The precise housing numbers and scheme elements set out in that plan indicate how the potential of the area to meet objectively assessed needs in the longer term might be realised through a particular form of development, but the precise content of a deliverable scheme must be subject to viability. This is now reflected in the policy in relation to dwelling numbers and the pedestrian link.</p> <p>(1) Amend section heading to read "CC31 St. Stephens Street"</p>
				<p>(2) Amend the fourth paragraph of the explanatory text as follows: "The St Stephen's Street Outline Masterplan sets out indicative principles for the development of this site as part of the overall regeneration of the area, The "high intervention" scheme put forward in the masterplan proposes eventual demolition of a significant part of the site including the two towers and some shops, and redevelopment for 250 dwellings, offices, new retail units and underground parking spaces. Retail uses are promoted at street level with a mix of uses on upper floors".</p> <p>(3) in the fifth paragraph, replace "will vary" with "would vary".</p>

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
				(4) Replace the sixth paragraph with the following text: "Notwithstanding that the scale of redevelopment proposed in the St Stephens Street Outline Masterplan is unlikely to be viable or achievable in the short term, future proposals should nevertheless acknowledge the significant potential of the area as a focus for city centre mixed use regeneration, including housing, the expansion of employment and provision of appropriate main town centre services and facilities. The policy for the site follows this principle by promoting mixed use development with a pedestrian link to the bus station, but acknowledges that the precise mix of uses which are deliverable will depend on viability. Development should also take account of the City Centre conservation area appraisal ..."
				(5) Amend the policy text as follows: "POLICY CC31 St Stephens Street The St Stephens Street site is allocated for a comprehensive mixed use development, which is to include: <ul style="list-style-type: none"> • primarily retail development at ground floor level; • office and residential uses on upper floors; Subject to viability, development will provide a minimum of 250 dwellings and include a new pedestrian link to the bus station from St Stephens Street".
CC35-001	Environment Agency	Object	Reference should be made to watercourse issue in relation to Flood Defence Consent	ACCEPTED: Amend text as follows: Add a new paragraph after the second last paragraph of the explanatory text: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R2-001	Norfolk CC (NPS)	Object – unsound (not justified)	No justification to link the allocation (Norfolk Learning Difficulties centre) to the former garage site to the north.	ACCEPTED: It is acknowledged that the garage site to the north is under a different ownership and is separated by a public footpath. Amend text as follows: Remove the second paragraph in the policy linking development of site to the former garage site.
R3-002	Thomas Eggar for ASDA	Comment	The supporting text should be amended in line with recent proposals, removing references to housing numbers, and acknowledge that the previous consent is now expired.	ACCEPTED: Amend text as follows: Amend last line of final sentence in supporting text to delete reference to housing so that it ends "commercial, leisure and community uses."
R5-002	Environment Agency	Comment	Suggestion for minor amendments for surface water management issues.	ACCEPTED: Amend text as follows: Add a new paragraph after the last paragraph of the explanatory text: "Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."
R10-001	South Norfolk DC	Comment	The plan should refer to the transport/traffic impact of the proposed development on Trowse, and provide details about where on the strategic highway network the capacity issues might arise.	ACCEPTED: Amend text as follows: Amend first sentence of third bullet point of explanatory text on page 191, for clarification: "Need to manage the transport impact of the development on the strategic highway network, and on the nearby village of Trowse, and provide for ..."
R10-002/2	Broads Authority	Comment	Policy should refer to the fact that de-masting moorings will be a minimum required for safety for a bridge in this location.	ACCEPTED: Amend text as follows: Make a minor change for clarification to bullet point 2 in explanatory text as follows: "Any new bridge or bridges should allow adequate clearance for river craft and provide river moorings and de-masting points along the River Wensum."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R10-003	Norfolk County Council (MW)	Object – unsound (not justified; not effective)	The allocation is not based on the full facts relating to the status of the Norfolk Minerals and Waste Core Strategy which forms part of the development plan, or the facts relating to permitted mineral operations on the land adjacent which is likely to have an impact on the deliverability of housing on parts of the allocation.	ACCEPTED: Amend text as follows: Objector's proposed wording change accepted, for clarification. Amend the first paragraph of the introduction as follows: "... Adjoining the site to the west is an operational minerals railhead and asphalt plant, situated alongside the railway. This railhead site is safeguarded under Core Strategy Policy CS16 in the adopted Minerals and Waste Core Strategy (September 2011). The railhead currently receives the majority of crushed rock deliveries for Norfolk. It benefits from deemed consent and is not subject to any restrictions to operating hours, noise limits etc. The asphalt plant has the benefit of permanent planning permission (ref. C/4/2010/4003), which contains conditions regarding noise limits, operational hours etc."
R10-004	Norfolk County Council (MW)	Object – unsound (not justified; not effective; not consistent with national policy)	The facts relating to adjacent uses and their potential to impact on residents have not been included in the evidence base and not used in the allocation process.	ACCEPTED IN PART: Amend text as follows: Objector's proposed wording change accepted, for clarification. Amend the first paragraph of the introduction as follows: "... Adjoining the site to the west is an operational minerals railhead and asphalt plant, situated alongside the railway. This railhead site is safeguarded under Core Strategy Policy CS16 in the adopted Minerals and Waste Core Strategy (September 2011). The railhead currently receives the majority of crushed rock deliveries for Norfolk. It benefits from deemed consent and is not subject to any restrictions to operating hours, noise limits etc. The asphalt plant has the benefit of permanent planning permission (ref. C/4/2010/4003), which contains conditions regarding noise limits, operational hours etc."
R10-005	Norfolk County Council (MW)	Object – unsound (not justified; not effective)	Norfolk County Council was only involved the drafting of the Pre-application Advice Note in its capacity as Highways Authority, not as Mineral Planning Authority.	ACCEPTED: Amend text as follows: Amend 4th paragraph on page 190 as follows: " ... This was prepared jointly by Norwich City Council, Norfolk County Council in its capacity as the Highway Authority, South Norfolk Council and the Broads Authority, and was published in 2009 and updated in August 2010...."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R10-013/1	Environment Agency	Comment	Reference should be made to watercourse issue in relation to Flood Defence Consent;	ACCEPTED: Amend text as follows: Add a new paragraph after the last paragraph of the explanatory text: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."
R10-013/3 (R11-003)	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
R10	Officer change	N/a	Clarify term "residential moorings" in policy and lower case text.	Amend 8th bullet point in policy R10 to replace "and/or residential moorings" with "public moorings and/or private moorings serving new residential development", as clarification. Justification: There is a general expectation within saved RLP policy TVA3, emerging policy DM28 of the Norwich DM Policies Plan and policies DP12, DP16 and DP25 of the adopted Broads Authority DM Policies DPD that opportunities should be taken to improve access to waterways through development and to make appropriate provision for public and private moorings, where these are well-located and do not impede river navigation. It is acknowledged that there may be some confusion over the term "residential moorings" which within the Broads plans refers to moorings serving permanent residences on the river, such as houseboats. These would not be accepted here: consequently it is suggested that the term should be amended as proposed. The provision of such moorings would be encouraged but not required.

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R11	Officer change	N/a	Clarify term "residential moorings" in policy and lower case text.	Amend 8th bullet point in policy R11 to replace the term "residential moorings" with "public moorings and/or private moorings serving new residential development", as clarification. Justification: There is a general expectation within saved RLP policy TVA3, emerging policy DM28 of the Norwich DM Policies Plan and policies DP12, DP16 and DP25 of the adopted Broads Authority DM Policies DPD that opportunities should be taken to improve access to waterways through development and to make appropriate provision for public and private moorings, where these are well-located and do not impede river navigation. It is acknowledged that there may be some confusion over the term "residential moorings" which within the Broads plans refers to moorings serving permanent residences on the river, such as houseboats. These would not be accepted here: consequently it is suggested that the term should be amended as proposed, and corresponding changes be made to DM28 and other site specific policies where the term "residential moorings" is used. The provision of such moorings would be encouraged but not required.
R11-001	Broads Authority	Comments	Removal of Broads "National Park" from description of the Utilities site.	ACCEPTED: Amend text as follows: At the end of the third paragraph of the description, delete the words "National Park" and replace with "Authority area".
R11-002/1	CgMs Consulting	Object – unsound (not effective)	There should be no specific limit on dwellings in policy R11.	Amend third bullet point of policy as follows: "The housing element should provide a minimum of 100 dwellings." A minimum figure is necessary to enable the contribution of the site to the JCS housing target to be quantified.
R11-003/1	Environment Agency	Object – unsound (not justified; not effective)	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: After the last paragraph of the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R11-003/2	Environment Agency	Object – unsound (not justified; not effective)	Reference should be made to the permit requirement from EA for the power generation development;	ACCEPTED: Amend text as follows: Add new paragraph: "A permit is required for the power generation element of the development from the Environment Agency. It is recommended that developers engage in early discussions with the Agency on this matter."
R11-003/3	Environment Agency	Object – unsound (not justified; not effective)	Reference should be made to the Flood Defence Consent which should be acquired from EA.	ACCEPTED: Amend text as follows: Add new paragraph: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."
R12-002/1	Environment Agency	Comment	Reference should be made to watercourse issue in relation to Flood Defence Consent;	ACCEPTED: Amend text as follows: Add a new paragraph before the fourth to last paragraph of the explanatory text: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated 'main river'. It is recommended that developers engage in early discussions with the Environment Agency."
R12-002/2	Environment Agency	Comment	Suggestion for minor amendments for surface water management issues.	ACCEPTED: Amend text as follows: In the fourth last paragraph, add "The site is over 1 hectare in size." after "... Flood Zone 3a."
R12-002/3	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R13-001/1	Environment Agency	Comment	Suggestion for minor amendments for surface water management issues;	ACCEPTED: Amend text as follows: At the end of the last paragraph of the explanatory text, to add "Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."
R13-001/2	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development	ACCEPTED: Amend text as follows: After the above text, add "Development should also take into account possible contamination on the site."
R14-001	Norfolk Geodiversity Partnership	Object – unsound (not justified)	Chalk Hill works is in disused chalk quarry but no geodiversity requirement identified in policy to protect chalk face and allow public access as prerequisite for development.	ACCEPTED: Amend text as follows: Change to policy to include a reference to geodiversity so that policy reads "development will be designed to "protect geodiversity." Amend text to include a reference to geodiversity so that paragraph 3 of the explanatory text reads "with a focus on the protection of geodiversity and the promotion of biodiversity" An explicit requirement for public access to geological features cannot be included as a minor amendment to the plan at this stage as it has not been a matter for consultation and could therefore disadvantage third parties.
R14 -002	Environment Agency	comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected throughout the development of the site. The site falls within a Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R15-001	Norfolk Geodiversity Partnership	Object – unsound (not justified)	The site policy for the Gas holder at Gas Hill does not mention its location on the chalk scarp face and the need to enhance geodiversity.	ACCEPTED: Amend text as follows: Amend policy by adding reference to geodiversity so that final paragraph reads " Design of the development must protect and enhance biodiversity and protect geodiversity." Amend text to include a reference to geodiversity so that paragraph 3 of the explanatory text reads "development must not have a negative impact on geodiversity or on views ".
R15-002	Environment Agency	comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
R16-001	Norfolk Geodiversity Partnership	Object – unsound (not justified)	The site policy for land east of Bishop Bridge Road does not mention its location on the chalk scarp face and the need to enhance geodiversity.	ACCEPTED: Amend text as follows: Amend policy by adding reference to geodiversity so that penultimate paragraph reads " Design of the development must protect and enhance biodiversity and protect geodiversity." Amend text to include a reference to geodiversity so that paragraph 3 of the explanatory text reads "development must not have a negative impact on geodiversity or on views "

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R16-002	Valhalla (UK) Ltd	Object – unsound (not positively prepared; not justified; not effective)	Development should not depend on “decommissioning” the whole allocation (wording challenged) but only on revocation of hazardous substance consent for the gas holder; the Box and Barrel works should be separated from the gas holder portion as it can be developed independently.	ACCEPTED IN PART: Amend text as follows: Change text and policy as suggested re current planning permission, decommissioning of gasholder rather than the site and development of whole site not being dependent on that decommissioning. Change second paragraph of explanatory text to read: "The site was formerly allocated in the Replacement Local Plan 2004 for housing development as two separate sites. The northern part of the site has a part implemented planning permission for 19 apartments. National Grid has put forward further extensions to the original local plan allocation to include the house at 27 Bishop Bridge Road and the gas pressure reduction station. The site is covered by the Health and Safety Executive consultation zone for the gas holder. Development of the southern part of the site will depend on the successful decommissioning of the gas holder and revocation or surrender of its hazardous substance consent. Allocation of this site will help to secure comprehensive site development." Change second paragraph of policy to read "Development will not take place prior to the
R16-003	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected throughout the development of the site. The site falls within a Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
R17-001	Norfolk Geodiversity Partnership	Object – unsound (not justified)	The site policy for land at Ketts Hill and Bishop Bridge Road does not mention its location on the chalk scarp face and the need to enhance geodiversity.	ACCEPTED: Amend text as follows: Amend policy by adding reference to geodiversity so that second bullet reads " Design of the development must protect and enhance biodiversity and protect geodiversity." Amend text to include a reference to geodiversity so that paragraph 3 of the explanatory text reads "development must not have a negative impact on geodiversity or on views "

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R17-002	Environment Agency	Comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
R21-001	Planning Potential ltd	Object – unsound (not justified)	Support principle of retail and housing development on site, but wording should be amended to enable development of retailing first to fund housing.	ACCEPTED: Amend text as follows: After the end of the second paragraph of the explanatory text, add "It is possible that the retail element may need to be delivered first to enable housing development."
R21-003	Environment Agency	Comment	Suggestion for minor amendments for surface water management issues.	ACCEPTED: Amend text as follows: Add a new paragraph after the last paragraph of the explanatory text: "Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."
R23-001	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development	ACCEPTED: Amend text as follows: After the last paragraph of the explanatory text, add : "Development should also take into account possible site contamination."
R24-001	Environment Agency	Comment	Amend to clarify that contamination issues should be addressed through development	ACCEPTED: Amend text as follows: After the last paragraph of the explanatory text, add : "Development should also take into account possible site contamination."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R31-001	NPS on behalf of Norfolk County Council (in respect of landowning interests)	Object – unsound (not justified)	The employment site allocations at Hurricane Way should be revised to also allow residential development. Residential development on this long undeveloped part of the site may be the key to ‘pump prime’ improvements elsewhere on the Airport Industrial Estate.	Amend policy by: (1) inserting the following text after the first sentence: "Housing development will be acceptable on the southern part of site B where this is needed to fund regeneration in accordance with an agreed masterplan". (2) Amending fifth paragraph of explanatory text as follows: "Dependent on production of a masterplan, residential development may be suitable on the southern part of site B" (3) Make a minor consequential amendment to the Policies Map to refer to sites A and B.
R31-002	NPS on behalf of Norwich City Council (in respect of landowning interests)	Comment	The employment site allocations at Hurricane Way should be revised to also allow residential development. Residential development on this long undeveloped part of the site may be the key to ‘pump prime’ improvements elsewhere on the Airport Industrial Estate.	As for R31-001 above
R33-002/1	Environment Agency	Object – unsound (not effective)	Reference should be made to watercourse issue in relation to Flood Defence Consent;	ACCEPTED: Amend text as follows: Add a paragraph after the last paragraph of the explanatory text: "This site lies adjacent to the River Wensum. A written consent from the Environment Agency is required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated ‘main river’. It is recommended that developers engage in early discussions with the Environment Agency.";
R33-002/3	Environment Agency	Object – unsound (not effective)	A formal flood risk assessment should be required for this site as it is above 1 hectare;	ACCEPTED: Amend text as follows: After the second paragraph of the explanatory text, add "Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."
R33-002/4	Environment Agency	Object – unsound (not effective)	Amend to clarify that contamination issues should be addressed through development	ACCEPTED: Amend text as follows: After the third paragraph, add "Development should take into account possible site contamination."

Policy / Ref.	Respondent	Nature of rep	Summary of rep	Council response
R41-001	Environment Agency	comment	Reference should be made to the Source Protection Zone and consequent potential restrictions on certain types of development or the detailed design of development;	ACCEPTED: Amend text as follows: In the explanatory text, add an additional paragraph: "Development needs to ensure that the water environment is protected. The site falls within Source Protection Zone 1, designated to protect water supplies, and therefore the water environment is particularly vulnerable in this location. Detailed discussions over this issue will be required with the Environment Agency to ensure that proposals are appropriate for the site and that the site is developed in a manner which protects the water environment."
R42-001	UEA	Comment	A minor and non-substantive textual change is required re Earlham Hall.	ACCEPTED: Amend text as follows: In the policy, replace "maximum" with "approximately" in the second and third of the bullet points.
R42-002	Environment Agency	Comment	A formal flood risk assessment should be required for this site as it is above 1 hectare.	ACCEPTED: Amend text as follows: After the third last paragraph of explanatory text, add "Since the site is over 1 hectare, a flood risk assessment is required and appropriate mitigation measures should be provided as part of the development."
R43-001	UEA	Comment	A minor textual change is required re feasibility considerations relating to linking development at former Blackdale School to CHP network.	ACCEPTED: Amend text as follows: Last bullet point in the policy - Amend to: "• be linked to the university district heating network where possible."
R44-001/2	UEA	Comment	A minor textual change is required re feasibility considerations relating to linking development to CHP network.	ACCEPTED: Amend text as follows: Last bullet point in the policy - amend to: "• be linked to the university district heating network where possible."
R44-002	English Heritage	Comment	Lasdun's original vision should be added as a qualification to the policy.	ACCEPTED: Amend text as follows: At the end of the policy, add: "Development of this site should be guided by a coherent masterplan that has involved English Heritage, UEA and Norwich City Council. Lasdun's original vision should be a key consideration."