



## **Sustainable development panel**

**Date:** Thursday, 21 January 2021

**Time:** 09:00

**Venue:** Remote access

### **Committee members:\***

#### **Councillors:**

Stonard (chair)

Maguire (vice chair)

Carlo

Davis

Giles

Grahame

Lubbock

Maxwell

Stutely

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## Agenda

### Page nos

#### 1 **Apologies**

To receive apologies for absence

#### 2 **Declarations of interest**

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

#### 3 **Minutes**

5 - 8

To approve the accuracy of the minutes of the meeting held on 3 December 2020

#### 4 **Local Development Scheme 2021-2023**

9 - 34

**Purpose -** To consider the draft revised Local Development Scheme. This is the work programme for producing key planning documents, which will form part of the local plan for Norwich. The scheme is attached at Appendix 1 and covers a two-year period to 2023.

#### 5 **MHCLG's supporting housing delivery and public service infrastructure consultation**

35 - 48

**Purpose -** To consider Norwich City Council's response to the supporting housing delivery and public service infrastructure consultation.

The Ministry of Housing, Communities and Local Government is currently seeking views on the proposed measures to support housing delivery, economic recovery and public service infrastructure. There are three parts to the consultation which are as follows:

Part 1 – A proposed new permitted development right for the change of use from commercial, business and service use to residential

Part 2 – Measures to support public service infrastructure

through the planning system

Part 3 – The approach to simplifying and consolidating existing permitted development rights following changes to the Use Classes order.

Date of publication: **Wednesday, 13 January 2021**





**Sustainable Development Panel**

**09:00 to 11.05**

**3 December 2020**

Present: Councillors Stonard (chair) Maguire (vice chair), Carlo, Giles, Grahame, Lubbock, Maxwell and Stutely

Apologies: Councillor Davis

**1. Declarations of Interest**

There were no declarations of interest.

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meeting held on 1 October 2020.

**3. Greater Norwich Local Plan Update**

The chair said that the agenda papers for the Greater Norwich Development Partnership (GNDP) meeting on 7 December had been published the previous evening and that members would not have had an opportunity to digest the information. He explained that the late publication was due to negotiations between the partner authorities.

The director of place said that the GNDP would also be holding an additional meeting on 16 December to consider the site allocations plan. The Regulation 19 consultation on the emerging plan was subject to decision making by the partner councils and would be considered at cabinet in January. The purpose of this meeting was to inform the city council's representatives (Councillors Waters, Stonard and Maguire) before the GNDP meeting and to raise issues as considered appropriate. The GNDP had been formed in 2007 and had assisted in securing external funding, such as the City Deal. The adoption of a local plan provided assurance for private and government and other external investment. The GNDP had agreed to accelerate the plan process, having regard to the proposals in the White Paper on planning, under the transitional arrangements to proceed to the Regulation 19 consultation on the soundness of the plan. The report to the GNDP highlighted the changes made to the plan since the panel had last reviewed it in January 2020.

The planning policy team leader presented the covering report and the GNDP report and highlighted the changes made to the plan, as set out in Tables 1 and 2. The city council had submitted other changes that would be included but were yet to be incorporated into the plan. There were still gaps to the plan, as the evidence for

viability, retail and employment had not been completed. The updates to the plan were in response to the Regulation 18 consultation and reflected changes to national policy or for clarification.

A member said that she objected to the plan in that it did not propose to use local targets to measure carbon reductions. The Tyndall Centre had advised that there needed to be a 13 per cent carbon reduction year on year in Norwich to achieve carbon neutrality by 2050. It was important that the policy sought to achieve that.

In response to a member's question, the planning policy team leader said that flood resilience was one of the constraints of development in East Norwich that was being considered but it did vary across the site. Members were advised that there was a contingency site of 800 dwellings in Costessey which would be developed if required if other sites did not come forward.

A member questioned why there was no land allocated for the Western Link. Natural England had advised that the route was the natural habitat of a rare species of bats. Also the government was likely to divert spending to national highways rather than local roads. The director of place said that the county council had announced a preferred route and its business case had been approved by the DfT. It would seek planning approval in 2021. The GNDP did not seek to allocate land for the Western Link and this was not uncommon. The link was shown on the plans because the county council had announced the route. The chair said that they would clarify this point at the GNDP meeting. A member said that wind turbines needed allocation on plans but roads did not. The director of place agreed that this was an inconsistency of the planning system.

The planning policy team leader said in relation to Policy 5, the comments from the city council concerning affordable housing had yet to be included. Affordable housing was proposed at 33 per cent in the Greater Norwich area and 28 per cent in the city centre. The council was concerned that, historically, the percentage of affordable housing, as set out in the policy, could not be achieved due to viability.

A member suggested that recent trends leading to closure of high street retail units and office accommodation could release potential "windfall" housing units. The planning policy team leader said that the methodology used to assess windfall was based on historic evidence of sites coming forward. The director of place said that it was too early to assess the impact of Covid-19 on the retail and office market and it was not possible to demonstrate delivery. The plan allocated sites to a form of development. The member commented that the plan, which covered the period to 2038, should provide a steer for future development as there was evidence that the high street was changing. The director of place said that with the changes to the planning system, there was no expectation that the plan would last beyond 5 years but it would give confidence to developers. The chair said that there needed to be evidence of the trends in home working and internet shopping and include provision in the plan.

In relation to Policy 6, the planning policy team leader explained that the terminology in the NSPF (Norfolk Strategic Planning Framework) had been revised and there had been updates to the consultation response. The site at the Showground would be included in the site allocation policy. In relation to Policy 7.1, there would be a masterplan for the East Norwich sites. The director of place explained that the level

of growth and housing units needed were calculated by a government methodology. There was a pressing need for affordable rented housing and this would be met through urban development of underused or derelict sites.

A member commented that there were plenty of references to the historic built environment but not to the natural environment. The planning policy team leader replied that the table set out the changes made following the consultation and the references were taken from the comments from Historic England. The chair said that he noted the comments but that the document recorded the changes made in the plan.

During discussion members were advised that the Royal Mail site on Thorpe Road was likely to come forward for development towards the end of the period covered by the plan. The South Norfolk village cluster consultation had not been published yet. It would be subject to consultation in parallel with the GNDP but would be one stage behind. A member suggested that if the village clusters were not identified it would be difficult to ensure that the necessary infrastructure was in place. The director of place said that this was a deficiency in the GNDP and a risk to tests for its soundness. However the provision in the South Norfolk village clusters was a comparatively minor element that was being dealt with by a separate process. At the time of the public examination of the GNDP, it would be sufficiently advanced.

The chair suggested that members emailed to the planning policy team leader with comments by first thing Monday, 7 December and she would produce a briefing note for the council's GNDP representatives.

A member commented that the tables of changes were helpful but that as a general comment on the plan it did not comply with the duty to reduce carbon emissions by 2050. The Prime Minister was talking of targets of 69 per cent reduction by 2030. She commented that the plan promoted road building, village clusters and dispersal of housing, and set growth targets for employment and new housing which would not contribute to meeting this target. This was a view supported by Client Earth. She would like this point made at the meeting on Monday. The chair and vice chair confirmed that the city council had pushed environmental issues at every opportunity. Where they differed was in the view that growth was necessary. The best method of managing growth was to plan for it in a sustainable way. The GNDP was a partnership and there needed to be consensus. They understood and had sympathy for the concerns raised by the member and her colleagues, whilst acknowledging the constraints of partnership working. The director of place referred to the next item and said that the impact of growth on climate change was about ensuring sustainable transport policies were in place

There was a short discussion on whether an additional meeting should be convened to discuss the site allocations plan before the GNDP meeting on 16 December and it was agreed that members would submit comments to the planning policy team leader.

**RESOLVED to:**

- (1) note the progress of the Greater Norwich Development Plan;

- (2) ask members to submit further comments on the Reg 19 consultation plan in advance of the GNDP meeting to Judith Davison ( [judithdavison@norwich.gov.uk](mailto:judithdavison@norwich.gov.uk) ) by first thing on Monday, 7 December;
- (3) note that links to the site allocation plans will be circulated to members and to ask members to submit comments to Judith Davison in advance of the GNDP meeting on 16 December 2020.

#### **4. Norfolk County Council – Local Transport Plan**

(Councillor Stutely left the meeting during this item.)

(Councillor Lubbock experienced technical problems and was unable to speak at the meeting.)

The design conservation and landscape manager presented a power point presentation of the proposed council response to the county council's consultation on its local transport plan. The draft response would be considered at cabinet on 16 December 2020.

The chair pointed out that group leaders would have an opportunity to comment at cabinet and that comments from members at this panel meeting or received by email would be taken into consideration.

A member expressed concern that the transport plan did not remove transport from the city centre and that there was more development proposed around the periphery and edge of the city. There should be lobbying for national road charging when there was a move to electric vehicles and this would be more equitable for occasional drivers as it would benefit them. She considered that there should be 20 mph speed limit on all roads within the outer ring-road. The chair said that the administration supported 20 mph in residential streets across the city but were not looking to include main arterial roads and considered this would benefit the whole city. The member argued that 20 mph schemes were already in the corporate plan and that her group wanted it to go further. The chair commented that there was a safety issue in reducing speed limits to 20 mph on arterial roads.

**RESOLVED** to ask members to send comments to Ben Webster, conservation and landscape manager [benwebster@norwich.gov.uk](mailto:benwebster@norwich.gov.uk)

CHAIR



**Report to** Sustainable development panel  
21 January 2021  
**Report of** Director of place  
**Subject** Local Development Scheme 2021-2023

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**Item**

**4**

### **Purpose**

To consider the draft revised Local Development Scheme. This is the work programme for producing key planning documents, which will form part of the local plan for Norwich. The scheme is attached at Appendix 1 and covers a two-year period to 2023.

### **Recommendation**

To agree the Local Development Scheme and recommend that Cabinet approves it for publication under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by section 111 of the Localism Act 2011).

### **Corporate and service priorities**

The report helps to meet the corporate priorities of a healthy organisation, great neighbourhoods, housing and environment, and inclusive economy and people living well.

### **Financial implications**

None

**Ward/s:** All Wards

**Cabinet member:** Councillor Stonard - Sustainable and inclusive growth

### **Contact officers**

Charlotte Hounsell, Planner (Policy) 01603 989422

Judith Davison, Planning Policy Team Leader 01603 989314

### **Background documents**

None

## Report

1. The Local Development Scheme (LDS) must be prepared as part of the statutory process of plan making. It is the work programme and project plan for the preparation of the various planning policy documents making up the local plan for the city.
2. Preparation of an LDS is required by section 15 of the Planning and Compulsory Purchase Act, as amended by section 111 of the Localism Act 2011. The Localism Act has amended procedures for LDS production: a local planning authority has only to make a formal resolution to adopt the scheme and publish it on their website in order for it to take effect. There is no requirement to consult on the LDS prior to publication, or to submit it to the government for formal endorsement.
3. The legislation gives local authorities considerable leeway in the form and content of the LDS. However it requires as a minimum the local planning authority, when publishing the LDS, to make the up-to-date text of the scheme available, provide details of any amendments made to the scheme, and information on its compliance (or non-compliance) with the timetable for the preparation and revision of documents identified within it.
4. The LDS was last fully reviewed in summer 2020 and was intended to cover the period to 2022. Since then, further information has become available in relation to local plan production timescales. The LDS has therefore been revised to include the most up to date timescales, as well as providing an update on workstream progress in the last six months. Otherwise the information contained within it is identical to the 2020 version.
5. The revised LDS will run to spring 2023 and will entirely supersede the version published in July 2020. It will be rolled forward periodically to ensure that it is as up-to-date and flexible as possible.

### Updates to the 2020-2022 Local Development Scheme

6. The following summarises the changes made to the previous 2020 version of the LDS:
  - a) New information has been included summarising the Government's consultations on the Planning White Paper and Changes to the Current Planning System documents. These documents propose significant changes to the way the current planning system operates, as well as the content of local plans. The Government is yet to respond to the consultation or make formal changes to legislation. Until such time, the majority of the information contained within the LDS assumes a continuation of the current system. Should any changes to the planning system be formalised in future, a further revision of the LDS will be required.
  - b) A new paragraph has been included in the LDS to explain the reasoning behind requiring an updated LDS so quickly after the 2020 update. Progress has continued with the Greater Norwich Local Plan (GNLP), and In July 2020, the GNLP Board agreed to extend the timescales for the plan

preparation to account for updated evidence to allow amendments as a result of the Regulation 18 consultation, to allow for a further Regulation 18(d) consultation and to account for the impacts of Covid-19. Following this, the Government published the Planning White Paper and associated technical documents which would have had implication on the housing numbers proposed within the GNLP. The GNLP Board took the decision to accelerate plan production by making use of the transitional arrangements provided for by the White Paper. In December 2020, the Government announced that the standard methodology changes were not going ahead as proposed in the White Paper, therefore there would no longer be a need for the GNLP to proceed through transitional arrangements. However, the Greater Norwich authorities have agreed to proceed with the accelerated timescales to avoid further delay in the plan production and to ensure that plan-making momentum is maintained. It is still anticipated that the GNLP will be adopted in September 2022, however the LDS includes revisions to the timescales for the intervening stages of the plan production.

- c) The revised LDS notes that the review of the DM Policies Local Plan is likely to be delayed beyond the originally anticipated timeframe of after the Regulation 19 consultation of the GNLP. This is largely due to the Government's proposed changes to the planning system which include that local plans should focus on site allocations and strategic policies, with local and national design guides taking the place of development management policies. It is not considered appropriate to commit further resource to development management policy review until there is more certainty over possible future changes, however the situation will be kept under review.
- d) Amendment has been made to references to the SHMA (Strategic Housing Market Assessment) (now referred to as the Local Housing Needs Assessment (LHNA)) to indicate a revised timetable for this key evidence document to commence in 2021.
- e) An update has been made to the time period that the Statement of Community Involvement (SCI) covers. In addition, information has been included outlining the temporary amendment made to the SCI in 2020 which provides greater flexibility in planning consultations to account for challenges of the COVID-19 pandemic.
- f) The date of the last Brownfield Register update has been amended to November 2020.
- g) Information has been added to the section on the River Wensum Strategy. In 2020, work began on the production of a Delivery Plan to focus priorities for the next two years and to maintain momentum in achieving the Strategy objectives.
- h) An update has also been included on the progress of the East Norwich masterplan. Work has been ongoing on the procurement of consultants since mid-2020, with appointment anticipated in February 2021.
- i) An update has been provided on the status of the UEA Development Framework Strategy and further work which is currently taking plan on an Estates Strategy.

- j) In July 2020, the sustainable development panel agreed to proceed with preparing an Article 4 Direction removing permitted development rights for the conversion of offices to residential accommodation. During the preparation of the cabinet report, the government made changes to the General Permitted Development Order and Use Classes Order. These changes and their implications for Norwich's office economy were summarised in a later report to the sustainable development panel in October 2020, and the panel agreed to delay the introduction of the Article 4 Direction until the outcome of the legislative changes is understood further. The Article 4 Direction workstream in the LDS has been updated to reflect the current situation.

## **Conclusions**

7. The principal challenges to meeting the aims and timescales set out in the revised LDS relate to changes in national policy, availability of resources (both staff and financial), timescales surrounding the GNLP preparation process and the continued joint working with other authorities across Norfolk.
8. In addition, many other aspects of the planning policy team's workload are not included in the LDS (such as monitoring and implementation of local plan policies) which require a significant staff resource. New planning priorities may also emerge during the LDS period, which may impact upon achievement of LDS timescales.
9. Information about the workstreams identified in this LDS and any new priorities will be reported to sustainable development panel as required and will be included in any future revisions to the LDS as appropriate.

## **Recommendation**

10. The recommendation is to note the updates made to the previous version of the LDS and recommend that cabinet approves the LDS 2021-2023 for publication under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by section 111 of the Localism Act 2011).



**NORWICH**  
City Council

## Local Development Scheme for Norwich

February 2021

Deleted: June 2020

## 1. Introduction

- 1.1 A Local development scheme (LDS) must be prepared under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). It must identify the documents that will be prepared to set out the strategy for the development and use of land in the local planning authority's area – collectively called development plan documents. An LDS is a project plan which identifies the documents which, when prepared, will make up the Local Plan for the area. It must be made publicly available and kept up-to-date. It allows the public and stakeholders to find out about planning policies in their area, the status of any emerging policies in the development plan, and the details of and timescales for production of all relevant documents.
- 1.2 This LDS applies only to the area of the city for which Norwich City Council is the local planning authority. It should be noted that part of the administrative area of Norwich (namely the tidal river Wensum downstream of New Mills and an area of land at Cremorne Lane) falls within the planning jurisdiction of the Broads Authority, which is subject to a separate local plan and LDS.
- 1.3 In addition to providing information about the main development plan documents in preparation, this LDS also provides detail about the preparation of Supplementary Planning Documents (SPDs) and other informal planning guidance and adopted local development documents, to provide a full account of the planning policies that will operate in Norwich. This document also refers to committed and potential workstreams contributing to documents, which may form part of the LDS.

1.4 The LDS was last updated in June 2020. Since the publication of that document, further information has become available surrounding local plan production timescales. This version of the document is therefore largely the same as the June 2020 version, with updates made to timescales and workstreams as necessary.

1.5 In autumn 2020, the Government consulted on the Planning White Paper: Planning for the Future<sup>1</sup> and Changes to the Current Planning System<sup>2</sup>. These documents propose significant changes to the way the planning system operates as well as the content of local plan documents. The Government is yet to respond to the consultation or make the arrangements formal in any new legislation. Therefore this revision of the LDS, and all the workstreams contained within it, assume a continuation of the current system. Should any changes to the planning system be formalised in future, a further update of the LDS will be prepared as necessary.

**Deleted:** <#>The revised LDS for approval by Cabinet was drafted before the COVID-19 lockdown. It is too soon to tell what the impact of COVID-19 will be on the timescales for local plan preparation. It is therefore possible that a further revision of the LDS will need to be published when this becomes clear.¶

### Summary of progress since the last LDS

- 1.6 Since publication of the last LDS, significant progress has been made on the preparation of the **Greater Norwich Local Plan** (GNLP), and on the **Norfolk Strategic Planning**

<sup>1</sup> <https://www.gov.uk/government/consultations/planning-for-the-future>

<sup>2</sup> <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>

**Framework** (NSPF), which was endorsed in early 2018. Further details are set out in the main body of this document.

- 1.7 The **Statement of Community Involvement (SCI)** was fully revised and published in November 2016, and replaces the version published in July 2013. The SCI is the council's code of practice for involving the community in planning issues, including decisions about plan making and on planning applications. A minor temporary update was made to the SCI in 2020 to increase flexibility in planning consultations as a result of the COVID-19 pandemic. The latest version of the SCI remains in place but will require review during 2021.

- 1.8 The **Brownfield Register** (Part 1) was last published in November 2020. This includes sites that have been assessed as being appropriate for residential development, such as sites with planning permission and allocations in local plans. The register will be updated at least once a year in accordance with Regulation 17 of the Town and Country Planning (Brownfield Land Register) Regulations 2017.

- 1.9 A **Self-build Register** for Norwich was established in 2016 to enable individuals and organisations to register their desire for land for self-build or custom-built housing. The register will enable the council to monitor the demand for self and custom build plots. A local connection test and annual fee were introduced in 2017.

- 1.10 The **River Wensum Strategy** was adopted by Norwich City Council (in June 2018) and by the other partner authorities during summer 2018. The strategy development and ongoing delivery is led by Norwich City Council working in partnership with the Broads Authority, Norfolk County Council, the Environment Agency and the Wensum River Parkway Partnership. This is a non-statutory strategy aimed at facilitating change and regeneration in the river corridor by helping to change perceptions of the city as a visitor destination, and acting as an economic driver to attract investment. It promotes greater use of the river Wensum, in particular promoting improved access/signage to the river, increasing activity on the river, enhancing its function as a key piece of green infrastructure and its contribution to biodiversity, and increasing its attractiveness to tourists and visitors. The River Wensum Strategy Partnership group continue to meet and have progressed to the delivery phase of the project, setting out actions for implementation of the strategy. A number of projects identified in the strategy are underway, or have already been completed, such as the installation of canoe portages at New Mills, and the partnership are now working on a Delivery Plan to focus project delivery for the next approximately two years.

- 1.11 In June 2018, the city council's Cabinet formally designated the area that was previously the subject of the Northern City Centre Area Action Plan as a neighbourhood area. This followed applications for designation of a wider area (the Cathedral, Magdalen and St Augustine's Street area - CMSA) as a neighbourhood area and for designation of a forum for that area. Following a public consultation in early 2018, both applications were refused by Norwich City Council and the Broads Authority (the latter being involved as part of the River Wensum falls within the proposed area) in June 2018. The Localism Act 2011, S61G(5) states that, where a local authority refuses an application for designation

**Deleted:** <#>The **Statement of Community Involvement (SCI)** was revised and published in November 2016, and replaces the version published in July 2013. The SCI is the council's code of practice for involving the community in planning issues, including decisions about plan making and on planning applications. The latest version of the SCI remains in place and does not require review until 2021. ¶

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of a neighbourhood area because they consider the specified area to be inappropriate as such, they must exercise their powers of designation to secure that some or all of the specified area forms part of one or more areas designated as neighbourhood area.

- 1.12 The designated **Northern City Centre Neighbourhood Area** is already well established as an appropriate area for planning purposes, and development of a neighbourhood plan could help to positively build on the area's significant regeneration potential. At this stage, there has been no public expression of interest by a community group in developing a neighbourhood plan for this area but this may happen during the lifetime of this LDS.
- 1.13 The **Affordable Housing SPD** was updated and adopted in July 2019. This SPD replaces the previously adopted version from 2015. The new SPD takes account of changes in the revised NPPF with a view to maximising the provision of affordable housing in the city.
- 1.14 In November 2019, the **Purpose Built Student Accommodation in Norwich: Evidence and Best Practice Advice Note** was adopted by cabinet. Following a significant rise in the number of applications for Purpose Built Student Accommodation (PBSA) in the past few years, the PBSA advice note was prepared to provide guidance for applicants and decision-makers in the absence of a specific policy in the Local Plan. The council has produced the advice note with the aim of ensuring delivery of high quality PBSA in Norwich. This includes an assessment of the need for purpose-built accommodation and guidance on a range of issues including the location, scale, external and internal design and management of PBSA, and how to encourage an accommodation mix for a wide range of students. The Council is continuing to work with local higher education institutions and their student's unions through PBSA working groups, to monitor and share information to support the provision of good quality and appropriate student accommodation.
- 1.15 A development brief was prepared for Prospect House to guide the redevelopment of this prominent city centre site and was approved by Planning Applications Committee in October 2018. This site was not allocated in the Site Allocations Plan as it was not a development opportunity at that time. The brief will be a material planning consideration in the determination of any planning application that is subsequently submitted for the site.
- 1.16 In 2019, the University of East Anglia have produced a draft **Development Framework Strategy** (DFS) in order to reflect and develop UEA's Vision 2030, and as guide to future development on the campus. The DFS is also intended to be used as part of the evidence base for the preparation of the GNLP. UEA are now looking at a new Estates Strategy or Campus Redevelopment Programme and to set in place an overarching strategic framework to guide campus activities for the next 40 to 50 years. Work is expected to continue on this throughout 2021 and findings will be discussed with Norwich City Council.

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## 2. Scope of the Norwich Local development scheme

2.1 The Local development scheme covers the following types of documents:

### Development plan documents (DPDs)

- 2.2 Development plan documents or DPDs are the formal policy documents which make up the statutory development plan (the *local plan*) for Norwich. Once adopted, these have full legal weight in decision-making. The council's decisions to approve or refuse any development which needs planning permission must be made in accordance with the local plan unless material considerations indicate otherwise. The local plan may be either a single document or a number of separate related documents.
- 2.3 The adopted local plan for Norwich comprises the **Joint Core Strategy for Broadland, Norwich and South Norfolk** (the JCS) adopted in March 2011, amendments adopted January 2014; the **Norwich Site Allocations and Site Specific Policies Local Plan** (the Site Allocations Plan), adopted December 2014 and the **Norwich Development Management Policies Local Plan** (the DM Policies Plan), adopted December 2014. The **Northern City Centre Area Action Plan** (NCCAAP) as stated earlier no longer forms part of the local plan, although policy 11 of the JCS remains adopted and requires regeneration of the northern city centre in accordance with NCCAAP principles. Accordingly, a commitment to regenerate the northern city centre will remain a material consideration in determining planning applications in that area.
- 2.4 The JCS and Site Allocations plan will be replaced by the emerging Greater Norwich Local Plan (GNLP), which will run until 2038 and is scheduled to be adopted in 2022.
- 2.5 Each document must be prepared in accordance with a nationally prescribed procedure set out in the national Local Planning Regulations for England, which were last reviewed in 2012 and in accordance with the National Planning Policy Framework. At key stages of plan-making there is an opportunity for the public to comment on emerging planning policies and proposals in the documents. At the end of the process, development plan documents must be submitted to the Secretary of State and independently examined by a government appointed inspector to assess their soundness and legal compliance before they can be *adopted* by the city council and come into force.
- 2.6 Certain other documents must be published alongside each DPD, including:
- the **sustainability appraisal** (SA) report of the plan at each stage (a **sustainability appraisal scoping report** is prepared and consulted on at the start of the process to set out what sustainability issues and objectives the SA should cover and what evidence it will use);
  - A **habitats regulations assessment** (HRA) if policies and proposals in the plan are likely to have impacts on important natural and wildlife habitats protected by national and international legislation. This is also known as the "Appropriate Assessment".

- a **policies map**, setting out the DPDs policies and proposals on a map base (if relevant);
- a **statement of consultation** summarising public representations made to the plan and how they have been addressed (called the “Regulation 22(c) statement”);
- copies of any representations made;
- any other supporting documents considered by the council to be relevant in preparing the plan;
- an **adoption statement and environmental statement** (when the plan is adopted).

#### **Supplementary planning documents (SPDs)**

- 2.7 Supplementary planning documents (SPDs) help to support and explain in more detail how the city council will implement particular policies and proposals in the Local Plan. SPDs can also take the form of master plans, detailed design briefs or development briefs for sites identified for future development (“allocated”) in the plan, as well as for other emerging sites.
- 2.8 SPDs can be reviewed frequently and relatively straightforwardly to respond to change, whereas a review of the policies in the plan is a longer and more complex process.
- 2.9 National **Planning practice guidance** (PPG) states that SPDs should build upon and provide more detailed advice or guidance on the policies in the Local Plan and should not be used to add unnecessarily to the financial burdens on development. SPDs should not introduce new or include excessively detailed policy guidance, but ought to be used only where it can clarify and amplify existing policy and set out how it will help to bring forward sustainable development.
- 2.10 There are currently five adopted SPDs in place, which support the policies in the JCS and DM Policies Plan. Other informal planning guidance will also be produced during the lifetime of this LDS (see below).

#### **Other local plan documents**

- 2.11 In addition to the progress report provided by this LDS, a number of other documents must be prepared alongside the local plan, but do not form part of it.
- 2.12 A **Statement of Community Involvement** (SCI) must show how the council intends to involve the community in plan preparation and planning decision-making. It is not a local development document but legally it must set out how documents specified in the LDS will be consulted on.
- 2.13 To ensure that plans and policies are effective, an **Annual Monitoring Report** (AMR) must also be prepared to record progress on implementing the local plan and how new development and change taking place in the previous year has contributed to achieving its targets. From 2011, the AMR for Norwich has been incorporated within a combined monitoring report for the JCS prepared jointly by Norfolk County Council and the three

district authorities covering Greater Norwich. The most recent JCS AMR, for the monitoring period April 2018 to March 2019, was published in January 2020<sup>3</sup>.

#### **Associated documents and initiatives**

2.14 Although not required to be published as part of the LDS programme, the following additional documents and initiatives are listed in this LDS for information, as they will inform the preparation of future statutory development plan documents and/or provide a wider context for their implementation.

- a) **Non-statutory strategic guidance** including the **Norfolk Strategic Planning Framework** (NSPF);
- b) Other **potential and anticipated workstreams** arising from ongoing national and local policy changes. The scope and extent of the work that may be undertaken depends on resources available to the council and (in some cases) further clarification from central government about how proposed new planning measures would operate in practice. For that reason, no detailed timescales can be specified for future informal local guidance and other work items in this category.

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<sup>3</sup> <https://www.greaternorwichgrowth.org.uk/planning/monitoring/>

### 3. The existing local plan

- 3.1 A number of planning documents are already in place to guide the council's decisions on planning applications. Together these form the existing adopted local plan for Norwich, which has been through a formal process of consultation and independent examination before adoption. These documents include the **JCS**, the **DM Policies Plan** and the **Site Allocations Plan**.
- 3.2 As these documents are already in use, they are not part of the formal LDS schedule set out in the Annex, which deals in the main with the new and emerging documents that will be prepared to replace or supplement them. However, they are referred to below in order to provide a complete picture of the planning policy documents that apply in Norwich.
- 3.3 The documents making up the local plan must conform to national planning policy in the **National Planning Policy Framework** (NPPF), supported by national **Planning Practice Guidance** (PPG). In preparing its local plan, the council must show that it has met the statutory **Duty to Cooperate** with adjoining authorities and other relevant bodies. The Duty to Cooperate places a legal duty on local planning authorities and county councils in England to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters.
- 3.4 The local plan documents fit into a hierarchy with broad strategic policies at the top and more detailed policies interpreting the strategic approach at a district and small area level. This is illustrated in Figure 1 on page [10](#).
- 3.5 For the Norwich area, the adopted **JCS** is the primary document at the top of the hierarchy with which other development plan documents prepared by individual districts should conform. The JCS was adopted in March 2011, with amendments adopted in January 2014. It is a strategic planning document prepared jointly by the three constituent districts in Greater Norwich and Norfolk County Council, and provides the long-term vision, objectives and spatial strategy for development of Norwich and its surrounding area for the period to 2026. The JCS is therefore at the heart of the present local plan for Norwich.
- 3.6 The **Site Allocation Plan** identifies and sets out policies for sites in Norwich city where development is proposed or expected to occur between now and 2026. It responds to the requirement of the JCS to identify additional sites for 3000 new homes in the city by 2026 over and above existing housing commitments. It also identifies opportunities to accommodate the overall levels of growth in jobs and services anticipated over that period and to ensure that these can be delivered and located sustainably, with a particular focus on expanding office employment and retail and leisure uses in the city centre. It will also help to deliver the community facilities and green infrastructure and elements of the sustainable transport network required to support new development as it occurs, in accordance with the JCS. The Site Allocations Plan was adopted in December 2014.

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- 3.7 The **DM Policies Plan** sets out a range of more detailed policies applying throughout Norwich to be used in the council's assessment of development proposals and to guide future council decisions on applications for planning permission up to 2026. Its 33 policies cover a range of topics, building on the national policy principles for sustainable development set out in the NPPF and the strategic policies and objectives of the JCS. In certain cases, the policies also set out local criteria and standards for different kinds of development. The DM Policies Plan was also adopted in December 2014.
- 3.8 The Localism Act 2011 allows for community led **neighbourhood plans** to be brought forward to complement the adopted local plan, and this is reflected in Figure 1. As stated above (paragraph 1.10), a neighbourhood area has been designated for the northern city centre. However, no neighbourhood plans have yet been proposed within the city boundary although a number of neighbourhood plans are now formally in place ("made") for the adjoining suburban parishes of Cringleford in South Norfolk, and Sprowston, Hellesdon and Old Catton in Broadland. The city council remains open to working in cooperation with community-led groups to produce neighbourhood plans where these help to promote beneficial development, regeneration or neighbourhood enhancement in accordance with the presumption in favour of sustainable development and the general principles set out in the NPPF.

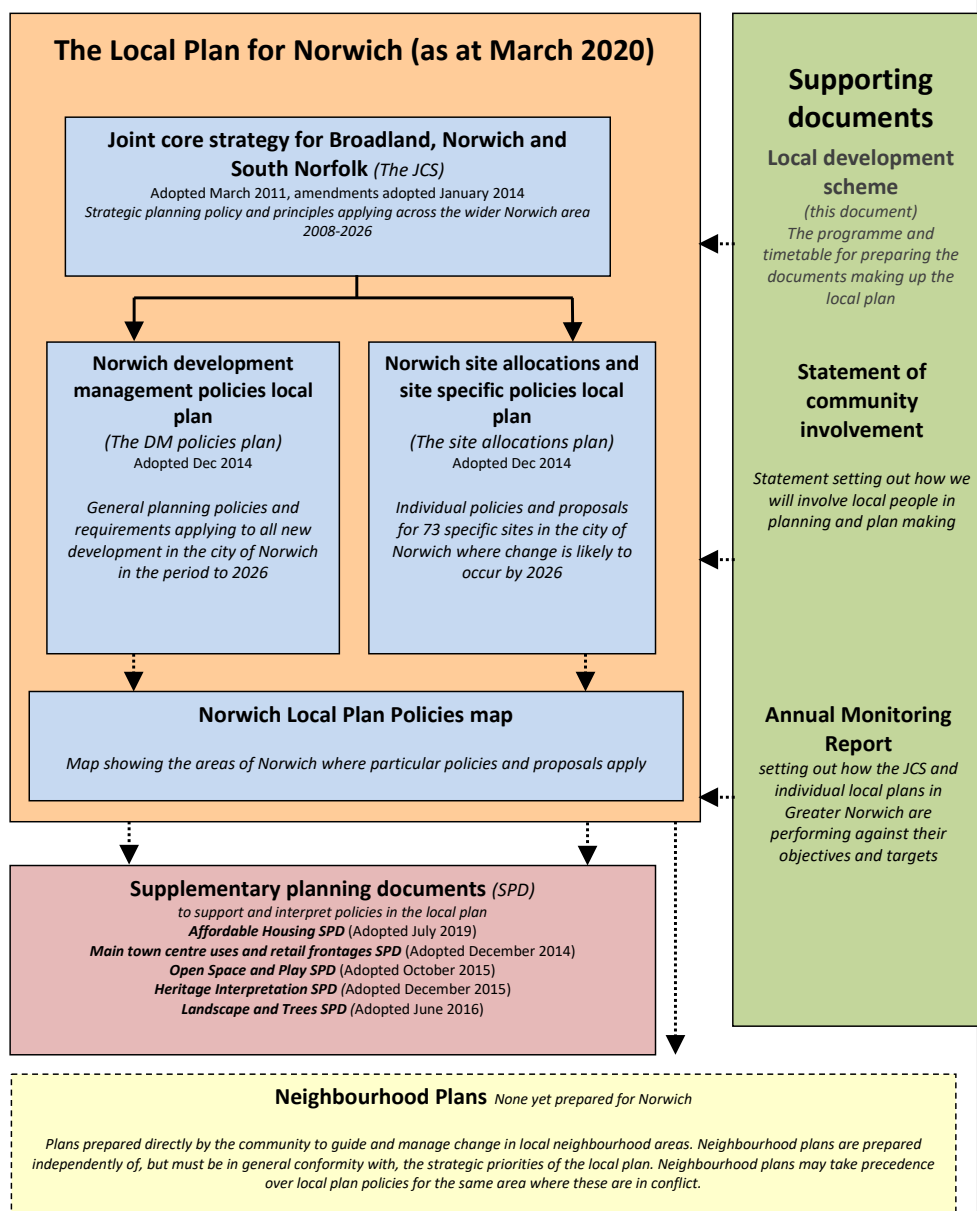


Figure 1: Hierarchy of the local policy context in Norwich

## 4. Looking forward – the emerging local plan and the 2021-23 LDS programme

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4.1 The LDS was last reviewed in full in 2020. This review is required to make updates to local plan preparation timescales and to provide updates on the progress of workstreams since the last revision. This revision of the LDS outlines the programme of documents and associated workstreams that will contribute to the replacement and review of the local plan. These will include the statutory and non-statutory planning documents detailed below.

4.2 Further detailed information on the GNLP and NSPF are included in the Key Document Profiles in section 5, which also includes the proposed production timetable for each document. The work programmes set out for these documents may be subject to review dependent on the extent of evidence and resources likely to be required.

Deleted: <#>The LDS was last reviewed in 2018. This revision of the LDS outlines the programme of documents and associated workstreams that will contribute to the replacement and review of the local plan. These will include the statutory and non-statutory planning documents detailed below. ¶

### New Development Plan Documents

4.3 The proposed **Greater Norwich Local Plan**<sup>4</sup> (GNLP) will be a new statutory local plan for Broadland, Norwich and South Norfolk to update the present JCS. This will similarly set out a statement of strategic planning policy for the wider Norwich area but, unlike the JCS, will also include policies and proposals for individual sites. As such, the GNLP will also replace separate site allocations plans for individual districts – in the case of Norwich, the Site Allocations plan. However, the village clusters site allocations policies for the South Norfolk District will be included in a separate South Norfolk Village Clusters local plan to be prepared alongside the GNLP. Only the overall number of dwellings proposed within these settlements will be included within the GNLP itself.

4.4 The timetable for the production of the GNLP shown in this LDS has been adjusted to reflect changes in the anticipated production timetable. In July 2020 the Greater Norwich authorities agreed to extend the timescales for GNLP preparation to allow more time to make updates and amendments following the Regulation 18 consultation, to take on board updated evidence, to allow for an additional Regulation 18(d) consultation and to take account of the impacts of COVID-19. In August 2020, the Government published the Planning White Paper and Changes to the Current Planning System documents, which included a revision to the standard methodology for calculating housing need. Following consideration of options by the GNLP Board, the decision was taken to accelerate plan production making use of the transitional arrangements provided by the Government, based on the draft GNLP already consulted upon. In December 2020, the Government announced that the existing standard methodology would be retained meaning that the GNLP would no longer need to proceed through transitional arrangements. However, the Greater Norwich authorities have agreed to proceed to the accelerated timescales in order to avoid any further delay in the plan's production and to ensure that plan-making momentum is maintained.

Deleted: The timetable for the production of the GNLP shown in this LDS has been adjusted to reflect changes in the anticipated production timetable arising from further consultations in the Regulation 18 stage.

<sup>4</sup> <https://gnlp.oc2.uk/>



4.5 In accordance with paragraph 33 of the NPPF and S10A of the Town and Country Planning (Local Planning) (England) Regulations 2017, the council undertook a review of the DM Policies Plan and the Site Allocations Plan<sup>5</sup>, to review whether the plans are up to date and respond to changing local needs and circumstances. The review was carried out in October-November 2019 and endorsed by cabinet on 13 November 2019. It concluded that, in general, the local plan policies are fit for purpose at the current time, however it recommends that a full review of the DM Policies Plan should commence following the Regulation 19 consultation of the GNLP. The Regulation 19 consultation of the GNLP is due to take place in early 2021, and therefore the formal review of the DM Policies Local Plan could take place following this consultation. The review does not recommend a further review of the Site Allocations Plan, as this has been reviewed and will be superseded by the GNLP.

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4.6 The outcome of the Government's consultation on the Planning White Paper and Changes to the Current Planning System documents remains to be seen, which could impact upon any future review of the DM Policies Local Plan. Future updates to the LDS will be required should any changes to the planning system become formalised.

#### **Review of the non-statutory Norfolk Strategic Planning Framework**

4.7 The **Norfolk Strategic Planning Framework**<sup>6</sup> (NSPF) is a non-statutory strategic policy statement setting out broad strategic targets and priorities for the next round of statutory local plans for individual local planning authorities in Norfolk, facilitating joint working across district boundaries and helping to fulfil the statutory Duty to Co-operate. The NSPF was updated and endorsed by the stakeholder authorities in October 2019 to meet the new requirements of the revised NPPF, particularly in relation to the requirements set out for the Statement of Common Ground. It will continue to be reviewed regularly as the Duty to Co-operate requires authorities to work together in an ongoing and meaningful way as the Statement of Common Ground must reflect the most up to date position in terms of joint working across the area. The NSPF is currently being revised and a draft document was produced in late 2020 and is expected to be endorsed by relevant authorities in early 2021.

Deleted: <#>Despite anticipating that the formal review of the DM Policies Plan will commence in 2021 following the GNLP Regulation 19 consultation, it will be necessary to begin consideration of what evidence studies and background information may need to be gathered and commissioned to support the preparation of a new local plan over the coming year. A 'roadmap' to the local plan review process and timescales will be produced in due course. ¶

Deleted: is anticipated for Autumn 2020.

#### **New Supplementary Planning Documents and planning guidance**

4.8 Following the cessation of the Britvic/Colmans/Unilever operations at the Carrow Works site, the Council and key partners are about to commission a masterplan for the East Norwich Strategic Regeneration Area, capable of adoption as a Supplementary Planning Document. This will aim to guide the coordinated redevelopment of the site to focus on delivery of transformational change of this key area of Norwich and to inform the Regulation 19 version of the GNLP. Procurement for the preparation of the masterplan began in mid-2020 with consultants expected to be appointed in February 2021.

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Deleted: It is anticipated that preparation of the masterplan will commence in autumn 2020

<sup>5</sup> [https://www.norwich.gov.uk/info/20199/adopted\\_local\\_plan/2494/regulation\\_10a\\_review\\_of\\_the\\_local\\_plan](https://www.norwich.gov.uk/info/20199/adopted_local_plan/2494/regulation_10a_review_of_the_local_plan)

<sup>6</sup> [https://www.norwich.gov.uk/info/20022/planning\\_policy/1194/emerging\\_local\\_plan\\_and\\_evidence\\_documents/2](https://www.norwich.gov.uk/info/20022/planning_policy/1194/emerging_local_plan_and_evidence_documents/2)

## Other committed and potential workstreams

4.9 The following paragraphs refer to committed and potential workstreams, which are or may be part of the Council's work programme, although in many cases the status and timescales for production of these have yet to be confirmed. None are formal development plan documents or supplementary planning documents but are included in the LDS for completeness. Subsequent revisions to the LDS would identify the need for any formal DPDs or SPDs emerging from this work.

### Committed

4.10 Additional workstreams which are **committed** and form part of the planning service's work programme during this LDS period are as follows:

- Maintenance of the **Brownfield Land Register updates**. The Town and Country Planning (Brownfield Land Register) Regulations 2017 require local planning authorities to maintain a statutory Brownfield Land Register. The regulations state that the Part 1 Registers must be updated at least annually so this will form an ongoing commitment. Part 2 of the register is intended to include sites listed in Part 1, which are considered suitable for the granting of planning permission in principle for residential development. There is no intention at this stage to produce a Part 2 Register.
- The **Self-Build Register** (set up in April 2016) will continue to be maintained in accordance with the Self-build and Custom Housebuilding Act 2015<sup>7</sup> (as amended by the Housing and Planning Act 2016).

The Council has committed to being the lead authority on the preparation of a new **Local Housing Needs Assessment (LHNA)** (formerly **Strategic Housing Market Assessment (SHMA)**) with other partner authorities across Norfolk. This document will set out an assessment of future need and demand for housing, as well as identifying the need for different housing types and tenures, including affordable housing. The formal preparation is expected to commence in 2021 and will be informed by evidence preparation for the GNL. **Potential Additional Work**

4.11 Additional workstreams which may be progressed, but which **are not firm commitments** in this LDS period, are:

- Potential neighbourhood plan support following the designation of the northern city centre area as a neighbourhood area in June 2018. This will be dependent on a community group gaining designation as a neighbourhood forum, and commencing preparation of a neighbourhood plan.
- Government published amendments to the Community Infrastructure Levy (CIL) regime in 2019. The current intention is that a local CIL review will be undertaken in parallel with the development of the Greater Norwich Local Plan (GNLP), so that a

**Deleted:** The Council has committed to being the lead authority on the preparation of a new **Strategic Housing Market Assessment (SHMA)** with other partner authorities across Norfolk. This document will set out an assessment of future need and demand for housing, as well as identifying the need for different housing types and tenures, including affordable housing. The formal preparation of the SHMA is expected to commence in the latter part of 2020. ¶

<sup>7</sup> <http://www.legislation.gov.uk/ukpga/2015/17/contents/enacted/data.htm>

revised CIL is most likely to be introduced at around the same time as the adoption of the GNLIP.

- Over the past few years, Norwich has seen a significant reduction in office floorspace. This is largely attributed to the ability to convert offices to residential accommodation under the prior approval process, and without planning permission. The reduction in office floorspace is concerning as it results in less choice of suitable accommodation for businesses and compromises the ability of the city, and the surrounding areas, to thrive economically. In addition, there is no provision within the prior approval process to secure affordable housing on these schemes. In July 2020, Sustainable Development Panel unanimously agreed to recommend to Cabinet that the Council proceed with the drafting of an Article 4 Direction to remove permitted development rights for the conversion of offices to residential accommodation. Whilst the Cabinet report was being drafted, the Government made changes to the General Permitted Development Order and the Use Classes Order. These changes and their implications for Norwich's office economy are summarised in a later report to Sustainable Development Panel in October 2020<sup>8</sup>. On the basis of this information, the Panel agreed to delay the introduction of the Article 4 Direction until the outcome of the legislative changes is understood further. The Environment Bill<sup>9</sup> is due to undergo further scrutiny in Parliament. The current version of the Bill sets out plans and policies for improving the natural environment including waste and resource efficiency, air quality, water quality, nature and biodiversity, the regulation of chemicals etc. It is likely that the Bill will have a number of implications upon the planning system, for example, the formal introduction of Biodiversity Net Gain. Depending upon the final content of the Bill and the timescale for its implementation, the existing local plan documents will likely need to be updated to ensure compliance with the Bill. Currently, no further information is available on the timescales for the introduction of the Bill, however, the formal review of the DM Policies Plan would represent an opportunity to consider the implications of the Bill on the local planning context in Norwich. It may also be necessary to consider the implications of the Bill in context of any future changes to the planning system.
- In 2019, the Government published the first two parts of the **National Design Guide**<sup>10</sup>. This document sets out the characteristics of well-designed places and demonstrates what good design means in practice. It forms one part of Government guidance aiming to achieve enduring and successful places and forms a material consideration in the determination of planning applications. The third part of the design guide includes the provision of a National Model Design Code (anticipated in 2020), which will set a baseline standard of quality and practice across England which local planning authorities will be expected to take into account when developing local design codes

**Deleted:** Over the past few years, Norwich has seen a significant reduction in office floorspace. This is largely attributed to the ability to convert offices to residential accommodation under the prior approval process, and without planning permission. The reduction in office floorspace is concerning as it results in less choice of suitable accommodation for businesses and compromises the ability of the city, and the surrounding areas, to thrive economically. In addition, there is no provision within the prior approval process to secure affordable housing on these schemes. The Council are considering the implementation of an Article 4 Direction to remove permitted development rights for the conversion of offices to residential accommodation. An office evidence study has been commissioned to determine whether an Article 4 Direction is an appropriate response to this issue. ¶

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<sup>8</sup> <https://cmis.norwich.gov.uk/live/Meetingscalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/848/Committee/9/SelectedTab/Documents/Default.aspx>

<sup>9</sup> <https://services.parliament.uk/bills/2019-20/environment.html>

<sup>10</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/843468/National\\_Design\\_Guide.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf)

and guides, and when determining planning applications. Following the publication of part 3 of the design guide, the council may consider the preparation of a local design guide, as part of the review of the existing DM Policies Plan and preparation of a new Plan. This will be dependent upon timescales and availability of resources, as well as an assessment of in-house expertise. In the absence of a local design guide, the council will be expected to defer to the National Design Guide.

## 5. Key document profiles

Document Title	Greater Norwich Local Plan (GNLP)
<b>Role and content</b>	To provide the strategic vision, objectives and strategy for future development of the greater Norwich area, to accommodate objectively assessed needs for growth and to identify specific sites for development in the period to 2038. The GNLP provides the strategic context for the preparation of lower level policy documents prepared by the three constituent district planning authorities.
<b>Status</b>	Statutory Development Plan Document (DPD)
<b>Conformity</b>	The document must conform with the National Planning Policy Framework (the NPPF). It should also accord with standing advice in national Planning Practice Guidance (PPG).
<b>Geographical coverage</b>	The three districts of Broadland, Norwich and South Norfolk, excluding the parts of those districts falling within the Broads Authority area. This will exclude site allocations in village clusters in South Norfolk.
<b>Joint working arrangements (if any)</b>	The plan is being prepared by a joint team comprising officers from Norwich, Broadland and South Norfolk district councils with the support of Norfolk County Council. Each council will make independent decisions at key stages in the plan preparation process.
<b>Relationship with adopted local plan(s)</b>	The GNLP will supersede <ul style="list-style-type: none"> <li>a) the <b>Joint Core Strategy (JCS)</b> for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted 2014)</li> <li>a) the <b>Norwich Site Allocations and Site Specific Policies Local Plan</b> (adopted December 2014)</li> </ul>
<b>Production milestones</b>	
<b>Commence document production</b>	December 2015
The work includes a “call for sites” (an invitation to put forward specific	

Document Title	Greater Norwich Local Plan (GNLP)
development sites for inclusion in the GNLP, held in May-July 2016); evidence studies; Regulation 18 stage consultation on issues and options and site proposals held January-March 2018; further Regulation 18 stage consultations on additional sites (October – December 2018), and on a draft plan to include suggested policy options, growth strategy and site allocations (see below). For further details of the timetable for this work see <a href="http://www.gnlp.org.uk">www.gnlp.org.uk</a> .	
<b>Regulation 18 draft plan</b>	January – March 2020
<b>Publish pre-submission (Regulation 19) document</b>	<u>February – March 2021</u>
<b>Formal submission of GNLP to Secretary Of State (Regulation 22)</b>	<u>July 2021</u>
<b>Adoption of the Greater Norwich Local Plan</b>	<u>September 2022</u>
<b>Monitoring and review</b>	Annual Monitoring report and five year housing land supply updates

**Deleted:** January – February 2021¶

**Deleted:** June 2021¶

**Deleted:** August/September 2022

The National Planning Policy Framework states that policies in local plans should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary. Such a review will need to determine whether any significant matters have arisen, for example changes to national policy or needs for development, that mean that modifications should be made to the local plan or a new replacement local plan produced. The need for a review of policies in the GNLP will be assessed in due course. As such, there is currently no commitment to review the GNLP and therefore no reference to such a review in this LDS. However, dependant on the outcome of a future assessment of the need to review GNLP policies, such a workstream may appear in a future iteration of the LDS.

<b>Document Title</b>	<b>Norfolk Strategic Planning Framework (NSPF) review</b>
<b>Role and content</b>	To set out an agreement between Norfolk's local planning authorities insofar as they relate to strategic planning matters, setting out broad strategic targets and priorities to inform and provide a context for the preparation of statutory local plans for individual districts and areas within the county (including the GNLP); to facilitate joint working across district boundaries and help to fulfil the Duty to Cooperate; and to meet the NPPF's requirements in relation to a Statement of Common Ground by regular review of the NSPF.
<b>Status</b>	Non statutory strategic document
<b>Geographical coverage</b>	The administrative county of Norfolk.
<b>Joint working arrangements (if any)</b>	The NSPF review is being prepared jointly by the district planning authorities within Norfolk working with Norfolk County Council, the Broads Authority and with the involvement of the Greater Anglia Local Enterprise Partnership and other key stakeholders. Governance: The Duty to Cooperate member forum has been established as a non-decision making body, which officers report to. Decisions are made by the constituent authorities' cabinets or equivalents.
<b>Conformity</b>	As a non-statutory document there is no formal requirement for conformity with higher-level national policy statements, however the framework will need to follow the general principles of national policy and guidance.
<b>Relationship with adopted local plan(s)</b>	The NSPF provides a framework for the eventual formal review and replacement of existing local plans, and demonstrates how the Norfolk authorities are meeting the Duty to Cooperate.

Document Title	Norfolk Strategic Planning Framework (NSPF) review
Production milestones (provisional)	
Draft of revised NSPF/SoCG	Autumn 2020
<u>Final version of revision endorsed</u>	<u>Anticipated early 2021</u>
Monitoring and Review	Ongoing



## ANNEX

### Document

Preparation of Local Development Scheme

**ADOPTED DEVELOPMENT PLAN DOCUMENTS IN USE**  
 Joint Core Strategy for Broadland Norwich and South Norfolk  
 Norwich Site Allocations and Site Specific Policies Local Plan  
 Norwich Development Management Policies Local Plan

**PROPOSED DEVELOPMENT PLAN DOCUMENTS**  
 Greater Norwich Local Plan

**PROPOSED NON STATUTORY DOCUMENTS**  
 Norfolk Strategic Planning Framework/SOCG review

### KEY

#### General

LDS production/review

Resolution to bring LDS into effect

Commencement of this LDS period

Commencement of individual document production

Adopted development plan documents

Adopted DPDs (local plans) in use

Adopted DPD (local plan) expiry. NB the JCS and Site Allocations plan expire in 2026 but will be superseded by the new GNLP upon its adoption in 2021.

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<b>Report to</b>	Sustainable Development Panel	<b>Item</b>
	21 January 2021	
<b>Report of</b>	Director of place	<b>5</b>
<b>Subject</b>	MHCLG's supporting housing delivery and public service infrastructure consultation	

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## Purpose

To consider Norwich City Council's response to the supporting housing delivery and public service infrastructure consultation.

The Ministry of Housing, Communities and Local Government is currently seeking views on the proposed measures to support housing delivery, economic recovery and public service infrastructure. There are three parts to the consultation which are as follows:

Part 1 – A proposed new permitted development right for the change of use from commercial, business and service use to residential

Part 2 – Measures to support public service infrastructure through the planning system

Part 3 – The approach to simplifying and consolidating existing permitted development rights following changes to the Use Classes order.

## Recommendation

To endorse Norwich City Council's response to the supporting housing delivery and public service infrastructure consultation.

## Corporate and service priorities

The report helps to meet the corporate priorities of a healthy organisation, great neighbourhoods, housing and environment, and inclusive economy and people living well.

**Financial implications:** None directly

**Wards:** All wards

Cabinet member: Councillor Stonard – Sustainable and inclusive growth

## Contact officer(s)

Joy Brown, Senior Planner (Policy), 01603 989245

## **Background documents**

None

## Report

### Introduction

1. The government is currently consulting on changes to permitted development rights. There are three parts to the consultation which are as follows:
  - a) a new permitted development right for the change of use from commercial, business and service use to residential to create new homes
  - b) measures to support public service infrastructure through the planning system
  - c) the approach to simplifying and consolidating existing permitted development rights following changes to the Use Classes order.
2. The consultation runs from 3 December 2020 to 28 January 2021 and the consultation document can be found [here](#).<sup>1</sup>

### Background

3. The MHCLG consultation document outlines how that the purpose of the planning white paper is to set out the longer-term ambitions of the government, but at the same time, the government wants to explore more immediate changes in order to provide greater planning certainty and flexibility to ensure that planning can contribute to some of the immediate challenges that the country faces including supporting the economic future of our high street and town centres, supporting jobs and the faster delivery of our schools and hospitals.
4. The consultation document goes on to say that changing consumer behaviour has presented a challenge for retailers particularly with a shift to online shopping. This trend has been ongoing for several years now but has been magnified by the COVID-19 pandemic and in town centres in England there has been a net reduction of 5,350 units in the 12 months between June 2019 and June 2020. The government wants to support town centres and high streets in adapting to these changes to become thriving, vibrant hubs where people live, shop, use services and spend their leisure time. Therefore, in order to provide greater flexibility and enable businesses to respond rapidly to changing market demands, the government introduced a new planning use class (Class E) in September 2020. The commercial, business and service use class includes uses generally found on the high street such as shops, banks and restaurants and broadens it to encompass a wider range of uses such as gyms, crèches and offices. This provides greater flexibility and means that planning permission is no longer needed to change between such uses.
5. The government is now proposing that where there is a surplus of retail floorspace, residential development will help to diversify and support the high street. In their view, it will create housing in sustainable locations and will make effective use of existing commercial buildings, bring additional footfall from new

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<sup>1</sup> <https://www.gov.uk/government/consultations/supporting-housing-delivery-and-public-service-infrastructure>

residents and assist in the wider regeneration of town centres and other locations. The government is therefore proposing that a new national permitted development right is introduced which allows the change of use of all premises that fall within the commercial, business and service use class to residential use.

6. Separately the government also wants to ensure that planning supports the faster delivery of new schools, hospitals and other public service infrastructure developments and in part 2 of the consultation it is proposed to amend existing permitted development rights to allow schools, colleges and universities, hospitals and prisons to expand and adapt their buildings without the need to seek planning permission.
7. The government also wants to speed up decision making on planning applications for larger hospitals, schools, further education college and prison development and are looking at having a faster planning application process for these types of development.
8. Finally part 3 of the consultation seeks view on the proposed approach to the consolidation and simplification of some existing permitted development rights, including those which provide for change of use between use classes.
9. Further details regarding each part of the consultation along with the proposed Council response is set out in the following sections.

### **Part 1 - Supporting housing delivery through a new national permitted development right for the change of use from the commercial, business and service use to residential**

10. In September 2020 the government introduced the new commercial, business and service use class (Class E) which comprises the following:
  - a) Retail
  - b) Sale of food and drink where consumption is mostly undertaken on the premises
  - c) For the provision of the following services principally to visiting members of the public
    - (i) Financial services
    - (ii) Professional services
    - (iii) Other services which are appropriate to provide in a commercial, business or service locality
  - d) Indoor sport, recreation or fitness
  - e) Medical or health services
  - f) Crèche, day nursery or day centre; and
  - g) For
    - (i) Offices
    - (ii) Research and development

(iii) Any industrial process

being a use which can be carried out in a residential area without detriment to the amenity of the area.

11. This replaces a number of the following use classes including retail (A1), financial and professional services (A2), restaurants and cafes (A3), Business (offices B1a, research and development B1b, industrial processes B1c), some non-residential institutions (D1) and some assembly and leisure (D2).
12. Having now introduced this new use class, the government wants to allow further flexibility by allowing all of these uses to change to residential use without the need for full planning permission. Current permitted development rights already allow shops, financial services and offices to change to residential although for shops and financial services there is currently a limit on the size of unit that can change to residential (no greater than 150sqm). It is proposed that this size limit is removed. It is also proposed that the requirement for a building to have been in that use since 2013 is removed.
13. As with the current system there would be a prior approval process and the matters for consideration will be as follows:
  - (a) Flooding
  - (b) Transport
  - (c) Contamination
  - (d) Impact of noise from existing commercial premises on the intended occupiers of the development
  - (e) Provision of adequate natural light in all habitable rooms
  - (f) Fire safety
  - (g) The impact on the intended occupiers from the introduction of residential use in an area the authority considers is important for heavy industry and waste management.
  - (h) The government has now also introduced a new requirement that all homes brought forward under prior approval will meet national space standards.
14. The permitted development rights would not apply to sites of special scientific interest, listed buildings and land within their curtilage, sites that are or contain scheduled monuments, safety hazard areas, military explosives storage areas and sites subject to an agricultural tenancy. It would apply in conservation areas; however, in recognition of the conservation value that retail frontages can bring to conservation areas the right would allow for consideration of the impact of the loss of the ground floor to residential.
15. The fee for considering prior approval applications for the change of use from commercial, business and service use to residential will be £96 per dwellinghouse, capped at a maximum of the fee for 50 homes. As a comparison, the fee for a dwellinghouse that requires full planning permission is currently £462 per dwellinghouse.

16. In terms of Norwich City Council's response, officers have significant concerns with the proposed introduction of permitted development rights for the conversion of all uses within class E to residential. Whilst the government have promoted this by suggesting that it will revitalise our town centres, make effective use of existing commercial buildings, bring additional footfall from new residents and assist in the wider regeneration of town centres and other locations, officers are of the view that the uncontrolled and piecemeal loss of town centre uses will actually be a huge threat to the vitality and vibrancy of our high street.
17. Norwich has seen a significant uptake of office to residential conversions under permitted development rights and the findings of a recent study into Norwich's economy has found that as a result, Norwich's office market is now in a fragile and vulnerable condition due to it reducing in size by 30% in recent years. Whilst the uptake of conversions from retail to residential has been a lot smaller, it is feared that this new permitted development right will see a lot more changes to residential. Encouraging residential in the city centre is a positive but this must not be at the expense of the future of our high streets.
18. The consultation document asks several questions and a proposed response is set out for each. In particular, officers would ask members to focus on question 5 which sets out why we the council does not agree with the introduction of these permitted development rights.

## **Proposed response**

**Q1** – Do you agree that there should be no size limit on the buildings that could benefit from the new permitted development right to change use from Commercial, Business and Service (Class E) to residential (C3)?

*Norwich City Council does not agree with the introduction of permitted development rights for the conversion of all uses within Class E to residential. However if the proposal to introduce these permitted development right is brought forward then there should be a size limit on the buildings that could benefit from the new permitted development rights. Without a size limit there could be the uncontrolled loss of some of Norwich's anchor stores which could have a significant impact upon the vitality of our high street.*

**Q2.1** – Do you agree that the right should not apply in areas of outstanding natural beauty, the Broads, National Parks, areas specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981, and World Heritage Sites?

*Norwich City Council does not agree with the introduction of permitted development rights for the conversion of all uses within Class E to residential. However if the proposal to introduce these permitted development right is brought forward then the Council agrees that it should not apply in all cases set out within Q2.1.*

**Q2.2** – Do you agree that the right should apply in conservation areas?



*Norwich City Council does not agree with the introduction of permitted development rights for the conversion of all uses within Class E to residential. However if the proposal to introduce these permitted development rights is brought forward then it should not apply within a conservation area. This would not necessary prevent all businesses changing from class E to residential but it would enable the Council to fully assess the proposals under a full planning application and enable officers and Members of the planning committee to carefully consider the impact that such development would have upon the character of the conservation area and would ensure that piecemeal development does not erode it's special character in line with the objectives of the NPPF and local plan policies.*

**Q2.3** – Do you agree that, in conservation areas only, the right should allow for prior approval of the impact of the loss of ground floor use to residential?

*Norwich City Council does not agree with the introduction of permitted development rights for the conversion of all uses within Class E to residential. However if the proposal to introduce these permitted development right is brought forward then the Council's preference would be for all prior approval application to allow for the consideration of the impact of the loss of ground floor uses. The piecemeal loss of town centre uses at ground floor level is likely to result in residential interspersed with town centre uses which will affect the way that our high streets function.*

**Q3.1** – Do you agree that in managing the impact of the proposal, the matters set out in paragraph 21 of the consultation document should be considered in a prior approval?

*Norwich City Council does not agree with the introduction of permitted development rights for the conversion of all uses within Class E to residential. However if the proposal to introduce these permitted development right is brought forward then the Council agrees that all the matters set out in paragraph 21 should be considered in a prior approval application in order to ensure that residential development is appropriate and of acceptable standards.*

**Q3.2** – Are there any other planning matters that should be considered?

*Norwich City Council does not agree with the introduction of permitted development rights for the conversion of all uses within Class E to residential. However if the proposal to introduce these permitted development right is brought forward then design and the impact of the loss of ground floor use to residential should also be matters for consideration. This would enable the Council to*

- a) assess the design of the proposal and enable the Local Planning Authority to consider the impact that development would have upon the character of our city centre conservation area and would ensure that piecemeal development does not erode it's special character in line with the objectives of the NPPF and local plan policies.*

- b) *prevent the piecemeal loss of town centre uses at ground floor level which is likely to result in residential interspersed with town centre uses which will affect the way that our high streets function.*

**Q4.1** – Do you agree that the proposed new permitted development right to change use from Commercial, Business and Service (Class E) to residential should attract a fee per dwellinghouse?

*Norwich City Council does not agree with the introduction of permitted development rights for the conversion of all uses within Class E to residential. However if the proposal to introduce these permitted development rights is brought forward then this should attract a fee in order to cover the costs of determining the prior approval applications. A rate based on the number of dwelling houses is appropriate (see response to Q4.2).*

**Q4.2** - If you agree there should be a fee per dwellinghouse, should this be set at £96 per dwellinghouse?

*Norwich City Council does not agree with the introduction of permitted development rights for the conversion of all uses within Class E to residential. However if the proposal to introduce these permitted development rights is brought forward then the fee needs to be set at a level higher than £96 per dwellinghouse. For prior approval applications, the matters for consideration are now increasing so much that the determination of the application does require significant officer time and £96 per dwellinghouse does not cover Council's cost. The cost per dwellinghouse should be more in line with that of full planning application.*

**Q5** – Do you have any other comments on the proposed right for the change of use from Commercial, Business and Service use class to residential?

*Norwich City Council concurs that it is important to revitalise town centres and we agree that allowing more residential in town centres could help to create more sustainable centres as people can walk and cycle more easily to their local shops and services. However there is a need to consider the long term future of our high streets and not just to look at the present situation as a proposal such as this will inevitably change the nature of our high street forever. In the future we need our city centres and district and local centres to be vibrant places where people can meet their daily needs and socialise with friends and family. The piecemeal loss of retail and town centre units could be a huge threat to the vitality and vibrancy of our high streets as once units are lost to residential they are unlikely to ever revert back to a town centre use.*

*Within town centres, critical mass is so important and therefore there is a need for a planned approach. Norwich City Council acknowledges that it is likely that the nature of retailing will continue to change in the future and this will have an impact on the total amount of floorspace required. However the newly proposed permitted development right is likely to result in residential interspersed with town centre uses which will affect the way that our high streets function. This fragmentation of high streets and town centres is likely to lead to lower footfall rather than an increase in footfall.*

Norwich City Council does acknowledge that the proposal will help housing delivery as has been the case with office to residential conversions in Norwich but our concern is that this will be at the expense of the future of our high street. In terms of office to residential conversions, under permitted development rights, Norwich has seen significant uptake; however the findings of a recent study into Norwich's economy has found that as a result, Norwich's office market is now in a fragile and vulnerable condition due to it reducing in size by 30% in recent years ([Ramidus - 2020 - A Review of Office Accommodation in Norwich](#)).

Therefore instead the focus should be on encouraging residential at upper floor levels where there is often vacant or underused space or allowing Local Planning Authorities through their local plans to identify which parts of shopping centres may be acceptable to lose to other uses including residential. Extending permitted development rights will put the future of our high streets into the hands of the market; but unfortunately the market does not have wider public benefits in mind. Our high streets are going to change but this is best done in a planned and managed ways and it is the Local Planning Authorities that are best placed to make decisions and identify and protect the key areas where high streets are vulnerable to the impacts and need to be supported.

Furthermore, Norwich City Council also has concerns as to what the cumulative impact will be of the changes to the Use Class Order in 2020 and these proposed changes to permitted development rights. The creation of class E will now mean that buildings within many of our existing employment areas can change to leisure, retail and other town centre uses without having to undertake a sequential test or impact assessment. This may mean that as well as the potential for large scale loss of 'town centre' uses from the city, there is likely to be a mass migration to out of centre locations which may have cheaper rents and are easy to access by car. If there is a significant uptake of residential within the city centre, the ultimate impact could be the loss of mixed and inclusive communities within town and city centres. Instead Norwich could be in a situation where people live in the city centres and travelling to out of centre locations to shop and spend their leisure time which not only undermines our local plan policies but is contrary to section 7 of the NPPF.

In addition many buildings that now fall within Class E uses are not in town centres and therefore Norwich City Council has concerns that the proposed permitted development rights could lead to residential development in inappropriate places. As part of a prior approval application the LPA would be able to consider noise and the impact on the intended occupiers from the introduction of residential use in an area the authority considers is important for heavy industry and waste management. However many of the buildings on our industrial estates are in light industrial or in sui generis uses and allowing residential adjacent to light industrial or sui generis uses could have further amenity implications.

Finally Norwich City Council would like to note that this proposal will result in the loss of affordable housing opportunities for Norwich and other local authorities as the proposed permitted development right will not trigger affordable housing or other section 106 planning gain payments.

## **Part 2 - Supporting public service infrastructure through the planning system (Providing further flexibility for public service infrastructure through permitted development rights)**

19. The government has set out how it is crucial that new public service infrastructure such as health and educational facilities and prisons are planned and delivered faster and better. The government goes on to say that one of the key issues is securing planning permission for new hospitals, schools, further education colleges and prisons which can often take significant time, leading to project delays and costs increases.
20. To ensure there is faster delivery the government is consulting on a package of proposals to streamline and speed up the planning process. Firstly, it is proposed to amend the existing permitted development right (Class M – extensions etc for schools, colleges, universities, and hospitals (Part 7 to Schedule 2 of the General Permitted Development Order)). Currently this is subject to size limits, limiting extensions or additional buildings to no more than 25% of the gross floorspace of the original buildings with a maximum cap of 100 square metres, or 250 square metres in the case of schools. It also restricts the height of new buildings to 5 metres. The right provides protection for nearby residents in that it restricts development close to the boundary and, in the case of schools, safeguards playing fields.
21. It is proposed to amend the right to allow such uses to expand their facilities by up to 25% of the footprint of the current buildings on the site at the time the legislation is brought into force, or up to 250 square metres, whichever is the greater. It is also proposed that the height limit is raised from 5m to 6m, except where it is within 10 metres of the boundary or curtilage. Playing fields would continue to be protected. Prisons do not currently benefit from these rights but it is proposed to introduce them.
22. Having considered the proposed changes in permitted development rights it is proposed that Norwich City Council provides the following responses to the questions.

### **Proposed response**

Q7.1 Do you agree that the right for schools, colleges and universities, and hospitals be amended to allow for development which is not greater than 25% of the footprint, or up to 250 square metres of the current buildings on the site at the time the legislation is brought into force, whichever is the greater?

*Norwich City Council strongly objects to the impacts. For example if the University of East Anglia is allowed proposed amendments. Without a cap on the significant size of development permitted without planning permission, this could allow huge developments with to expand by 25% of its current size without the need for planning consent this would have significant environmental, highway and amenity issues which all need careful consideration under a full planning application.*

Q7.2 Do you agree that the right be amended to allow the height limit to be raised from 5 metres to 6?

*Norwich City Council does not agree to raising the height from 5 metres to 6 metres. Depending upon the location, increasing the height could have significant design and heritage implications as well as amenity issues.*

Q7.3 Is there any evidence to support an increase above 6 metres?

*Norwich City Council would not support an increase above 6 metres. Depending upon the location, increasing the height could have significant design and heritage implications as well as amenity issues.*

Q7.4 Do you agree that prisons should benefit from the same right to expand or add additional buildings?

*Norwich prison on Britannia Road is statutory listed. Provided that the new permitted development rights do not apply where development is within the curtilage of a listed building, Norwich City Council has no comment to make as the new right would not apply to any development within our authority boundaries.*

Q8 Do you have any other comments about the permitted development rights for schools, colleges, universities, hospitals and prisons?

*The existing permitted development right does not allow for any consideration of design under a prior approval application (other than materials needing to have a similar appearance to those used for the original building). Therefore, it is the opinion of Norwich City Council that the new rights should not apply within conservation areas as development of a scale and height that could be allowed under permitted development could have a significant impact upon the character of the conservation area.*

Q9.1 Do you think that the proposed amendments to the right in relation to schools, colleges and universities and hospitals could impact on business, communities, or local planning authorities?

*Norwich City Council considers that the proposed changes could have significant impacts on existing communities. Allowing such large extensions to educational and health facilities without the Local Planning Authority being able to consider environmental, highway and amenity issues could be of significant harm. It is not clear from the consultation document whether prior approval will be required and if so what issues can be considered by the Local Planning Authority.*

Q9.2 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals could give rise to any impacts on people who share a protected characteristic?

*No comment*

Q10.1 Do you think that the proposed amendment to allow prisons to benefit from the right could impact on businesses, communities, or local planning authorities?

*No comment.*

Q10.2 Do you think that the proposed amendment in respect of prisons could give rise to any impacts on people who share a protected characteristic?

*No comment.*

## **Part 2 - Supporting public service infrastructure through the planning system (A faster planning application process for public service developments)**

23. The government also wants local planning authorities to speed up decision making for public service developments requiring planning permission that are principally funded by government. For such applications it is proposed to reduce the statutory determination period from 13 weeks to 10 weeks. It is hoped that this shorter timescale will encourage positive, pro-active and effective pre-application engagement between all parties, including statutory consultees and committee members. To support faster decision making it is also proposed to shorten the statutory publicity and consultation periods for applications from 21 days to 14 days.
24. Norwich City Council does not intend to respond to each of the questions within the consultation document on this particular issue; however the council considers that it is important to make the following comment:

### **Proposed response**

*Norwich City Council can see the benefits of trying to speed up decision making for public service developments; however it is the Council's view that the justification for introducing this is based on the false assumption that it is the Local Planning Authorities that are causing delays to the decision making process. The delays that are experienced with this type of major application, are so often out of the control of the Local Planning Authority. Norwich City Council has a pre application advice service and we encourage all developers for major developments to go through this process but being able to commit to determining an application within 10 weeks would require all issues to be resolved in their entirety during the pre application process.*

*Furthermore Norwich City Council would also like to note that part of the consultation is also asking us to prioritise work; however this is being asked at a time when resources are being squeezed and we are being forced to make savings – the two things just don't tie up.*

## **Part 3 – Consolidation and simplification of existing permitted development rights**

25. As part of the consultation it is proposed to review and update individual rights that have been affected by the amendments to the Use Class Order. The review is a significant and complex exercise and will potentially require amendments to 49 individual rights.

26. Whilst it is not proposed to comment on every question within this section, officers consider that it is important to provide the following comment about the consolidation and simplification of existing permitted development rights.

### **Proposed response**

Q22 – Do you have any other comments about the consolidation and simplification of existing permitted development rights?

*Between March 2014 and October 2019 40 prior approval applications were approved in Norwich for change of use from office to residential which, if all built out, will result in the loss of 67,438 sqm of office space and will provide 980 new residential units. A recent study has found that the uncontrolled loss of office accommodation has left Norwich's office market in a fragile state ([Ramidus - 2020 - A Review of Office Accommodation in Norwich](#)) . In addition to the significant detrimental impact that it has had on Norwich's office economy, it has also created hundreds of homes which do not meet national space standards, have insufficient natural light, have no access to balconies or communal outdoor amenity space and have insufficient cycle storage provision. It is acknowledged that changes have been made to the prior approval application process and further matters can now be considered; but we still cannot get away from the fact that allowing residential units to be provided without full consideration of all material planning matters has and will continue to provide poor quality development and sub standard housing. Therefore we would ask that all permitted development rights to change to residential are repealed rather than consolidated and simplified.*

