



Sustainable development panel

Date: Thursday, 01 October 2020

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

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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

To agree the accuracy of the minutes of the meeting held on:

(a) 15 January 2020

(b) 22 July 2020 | |
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| 4 | Article 4 Direction to Remove Permitted Development Rights for the Conversion of Offices to Residential

Purpose - To update members on the introduction of an Article 4 direction to remove permitted development rights for the conversion of offices to residential within Norwich city centre and to update members on recent changes to the General Permitted Development Order and Use Class Order. | 17 - 24 |
| 5 | Government Consultations on the Planning White Paper and Changes to the Current Planning System

Purpose - To inform members about two current government consultations with major ramifications for the planning system, and to seek members' views on the | 25 - 44 |

proposed consultation responses.

6 **Statement of Community involvement update**

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Purpose - To consider the proposed updates to the Statement of Community Involvement. The proposed updates are temporary and are in direct response to the impacts of the coronavirus pandemic (Covid-19) upon our ability to engage with the community using some methods, such as public meetings. This is as a result of the social distancing guidance which is issued by the government.

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Date of publication: **Wednesday, 23 September 2020**

Sustainable Development Panel**09:30 to 11:50****15 January 2020**

Present: Councillors Stonard (chair), Maguire (vice chair), Ackroyd (substitute for Councillor Lubbock), Carlo, Davis, Giles, Grahame, Maxwell, Stutely

Apologies: Councillors Lubbock

1. Declarations of Interest

There were no declarations of interest.

2. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 13 November 2019.

3. Greater Norwich Local Plan – Regulation 18 Draft Plan Consultation

(Mike Burrell, GNLP manager, attended the meeting for this item.)

(A supplementary report containing *Further information to be considered with the report*, which was circulated at the meeting and emailed to members before the meeting.)

The planning policy team leader presented the report. She commented that since she had drafted the report the period covered by the plan had been extended from 2036 to 2038, and apologised that some references had not been amended (paragraphs 3 and 11(b)). The consultation would run from 29 January 2020 to 16 March 2020. The Greater Norwich Local Plan (GNLP) would supersede the Joint Core Strategy (JCS) and site allocation plan. The 47 preferred sites for housing development in Norwich were set out in the draft GNLP Sites document (attached at Appendix 2 to the consultation document). This document excluded preferred site allocations for smaller villages in South Norfolk. South Norfolk Council would therefore be developing a separate “village clusters plan.” The council’s response to the draft plan was set out in the covering report.

The GNLP manager commented on the strategy position on growth and referred to the maps contained in the document and pointed out the main growth areas. He explained that the 9 per cent buffer would be more than was required as it did not account for “windfall” sites that could come forward during the period of the plan. He pointed out that there were contingency sites on the edge of the city at Costessey and at Wymondham. Proposed new settlement locations west of Easton at

Honingham Thorpe and near to Wymondham, around Stanfield Hall and Silfield, have been identified as “reasonable alternatives” through the draft plan for further consideration in the longer term. Around 20 per cent of the GNLP area lived in villages and it did not seem fair to deny new housing in villages. He explained that the proposal for a separate site allocations plan for villages in South Norfolk was legal and complied with National Planning Policy Framework (NPPF). Housing needed to be in sustainable locations on the edge of existing villages, with primary schools and access to public transport. This would be up to South Norfolk Council to determine the allocation of 1200 homes.

The chair by way of introduction to the discussion said that the plan was produced in partnership with Broadland District Council, South Norfolk Council and Norfolk County Council. Each authority had a veto and therefore the plan was based on compromise. There would be opportunities for the council to raise points of concern following the consultation, especially if responses provide leverage to the council's position.

In reply to a member's question, the GNLP manager explained the policy provision which required the use of renewable energy and the electrification of vehicles. During discussion members noted that there would be a modal shift and that technology would come forward during the life of the plan.

The planning policy team leader, in reply to a member, said that evidence was being worked on to support a potential Article 4 Direction to prevent poor quality conversions of office buildings under permitted development rights. A report would be brought before the panel at a further date but early indications suggested that there was evidence. The panel expressed its support for this work.

During discussion on rural dispersal and village clusters, members expressed concern about the need for decent public transport which was affordable and served rural communities. It was noted that many rural villages were inhabited by high paid workers who commuted to Norwich for work and school and did not contribute to the local economy of the village. There was also an inequality in that residents on low wages could not afford public transport or to purchase new hybrid/electric vehicles. Members agreed that they reinforced the city council's view on the separate site allocations plan for village clusters in South Norfolk.

The panel had a lengthy discussion on transport regarding the modal shift to low carbon modes of transport. The panel considered that there needed to be further information on funding for transport infrastructure to meet the growth agenda. Members also considered that there needed to be investment in rail services and consideration of a train station at Thickthorn/Hethersett. The panel also considered bus fares should be affordable and that franchising bus services could address this. Members also noted the potential growth at Costessey and Taverham, on the periphery of the city, and it was suggested that all bus routes should be orbital as well as radial to prevent short car journeys between places on the edge of the city. Members noted that Transforming Cities funding was supporting the growth agenda and that the GNLP could be used as leverage to help access future funding. A member expressed concern that the county council would need to ensure that funding available for transport supported the modal shift to low carbon modes of transport.

During discussion the panel noted the policy provision for sustainable energy but expressed concern that there was too much reliance on the development of new technology and that there was no contingency if the technology did not come forward to meet carbon zero by 2050. The panel also considered that as 73 per cent of the proposed development would be on Greenfield sites, greater weight should be given to biodiversity and the protection of wildlife corridors. It was noted that the Environment Bill, when it became legislation, would require a net gain in biodiversity from developments.

During discussion members considered that it was important that there was sufficient infrastructure to support sustainable communities. The GNLP manager said that officers were working very closely with health services and that the evidence will inform where additional health provision would be required, which would be inserted into the consultation documents under officer delegation. This evidence would cover all levels of health provision and would be reported to a future meeting of this panel.

Members were also reminded that the SPG on purpose built student accommodation had been considered by the panel and agreed at cabinet (13 November 2019.)

Members noted the changes to affordable housing that the government was proposing. The panel noted that the intention of the GNLP was to support sustainable development with good access to services and infrastructure. The GNLP manager advised members that there was a requirement of 20 per cent of new homes to be “lifetime homes” which were suitable for people of all ages and needs.

RESOLVED that despite the council’s concerns as noted in the covering report, which the panel endorses, and accepting that the plan is a partnership document which may require a degree of compromise, to recommend to cabinet that it endorses the publication of the draft Greater Norwich Local Plan documents for the Regulation 18 Draft Plan but wishes the following issues of outstanding concern to be taken into account in discussions about future iterations:

(a) **Emphasis on rural dispersal/village clusters**

The proportion of rural dispersal/village clusters is a concern. Members would not want to deny people who live and work in the rural economy the opportunity to continue to live in villages but identified that a lack of affordable and reliable public transport was a problem for them in terms of accessing employment and services. It identified the potential to support this level of rural dispersal by investing in renewable energy in villages which could be used to power electric vehicles. It was recognised that people with low incomes or living in affordable housing would be disadvantaged as they would not be able to purchase electric cars until prices come down, if at all. There also is concern that villages could become dormitories with a limited contribution to the local economy and about potential social inequality in villages, where a significant proportion of residents are high income professionals who commute into the city, which needs to be addressed. The infrastructure is not in place to serve village clusters and accommodate growth. The plan identifies access to primary schools but access to other essential infrastructure needs should be expanded.

Therefore location and sustainability of rural dispersal and village clusters development should be given further consideration.

(b) Transport infrastructure

The basic information on the modal shift to a low carbon mode of transport should be stronger in the plan, which does not recognise the need to integrate transport and land use policies or the use of mobility hubs, and further information is required on how this infrastructure will be funded to meet the needs of the growth agenda.

The panel believes there needs to be greater investment in rail transport, particularly on the Norwich to Cambridge route, to support the Cambridge-Norwich Tech Corridor and to promote links with Norwich Research Park. There is a need for both fast and slower services, stopping between Norwich and Cambridge, and this will require investment in additional track to create the necessary capacity. Consideration should be given to an additional station at Thickthorn/Hethersett.

Public transport needs to be affordable and serve local communities to encourage use. The franchising of bus operators could address this and should be examined as a possibility.

Growth is recommended at Costessey and Taverham, on the periphery of the urban built up area, but current bus service routes into the city are radial rather than orbital. This encourages car use for short journeys and needs to be addressed.

(c) Climate change

Given that the end of the plan period is only 12 years from 2050, the current target for carbon neutrality, policies relating to climate change need to be more ambitious in order for that target to be met. There is concern that the reliance on the development of new technology, such as carbon capture, may not be sufficient to deliver the step changes needed to achieve this target and that, therefore, this requires additional measures to be identified.

It is recognised that the Environment Bill will make it mandatory for all developments to have a biodiversity net gain and that once the bill passes into law, this requirement will be incorporated into the Greater Norwich Development Plan. Given that 73 per cent of the proposed growth in the development plan area will be on Greenfield sites, it is important that enhanced biodiversity measures are included in the policy to mitigate the impacts of this development.

4. Retail Monitor 2019

The chair introduced the report and commented that the reduction in vacant available floor space and decrease in vacant units in the city centre was positive. The removal of traffic in Westlegate had made it pleasant for shoppers.

The senior planner (policy) presented the report and circulated a colour version of Table 9 at the meeting. She explained that the retail vacancies have continued to increase in the secondary retail area but that the large retail unit that had been occupied by Toys R Us remained vacant. She explained that the retail policy in the

emerging GNLP would allow for the diversification of retail units for leisure use which although would reduce retail floor space, would reflect current retail trends.

(Councillor Stonard, chair, left the meeting at this point. Councillor Maguire, vice chair, was in the chair for the remainder of the meeting.)

Discussion ensued on the closure of department or chain stores and potential to use large department stores for other uses. The senior planner (policy) said that if one of the large department stores such as Debenhams were to close then the council would have to assess whether it was appropriate to allow for diversification to other uses. It may be appropriate to retain retail uses at street level whilst allowing more flexibility at upper floor levels with for example encouraging living accommodation on the upper floors.

In response to a question, the senior planner (policy) said that the city was doing better than the national average although it is hard to compare figures due to various methodologies of data collection. The national data was obtained from the Local Data Company and its data could be used to compare Norwich with other cities. Members of the panel agreed that there should be opportunities for small retailers in the city and that the policy should reflect that. Norwich Market was considered to be the best in the country.

RESOLVED to note the findings of the 2019 Retail Monitor.

CHAIR

Sustainable Development Panel**09:00 to 10:40****22 July 2020**

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

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 15 January 2020, subject to item 3 Greater Norwich Local Plan – Draft Plan Consultation, third paragraph, second sentence, replacing “203” to “2038”. (It was subsequently noted that there were a number of typographical errors in the minutes and it was not a final document. Therefore the minutes will be re-presented to the panel at its next meeting for approval.)

3. Greater Norwich Local Plan Update

The director of place presented the report which provided an update on the progress of the Greater Norwich Local Plan (GNLP) and summarised the reports considered at the Greater Norwich Development Partnership (GNDP) meeting on 10 July 2020. The council's concerns about the GNLP, as set out in the minutes of the panel's last meeting, had been reiterated at the GNDP meeting. Members were referred to paragraph 10 which provided an explanation of the housing need assessment. The Central and East Norfolk Housing Needs Assessment (HNA) would inform the GNLP and indications suggested that the latest projections were likely to be higher than previously. The GNDP had agreed a revised timetable for remaining stages of the GNLP in order to reflect the large volume of representations and the revised circumstances of Covid-19. The director of place considered that the later stages of the timetable were ambitious and in the control of the Planning Inspectorate. The panel would have an update on the timetable in the autumn. Members were also advised of the uncertainty of the government's planning policy approach and that it appeared to be deregulating the planning process.

During discussion the panel considered the powers available to local planning authorities under Article 4 directions and the increasing deregulation of the planning process by government. The director of place said that future planning policy would be impacted by deregulation. The government had introduced permitted development rights to convert offices to residential accommodation. It had recently increased the number of tests for this permitted development, following concern at

the operation of permitted development rights resulting in, for example, the conversion of an office building in Watford where none of the seven flats had any windows. Previously the tests had been health and safety, transport, and flood risk, and were subsequently increased to include, noise and amenity but there was still scope for a poor standard of accommodation to be provided. An Article 4 direction removed the permitted development right and the local planning authority required a strong case to support it. Planning applications would be required to implement the permitted development rights withdrawn by the Article 4 direction. The application would then be subject to determination by the local planning authority in accordance with its development plan and material planning considerations at the time. The applicant could submit an appeal to the Planning Inspectorate. There were concerns about progressing the Article 4 direction (as proposed in the next agenda item) when the government was considering the extension of permitted development rights to include the demolition and rebuilding of office buildings, although unlikely that this would apply to offices in the historic city centre and conservation areas, as it would undermine the effectiveness of the council's proposed Article 4 direction to control the change of use of office buildings as a driver of the local economy and the Covid-19 recovery plan.

In reply to a member's question about Historic England's consultation response, the director of place explained other councils had a policy on tall buildings but the city council was reluctant to conduct an additional exercise to provide a policy whilst the prospect of reaching an agreement with Historic England about its content was remote. Historic England had objected to four proposals of significant height buildings in Norwich in recent years which he considered sat comfortably with the city's skyline and street scenes. Therefore, it was unlikely that the council would seek to take forward a tall building policy unless there was some agreement. The Secretary of State's determination on Anglia Square was expected on 7 September and the Planning Inspector's report would be a useful tool to further discussions with Historic England on how to resolve the issue. It would not be the right approach to restrict the building of all high buildings in the city. There had been occasions where the planners had advised developers that the height of a proposed building was unsuitable, particularly in the river valley or where it would obscure an ecclesiastical building, but there were some places in the city where a tall building added value.

The director of place answered questions on the standard methodology for assessing housing need (as set out in paragraph 10) and confirmed that there was risk that the local housing needs assessment would not fit into the GNLP timetable. The development management plan needed to demonstrate a five year land supply and quantifiable housing need. The government's revised standard methodology was expected to be published in June but had been delayed and therefore expected in the autumn. It was vitally important that the city council understood its own housing needs both in quantifiable terms and how Covid-19 had affected the need for different types of accommodation, getting people off the streets and increasing demand for affordable housing. A refresh was therefore considered necessary.

The director of place explained the East Norwich Masterplan comprised all of the Carrow Works site; Carrow House on King Street, the Deal Ground and Utilities site. The masterplan included areas outside the city council's boundaries in South Norfolk and the Broads Authority.

The planning policy team leader explained the Greater Norwich Local Nature Recovery Strategy was a requirement of the Environment Bill which had not yet been enacted. She undertook to feed back further information to members as this new strategy was developed. She expected that it would be in the form of an action plan on biodiversity gain.

A member referred to the consultation responses and said that 75 per cent of respondents objected to the proposals for village clusters which demonstrated support for the council's concern on the sustainability of this type of development. The director of place said that the GNLP consultation was on village clusters in Broadland and that at this stage of the consultation it was common for responses on individual sites to be negative. South Norfolk Council would be consulting on its village cluster plan as part of a separate process to the GNLP. The consultation was expected in the autumn and there would be an opportunity for the city council to consider making representations. The number of the responses on the Broadland village clusters was not large given the size of the allocations.

In reply to a question, the director of place confirmed that the consultation in November/December would include transport and could include some site allocations. The Planning Inspectorate determined the soundness of the development plan. The inspectors took a pragmatic view that funding for infrastructure would be announced during the period of the plan and would not find the development plan unsound because funding could not be evidenced. That was the case for the Joint Core strategy process. Deliverability of infrastructure to support the growth was an important issue for the soundness of the plan and would require evidence at the point of examination by the Planning Inspectorate.

The director of place explained the reasons for the amended timetable and denied that there was a correlation with the Western Link planning application. The GNLP team was home working and had limited access to technology. However the impact of Covid-19 and government guidance meant that the evidence base needed to be updated. It was the view of the GNLP and officer group that to push ahead with the submission of the plan and commence the Regulation 19 consultation this year could result in the plan being unsound and the risk was too great to consider. The submission of the plan next summer would give time to test that it was sound and robust. There would also be scope for further consultation and reflection on the progress of the Western Link and the county council's review of the Transport for Norwich plan, which it was committed to consider this financial year. The plan should have regard to the county council's policy on transport as it was integrated with land use and transport as part of the development plan process.

In reply to member's questions on the government's proposals, the director of place said that he was not aware that proposals for local planning authorities to pay back fees to applicants in the event that they were successful at an appeal against refusal had been implemented. Members were also aware that planning applications could be subject to call-in from the Secretary of State. The proposal was unwelcome as anything that created a loss of income to the local planning authority would be. He asked members to take comfort in that, should it be implemented, the council performed well in national league tables. The number of appeals against the council's determinations was low and therefore this proposal would not be as punitive to the council as it could be to others.

With regard to the Environment Bill, it would be necessary for the council to assist and provide positive advice to the industry on the provision of biodiversity net gain so as not to frustrate development. An onerous system would drive development out of the city centre where it would be less sustainable and not assist the economy of the city. A member expressed concern that biodiversity should “frustrate” development and that the lockdown demonstrated the importance of outdoor spaces to residents. The director of place explained that he was not suggesting that biodiversity net gain was anything but positive. The policy framework would protect parts of the city that were unsuitable for development. The purpose of the initiative was to maximise the biodiversity net gain from development without overburdening the process. The planner advised members of a credit system being piloted by some local planning authorities and Natural England which would enable developers to put funding into the credit scheme to be spent elsewhere in the development plan area.

The director of place said that it was too soon to make assumptions about the impact of Covid-19. The GNLP team would look at the spatial implications of changes to the numbers of people in employment, the nature of that employment and where the growth sectors were. There were challenges around fewer people coming into the city centre to work in offices and this would impact on transport. The director of place then referred to the trend of home working and said that it was likely that offices with a smaller footprint would be required for office workers to meet creatively once or twice a week. It was unlikely that employers would go back to the same office use as prior to February 2020 and the wider question would be how this affected office use across the GNLP area. The issues would provide evidence to support the local plan and would have an impact on transport.

A member asked whether performance league tables were sized up by potential developers who then selected a council that was likely to approve the application, which could be exacerbated by the government increasing deregulation of the planning system. The director of place commented that he did not consider the league tables were the driver of development and that the five year land supply was taken into consideration by the industry. The planning system was operating in a degree of uncertainty and it was difficult to foresee two or five years ahead. Further guidance from the government on future policy statements was expected within the month.

The vice chair referred to the GNLP meeting and said as alluded to in the consultation responses from the public and the city council’s own response, the plan was inadequate on environmental issues. He asked whether the city council would have another opportunity to comment on this. The director of place confirmed that a further round of Regulation 18 consultation was proposed in the autumn. The final round of consultation (Regulation 19 stage) would focus on the soundness of the plan and the city council would need to be satisfied at that point that the plan was sound before submission to the Planning Inspectorate. There was statutory guidance on soundness including cooperation with neighbouring authorities. The examination process by the Planning Inspectorate would test the soundness of the plan. The Planning Inspector could call on any parties who had made representations or objections during the consultation to provide evidence. Government bodies and others who had not made representations, could also be requested to appear and produce evidence at the inquiry. The GNLP was currently at the stage where policy was being considered, then consulted on and the appropriate action in response to the revised evidence base was being taken. It was

proposed to discuss papers at the panel prior to consideration at the GNDP meeting so that members could discuss them to inform the cabinet members and feed into the process.

In reply to a member's question, the director of place said that the city council recognised the climate emergency and had pushed for greater recognition of this in the GNLP in the broader objectives and in detailed policy. The city council would continue to push on this issue. The Transport for Norwich strategy was a strategic document based on traffic modelling and its refresh would need to have the vision to predict changes to transport needs in the light of Covid-19.

RESOLVED to note the level and nature of responses to the recent GNLP consultation, the revised timetable and likely changes to the planning system which may impact on the plan.

4. Article 4 Direction to Remove Permitted Development Rights for the Conversion of Offices to Residential

The senior planner (policy) presented the report and referred to the Ramidus report commissioned by the city council and said there was a compelling case for the proposed Article 4 Direction to restrict permitted development rights for the conversion of offices to residential use within city centre.

During discussion members welcomed the proposal but said that the government policy to permit the conversion of office accommodation to residential was not the only factor for the loss of office space in the city centre. The member considered that this process had started in the 1990s with the construction of the Southern ByPass and the development of Broadland Business Park and large companies relocating there from the city centre. There were three councils involved in the GNLP area and the city council was not in full control. Another consideration to take into account was that the conversion of offices was due to poor quality and therefore had been repurposed, such as the student accommodation in the city centre. These factors should be mentioned in the report. The planning policy team leader referred to the Ramidas report and said that it did cover the need to promote office space in the city centre. She pointed out that an Article 4 direction was just one tool to protect office space. The Ramidas report considered the possibility of having a digital hub in the city centre. The Article 4 direction supports a strong and vibrant city centre which was supported in the GNLP.

Other members supported the Article 4 Direction and noted that there was evidence to support it. As alluded to earlier in the meeting by the director of place, office use would change. It put the council in a position of control where it could determine applications, whether to retain offices or convert to alternative uses.

The vice chair spoke in support of the proposal. He referred to the issue of office conversions under permitted development rights being unfit for habitation and the time and cost of legal proceedings undertaken by the council in enforcement. It was important to keep the vibrancy of the city centre which had a critical mass of office accommodation and was the national centre for the insurance industry.

A member asked about the prospect of bringing in an immediate Article 4 direction and asked whether there were any examples of other councils that had introduced

one for the removal of permitted development rights for conversions from offices to residential use. The senior planner (policy) said that she was not aware of any other councils who had pursued this because of the risk of significant compensation claims.

RESOLVED, unanimously, to recommend to cabinet that the council proceeds with the introduction of a non-immediate Article 4 direction to remove permitted development rights for the conversion of offices to residential.

CHAIR

Report to	Sustainable Development Panel	Item
	1 October 2020	
Report of	Director of place	4
Subject	Article 4 Direction to Remove Permitted Development Rights for the Conversion of Offices to Residential	

Purpose

To update members on the introduction of an Article 4 direction to remove permitted development rights for the conversion of offices to residential within Norwich city centre and to update members on recent changes to the General Permitted Development Order and Use Class Order.

Recommendation

To note the delay to the introduction of the Article 4 direction.

Corporate and service priorities

The report helps to meet the corporate priority for great neighbourhoods, housing and environment and the service plan priority to implement the local plan for the city.

Financial implications

There will be a financial cost associated with the required publicity for introducing an Article 4 direction but the costs should not be affected by the proposed delay. It is expected that this will be met from existing budgets.

Ward/s: Mancroft, Lakenham, Town Close, Nelson, Mile Cross, Sewell, Crome, Thorpe Hamlet

Cabinet member: Councillor Stonard - Sustainable and inclusive growth

Contact officers

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Background documents

None

Report

Context

1. In July, a report was presented to the sustainable development panel to seek views on the need and possible introduction of an Article 4 direction to remove permitted development rights for the conversion of offices to residential within Norwich City Council. Members unanimously voted in favour of recommending to cabinet that the council proceeds with the introduction of a non-immediate Article 4 Direction. The report is available on the council's website with the agenda and papers for the meeting of the sustainable development panel on 22 July 2020:
<https://cmis.norwich.gov.uk/live/Meetingscalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/803/Committee/9/SelectedTab/Documents/Default.aspx>
2. Whilst officers proceeded with drafting the direction, producing maps and writing the Cabinet report, the government have recently made amendments to both the General Permitted Development Order and the Use Class Order which have significant implications on the proposed Article 4 Direction. A summary of the recent amendments to legislation is attached as Appendix 1 to this report. The changes which will affect Norwich's office economy and the introduction of an Article 4 direction are summarised in the section below.

Changes to legislation

3. On 31 August 2020, new permitted development rights (Class ZA) were introduced which allow for the demolition of single detached office or residential buildings (they cannot share a party wall with a neighbouring building) and the construction of new flats or dwellinghouses in their place. However there are a number of exemptions with the most relevant ones for Norwich being that it does not apply within conservation areas. Therefore the majority of the city centre and the proposed area for office protection under an Article 4 direction area will be excluded. There are a handful of buildings such as Marsh, Norvic House, Dragonfly House and Yare House that do not fall within the conservation area; however these are also exempt on other grounds such as being larger than 1,000 square metres and not being detached. It is therefore not considered necessary to introduce an Article 4 direction to prevent development under Class ZA of the General Permitted Development Order.
4. The second amendment which is of particular relevance is that on 1 September 2020 new legislation took effect which brings in 3 new use classes which will replace a number of existing use classes. One of the new use classes is Class E (commercial, business and service). Class E will include shops, financial and professional services, restaurants and cafes, B1(a) offices, gyms, healthcare, day nurseries/childcare. As planning permission is not required to change to other uses within the same class, consent is no longer required to change between uses that previously fell under separate class including A1, A2, A3, B1, D1 and D2. The government has set out that the purpose of this change is to allow greater flexibility and whilst it is likely to have an impact upon Norwich's high street and district and

local centres due to a loss of control, in terms of Norwich's office economy, it's likely impact is not yet known. However where any change of use does result in a loss of office accommodation, the new use is likely to still have some form of contribution to Norwich's economy in a way that a change of use to residential cannot.

5. The more immediate concern for Norwich in relation to the amendments to the Use Classes Order is what this means in terms of the introduction of the Article 4 direction to control the loss of offices to residential and having sought clarification and advice from both NPLaw and the Ministry of Housing, Communities and Local Government (MHCLG), it is not considered that we can continue with making the direction at this point in time unless if the Council is willing to pay compensation. The reason for this is as follows:
6. Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 is currently the relevant legislation which allows offices to change use to residential without the need for full planning permission. Class O currently references "*change of use of a building and any land within its curtilage from a use falling within **Class B1(a) (offices)** of the Schedule to the Use Classes Order*". The amendments to the Use Class Order which are to be introduced on 1 September 2020 effectively revoke class B1(a) which means that the Class O right becomes meaningless or "falls away". There is a transitional period until the 31 July 2021 (referred to in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 as the 'material period') however this transitional period expires before our proposed Article 4 direction was due to come into force due to the need to give 12 months' notice to avoid what could be substantial compensation claims.
7. As far as we are aware the intention of MHCLG is that the General Permitted Development Order is likely to be amended in due course but until these amendments are published we do not know what will replace Class O and until there is legislation which provides for that, there is nothing we can refer to in an Article 4 direction.
8. Therefore the advice from NPLaw is that unless the council is willing to pay compensation (which could potentially be huge), the earliest we can withdraw office to residential conversion Permitted Development rights with an Article 4 direction is 12 months after the Class O replacement/amendment comes into effect.
9. The delay in introducing an Article 4 direction is extremely regrettable; however given the legal advice which we have received it is considered necessary to await the changes to the General Permitted Development Order and once we know what these are we can consider our options and report back to this panel.

Appendix 1 - Summary of recent changes to the General Permitted Development Order and Use Class Order

Changes to permitted development

The government has recently brought in a raft of changes to planning legislation. Some have been introduced as 'emergency' measures due to coronavirus and without any consultation. A summary of the main changes are outlined below.

Five different statutory instruments amending permitted development rights have been introduced since lockdown. These changes provide for (this is a summary only and the original legislation should be referred too for detailed wording and details of all exemptions and requirements):

- Restaurants, cafes and drinking establishments can operate as hot food takeaways for up to a year starting 24 March 2020.
- PD rights for local authorities to undertake any development for purposes of preventing, reducing, controlling, mitigating or taking other action in connection with an emergency. These are wide ranging but temporary with any use needing to cease by the end of the year and any building erected removed up to 12 months later.
- A temporary widening of the ability to use land temporarily for a use up to 28 days between 1 July – 31 December 2020.
- Introduction of an ability to consider the provision of adequate natural light in all habitable rooms when considering prior approval applications for conversion to dwellings (i.e. such as office to residential). Floor plans and elevations are also now required.
- A range of new permitted development rights to allow for the construction of new dwellings above existing properties. This provides for:
 - Up to two additional storeys of flats (including associated works) above the following existing types of properties:
 - Purpose-built, detached blocks of flats;
 - Detached commercial or mixed use buildings;
 - Terrace properties in residential, commercial or mixed use;
 - Detached dwellings.
 - A wide range of restrictions apply including:
 - Does not apply in Conservation Areas and to Listed Buildings;
 - Does not apply to buildings constructed prior to 01 July 1948 or after 05 March 2018;
 - Limits on storey and overall height.
 - This is subject to a prior approval process which can consider the following:

- highways;
- air traffic;
- contamination;
- flooding;
- neighbour amenity, light to new dwellings;
- design and external appearance;
- heritage and archaeology;
- landscaping;
- where the building is commercial additional considerations of impact on business and noise from commercial premises.
- There is a 3 year time limit and a construction management plan must be submitted.
- Unlike other prior approval processes automatic approval is not given if a decision is not made within a time limit and unusually no time limit is given for determination however there will be a right of appeal.
- Upward extensions to dwellings allowing up to two additional storey's above an existing house.
 - Does not apply to a listed building or in a conservation area;
 - Applies to properties constructed between 1948 and 2018;
 - Includes height restrictions;
 - Is subject to a prior approval process allowing consideration of neighbour amenity, external appearance and air traffic.
- Demolition of buildings and construction of new houses.
 - Allows for the demolition of a purpose built detached block of flats, a detached building in B1 use and construction of a detached block of flats or a detached house along with associated works.
 - Some key restrictions are that this does not apply to:
 - a conservation area or listed building;
 - to buildings constructed prior to 1989;
 - if the footprint exceeds 1,000sqm;
 - if the building has not been vacant for at least 6 months;
 - the footprint of the demolished building cannot exceed the footprint of the old building;
 - upto two additional storey's can be added.
 - A prior approval process is required which considers the some of the matters as upward extensions (but not all) with the addition of design and landscaping.

Implications

- Inability to deliver any affordable housing via prior approval process;
- Potential for poor quality housing – although natural light can be considered, there is no ability to consider matter such as internal space, external amenity space, refuse storage and cycle storage.

- Trees and landscape are not considerations for some prior approval application types. Neither is ecology however other legislation may avoid the most significant harm.
- Lack of direct reference to matters which we have a legislative duty to consider such as ecology, impact on listed buildings, conservation areas and equality leads to a fragmented system and likely confusion for the development industry.
- Potential increase in pressure on public services, particularly recreational facilities and open space.
- Changes to fee regulations have not yet been made so currently we can't charge a fee for these applications. Draft fee regulations propose a fee of £334 per dwelling (below the £462 per dwelling for a full application).
- The draft fee regulations do not provide for any fee for upward residential extension prior approval applications (note HCLG committee have recommended local fee setting last month although this has been muted since 2010).
- Resources to enforce when temporary arrangements cease;
- Likely to increase resource burden on local planning authorities rather than decrease particularly in urban areas;
- Likely to increase uncertainty and makes the planning system even more complex;
- Has the potential to lead to homes in inappropriate areas;
- The legislation has had fairly heavy criticism from across the board, including RIBA, RTPI, Shelter and somewhat flies in the face of a July 2020 report by Liverpool University and UCL commissioned by MHCLG which although carefully worded, has heavily criticised homes delivered via permitted development rights.

Changes to the Use Classes Order

The use classes order was overhauled on 01 September with some transitional arrangements.

Ultimately existing use classes A1-5, B1 and D1-2 have been removed and replaced with new class E (Commercial, Business and Service) and F1 (Local Community and Service) and F2 (Local Community).

A summary of these is contained in the table on the following page.

Implications

- Changes of uses between the same use class do not require planning consent, this allows for significant flexibility between use classes now in class E in particular.
- It reduces our control and will have particular implications for some policies which seek to protect retail and office space and locate retail and leisure in sustainable locations.

- Changes to permitted development rights have not yet been drafted to reflect these changes.
- Transitional arrangements are set out meaning that permitted development rights will continue to apply until August 2021. However after this date we don't know what will happen with permitted development rights for office to residential (i.e. will all class E properties be permitted to change or will they do a partial replacement).
- This will have significant implications for our ability to progress the officer to residential article 4 direction.
- It could result in an increase in leisure and retail uses in industrial estates. This has caused conflict with users in the past.

Use	Current Use Class	Use Class from 01 Sep
Shop no more than 280sqm mostly selling essential goods and with no other provision within 1km	A1	F2
All other Shops	A1	E
Financial and Professional Services	A2	E
Café or Restaurant	A3	E
Pub or drinking establishment	A4	Sui Generis
Hot food take away	A5	Sui Generis
Office	B1a	E
Research and development	B1b	E
Light industrial	B1c	E
Industrial	B2	B2
Storage and Distribution	B8	B8
Hotels and guest houses	C1	C1
Residential institutions	C2	C2

Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Small HMO (up to 6 residents)	C4	C4
Clinics health centres, crèches, day nurseries, day centre	D1	E
Education, museums, libraries, exhibition/public halls, places of worship, law courts	D1	F1
Cinemas, concert halls, bingo halls, dance halls	D2	Sui Generis
Gymnasiums, indoor recreation	D2	E
Hall or meeting place for the community	D2	F2
Swimming pools, skating rinks, sports and recreation.	D2	F2

Report to	Sustainable development panel 01 October 2020	Item
Report of	Director of place	5
Subject	Government Consultations on the Planning White Paper and Changes to the Current Planning System	

Purpose

To inform members about two current government consultations with major ramifications for the planning system, and to seek members' views on the proposed consultation responses.

Recommendation

To comment on the emerging response to be submitted to government by the end of October on the Changes to the Current Planning System consultation, and to recommend that cabinet approves the proposed consultation response on the Planning White Paper to be submitted by 29 October.

Corporate and service priorities

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

Financial implications

None directly as a result of this report. Although there is limited detail at this stage the proposals, if introduced, will impact upon planning fees and on infrastructure levy receipts, with implications for the capital strategy.

Ward/s: All Wards

Cabinet member: Councillor Stonard - Sustainable and inclusive growth

Contact officers

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Background documents

None

Report

1. The government published two consultation documents on 6 August:
 - the [Planning White Paper](#) (Planning for the Future¹) consultation which runs for 12 weeks until 29 October; and
 - the [Changes to the current planning](#) system consultation² which runs for 8 weeks until 1 October.
2. Both these consultations propose major changes to the planning system, with far-reaching implications for plan making, development management and infrastructure delivery, if implemented.
3. This report sets out relevant background to the current proposals, summarises the main elements of each consultation, sets out key issues and implications for Norwich and Greater Norwich, and proposes responses to each consultation.
4. The approach taken in terms of the council's responses is not to complete the lengthy response forms provided in the consultation documentation, as these are designed to lead respondents rather than to engender an intelligent and informed response. They are also time-consuming to complete and experience to date indicates that the government pays little regard to their content. Instead the proposed approach is to include the council responses in the main body of this report, set out below, with the intention of giving a clear and succinct message to government.
5. The Planning White Paper consultation response will be discussed by both Sustainable Development Panel and cabinet (meeting on 14 October), whilst the Changes to the Current Planning System consultation response will be considered by sustainable development panel only, given that consultation ends in advance of the cabinet meeting, but will be reported to cabinet for information.

Wider context

6. Over recent years the government has placed increasing emphasis on housing delivery with the aim of significantly raising housing delivery nationally to 300,000 units per annum. It has consulted on a range of housing related issues over the past 4 -5 years including Starter Homes (2017), the Housing White Paper (2017), Planning for the right homes in the right places (2017), First Homes (2020) and Future Homes (2020). Policy measures introduced in this period aimed at increasing housing numbers

1

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf

2

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907215/200805_Changes_to_the_current_planning_system_FINAL_version.pdf

include the Housing Delivery Test and the standard method for assessing housing need.

7. Alongside these measures the government has also been relaxing planning controls through changes to permitted development rights, in order to provide greater flexibility in terms of changes of use without the need for planning consent. Further changes to permitted development were enacted on 1 September resulting in new use classes and greater flexibility in changes of use. The overall effect of changes to permitted development rights and use classes has been to reduce local authorities' control over new development. In addition it should be noted that the community infrastructure levy is currently not payable on housing development through permitted development.

Planning White Paper: Planning for the Future

8. In its 84-page 'Planning for the Future' White Paper consultation document, the government sets out a range of proposals to radically reform the current system of local plans, development and developer contributions. Its case for such radical reform includes the following criticisms:
 - (a) the existing planning system is too complex and inflexible;
 - (b) local plans taking too long to prepare, and assessments of key matters such as housing need, viability and environmental impacts are too complex and opaque;
 - (c) the system does not facilitate enough homes being delivered and it is ineffective in providing the infrastructure needed to support them;
 - (d) the process for developer contributions for affordable housing is complex, protracted and unclear;
 - (e) the planning system, which is based on 20th century technology, does not engage effectively with communities who could be more meaningfully engaged if the system were more digitally focused
 - (f) planning decisions are discretionary;
 - (g) there is not enough focus on design and little incentive for high quality new homes and places; and
 - (h) there has been a loss of trust in the system.
9. Despite the range of issues identified as requiring reform, the white paper does however acknowledge that "planning matters" and stresses the importance of a planning system in creating great places.
10. The government sets out 25 separate proposals in the white paper, encompassing a new, simplified approach to plan-making, a streamlined development management system, speeding up delivery of development, planning for infrastructure, and delivering change. The white paper is a very high level document with little detail provided for many of its proposals. The proposals are summarised below under five main headings (reflecting the structure of the Proposals section of the white paper).
11. The white paper states that its proposals would require primary legislation followed by secondary regulation. The timing for bringing forward this legislation is not clear though the expectation is that new local plans would

be in place 'by the end of the Parliament'. This would mean the legislation would need to be in force by mid-2022 at the latest.

Streamline the planning process with more democracy taking place more effectively at plan-making stage.

12. This includes:

- (a) Simplifying the role of local plans. Their primary role would be to identify areas for development and protection, identifying land under three categories. **Growth areas** are described as being suitable for 'substantial development', to be defined in policy but including land suitable for comprehensive development and areas for redevelopment, urban regeneration sites etc, where outline approval for specified forms or types of development would be automatically secured. **Renewal areas** are described as suitable for some development, for example gentle densification of residential areas, development in town centres, and there would be a statutory presumption in favour of development being granted for uses specified as being suitable in these areas. **Protected areas**, including conservation areas and areas of outstanding natural beauty, would be identified where development is restricted as a result of their particular environmental and or cultural characteristics.
- (b) Local Plans will be required to set out clear rules rather than policies for development. General development management policies would be set nationally with a more focused role for Local Plans in identifying site or area-specific requirements (for example broad height limits, scale and or density limits for Growth / Renewal areas). The National Planning Policy Framework (NPPF) would become the primary source of policies for development management. The proposal is to turn plans from long lists of general policies to specific development standards.
- (c) Introduction of design codes which would be prepared locally with community involvement, ideally on a twin track with local plans, either for inclusion in the plans or as supplementary planning documents. The aim is to provide certainty and reflect local character and preferences about the form of development. These will follow a national design code setting out rules for development across the country.
- (d) Public and stakeholder engagement would take place mainly at plan-making stage, and consultation at planning application stage would be streamlined.
- (e) Introduction of a streamlined development management process to make the system faster and more certain:
 - (i) In Growth areas, automatic grant of outline consent agrees principle of development, with further details / full permission to be agreed through streamlined and faster consent routes (reformed reserved matters process; local development order which could be prepared alongside local plan; or Development Consent Order for very large sites under the nationally significant infrastructure regime (NSIP); or possibly using planning powers of Development Corporations)

- (ii) In Renewal areas, there would be a general presumption in favour of development established in legislation, with a new permission code for pre-specified forms of development; a faster planning application process for other forms of development in context of local plan description and the National Planning Policy Framework (NPPF); and a local or neighbourhood development order.
- (iii) In both the above, a different proposal could come forward (by exception) but would require a planning application.
- (iv) In Protected areas, any development proposals would be subject to planning applications as now and judged against NPPF.
- (v) The current time limits for determination of planning applications of 8 or 13 weeks should be a firm deadline, not an aspiration. Penalties for councils that fail to determine an application within the statutory time limits could involve automatic refund of the planning fee for the application.
- (vi) Where applications are refused there will be automatic rebate of the fee if an appeal is successful.
- (f) Local plans would be subject to a single statutory 'sustainable development' test, replacing the test of soundness, and would incorporate a slimmed down assessment of deliverability.
- (g) The Sustainability Appraisal system would be abolished and replaced by a simplified process for assessing the environmental impact of local plans.
- (h) The legal 'duty to cooperate', which requires local planning authorities to continually engage with neighbours on strategic issues such as housing numbers, is proposed to be abolished. However the white paper states that further consideration will be given to the way in which strategic cross boundary issues, such as major infrastructure or strategic sites, can be adequately planned for.
- (i) Local Plans should be visual and map-based, standardised, based on the latest digital technology and supported by a new standard template.
- (j) Plans should be shorter in length and limited to no more than setting out site-specific parameters and opportunities.
- (k) Councils and the Planning Inspectorate would be required through legislation to meet a statutory timetable for local plan preparation of 30 months maximum, with sanctions for those who fail to achieve this.
- (l) Under proposed transitional arrangements, there is a statutory duty to adopt a local plan by a specified date, either 30 months from legislation being brought into force, or 42 months for authorities who have adopted a LP within previous 3 years or where a local plan has been submitted to the Secretary of State for examination.
- (m) Seek to strengthen enforcement powers and sanctions, moving towards a rules-based system.

- (n) Develop a comprehensive resources and skills strategy for the planning sector to support implementation of reforms. The document notes that proposals for 'improving the resourcing of planning departments' will be published later this year.
- (o) It proposes that councils should be subject to a new performance framework to ensure continuous improvement across all planning functions, and to enable early intervention if problems emerge with individual authorities.

Take a radical, digital-first approach to modernise the planning process, driven by data.

13. This includes:

- (a) Supporting local planning authorities to use digital tools to support a new civic engagement process for plan-making and decision-making. The planning process would be increasingly digitised moving from 'a process based on documents to a process driven by data';
- (b) Standardising and making publicly accessible the critical datasets that planning relies upon including planning decisions and developer contributions; and
- (c) Modernising software for making and managing planning applications.

Bring a new focus to design and sustainability

14. This includes:

- (a) Ensuring planning systems combat climate change and maximises environmental benefits. The NPPF will focus on areas where planning system can do this;
- (b) Facilitating 'ambitious' improvements in energy efficiency standards by 2050 including net zero carbon-ready new homes by 2025;
- (c) Under a proposed new 'fast-track for beauty', proposals for high quality developments that reflect local character and preferences and comply with local design codes and the revised NPPF, would benefit from 'automatic permission'. New development would be expected to create a 'net gain' to areas' appearance;
- (d) For growth areas, the government will legislate to require that a masterplan and site-specific code are agreed as condition of permission in principle which is granted through the plan;
- (e) Introduction of a simpler framework for assessing environmental impacts / assessment opportunities;
- (f) Design guidance and codes, produced with local input, would set rules for design of new development, and a new body established to support delivery of design codes;

- (g) Each local planning authority would be required to have a chief officer for design and place-making;
- (h) Protect historic buildings and areas whilst ensuring consent framework is fit for 21st century; and
- (i) The government will legislate to widen and change nature of permitted development to enable popular and replicable forms of development to be approved easily / quickly in accordance with design principles. A pilot project will be developed to test this concept.

Improve infrastructure delivery

15. This includes:

- (a) A new single 'infrastructure levy' (IL) would replace the existing developer contributions system of Section 106 agreements and the community infrastructure levy. This would be a nationally set, flat rate charge, and based on the final value of a development above a minimum viability threshold to avoid making development unviable. The intention is that this will raise more revenue than under the current system and deliver at least as much affordable housing. The white paper states that the new levy could be used to capture a greater proportion of the land value uplift that occurs through grant of planning permission and use this to enhance infrastructure delivery, but that this 'would need to be balanced against risks to development viability';
- (b) Increased flexibility for local authorities on how the Levy is spent: local planning authorities will have more powers to determine how developer contributions are used and expand scope of IL to include affordable housing provision;
- (c) Local authorities can borrow against the new levy; and
- (d) The scope of the new levy could be extended to capture changes of uses through permitted development rights, allowing these developments to better contribute to infrastructure delivery.

Ensure more land is available for homes and development that people need and to support renewal of towns and urban centres.

16. This includes:

- (a) The standard housing need method would be changed so that the housing requirement is binding on local planning authorities who would have to deliver it through their local plans. The new method is a means of distributing the national housebuilding target of 300,000 new homes annually. This nationally identified requirement would be focused on areas where affordability pressure is highest and having regard to a range of other local factors including the size and capacity of existing settlements, opportunities for better use of brownfield land, and inclusion of an appropriate buffer to take account of lapse rate and to offer sufficient choice to market. There is a current consultation on the new

standard methodology, alongside the white paper consultation, which is discussed below at paragraphs 50-55;

- (b) The government is considering getting rid of the five-year housing land supply requirement. It states that 'its proposed approach should ensure that enough land is planned for, and with sufficient certainty about its availability for development, to avoid a continuing requirement to be able to demonstrate a five year supply of housing land'. However it proposes to maintain the Housing Delivery Test and presumption in favour of sustainable development;
- (c) Speeding up construction where development has been permitted, by allowing for big building sites to be split between developers to accelerate delivery. The NPPF would be revised to ensure that masterplans and design codes should seek a variety of development types from different builders to allow for more phases to come forward together; and
- (d) Providing better information to local communities and promote competition amongst developers.

Council's response to Planning White Paper

17. Some criticisms of the current planning system as set out in the white paper are well founded, including the length of time it takes to produce a local plan for example, and the need for better use of technology in planning processes. However many of the proposals raise serious concerns for the council.

18. The council's response to the white paper consultation is set out below.

Plan-making

19. The council has major concerns at the proposed zoning of growth, renewal and protection areas, particularly given that there is little information provided about how this would work in practice. The proposals would appear to over-simplify how zoning might operate, for example in defining the zones. For example, Norwich city centre is a major focus of growth in the adopted and emerging local planning framework but is also a conservation area, so it is not clear how it would be defined in the new-style local plans. It is important that the proposals do not undermine Norwich's established role as a regional centre for retail, leisure, employment and housing development.

20. Detailed guidance from MHCLG is required to assist local planning authorities in this new process. It is essential that the creation of a rigid planning zone approach must not be at the expense of rich pattern, character and diversity of place, and existing levels of environmental protection and enhancement.

21. The introduction of zoning is potentially very disruptive to the plan making process, particularly for those authorities with plans that are reasonably well advanced, such as the Greater Norwich Local Plan. The process of altering

the course of a local plan may be just as disruptive as starting the process again.

22. The statutory 30 month time limit for preparation of local plans appears highly unrealistic based on the city council's experience of plan-making, and hard to reconcile with the proposal to have more public involvement at plan-making stage and less at development management stage (also see 'Local democracy and consultation' section below). Whilst a reduction in local plan timescales is desirable the proposed timescales for each stage seem overly optimistic and little evidence is provided to illustrate how this approach will speed up planning. For example the 'Call for areas' element of the plan making process is likely to be contentious and time-consuming and likely to exceed 6 months. Also, for Growth areas, whilst the provision of masterplans and design codes should help reduce uncertainty for those wishing to bring sites forward, it must be acknowledged that it will take significant time to develop new allocations, masterplans and design codes. It is not clear how the required level of detail needed to deal with complex sites will be achievable under the new streamlined local plan process, given the time limits and emphasis on up-front community engagement.
23. The proposed streamlining of the local plan and development management process, with nationally set general development management policies, will reduce the flexibility of councils to set policy to respond to local issues and to reflect local market conditions, and will only increase the pressure for national regulation. It is very important that local planning authorities can respond effectively to local issues by bringing forward appropriate policies in their local plans. For example, local planning authorities may wish to develop policy to address local issues such as the growing impact of short-term lets and holiday homes, or to (in the context of increasing deregulation of planning controls) include policies in their local plans to control changes of use under permitted development rights relating to C/U from office to residential use where appropriate.
24. There is concern at how a rules-based local plan approach would deal with specific site issues particularly in allocating sites in city centres, such as Norwich, with a complex range of site specific constraints. Some issues may not be identified at site allocation stage unless potentially detailed concept designs are first progressed. The proposals also appear to naively assume that if a clear rules based policy is adopted that all developers will stick to those rules and that the decision making process will be no more than a tick box exercise. This might be more realistic for large urban extension projects but less realistic for urban areas with complex sites, constraints, and viability considerations. Indeed in an urban area there can be vast differences in what is appropriate from one site to the next. Whilst adopting masterplans as part of a permission in principle on a site allocation may go some way to dealing with this, it would not address the numerous windfall developments which come forward in urban areas and which are not always foreseen at the planning making stage.

Strategic planning

25. In response to previous government consultations on the planning system, the council has stressed the need for effective long-term strategic planning across appropriate geographical areas, to ensure that that economic, infrastructure and environmental priorities of local authorities and other stakeholders are aligned. The white paper proposes to abolish the duty to cooperate but provides no clear indication of the future approach to strategic planning beyond a proposal that local authorities can participate in joint planning arrangements “to agree an alternative distribution of their [housing] requirement”.
26. Without a strategic planning framework it will be difficult to see how strategic cross boundary issues are going to be effectively addressed and how sustainable patterns of development will be arrived at. This is particularly pertinent when considering the implications of the revised method for assessing housing need – see paragraphs 50-55 below – which underscores the need for ongoing effective cross-boundary working. The Norfolk local authorities have established cross-boundary working arrangements which have resulted in the production of a Norfolk Strategic Planning Framework to support local plan production. This addresses cross-boundary strategic issues such as housing distribution and infrastructure delivery, as well as production of joint evidence studies such as the most recent Strategic Housing Market Assessment and the Green Infrastructure and Recreational and Mitigation strategy currently in preparation. It is also difficult to see, in the absence of strategic planning and cooperation, how local areas can align their Infrastructure Funding Statements and Infrastructure Levy contributions with strategic infrastructure investment.

Local democracy and consultation

27. The focus on participation at the plan-making rather than at the application stage is a major cause for concern and will severely curtail opportunities to engage in the system. Local communities may not feel able to respond effectively at plan-making stage when proposals may be less tangible than at decision-making stage. It is generally only when a proposal is being actively discussed at planning application stage that people are motivated to engage in the process.
28. The proposed approach also raises serious concerns about the role of local authority planning committees in providing democratic oversight, and how accountable the new system would be. If the proposals are implemented, the current approach where local councillors decide planning applications with opportunities for the public to make representations would effectively be at an end. For example there is no detail provided under the proposals clarifying how neighbours and other interested parties can comment on proposals where the principle of development has been accepted (as in the case of an allocation in a Growth area). It is important that this process is clarified to ensure that the process is fully inclusive and democratic, rather than taking a top-down approach.
29. Under the proposed streamlining of the local plan system there would be ‘meaningful public engagement’ at two points in the process – at the initial

Regulation 18 stage when the plan is in its early stages, and the later Regulation 19 stage just before it is sent to the Planning Inspectorate for examination. It is debateable whether this is sufficient opportunity for the public and stakeholders to be meaningfully involved in the plan making process, especially given the reduced opportunities at planning application stage. The Greater Norwich Local Plan has had a 'call for sites' consultation and three subsequent Regulation 18 consultations to date, which have ensured stakeholder input into the process and helped to shape the emerging plan.

30. Although public examinations are proposed to continue, a potential option is proposed to remove this process, instead requiring local planning authorities to undertake a process of self-assessment against a set of criteria and guidance, which would result in the removal of the right to be heard. This raises the concern that communities would have less of a say than under the present examination process. It also raises the possibility that a local authority (in the absence of the duty to cooperate) could adopt a plan that would have significant implications for its neighbours, for example where a rural district adjacent to a city allocates land for major out of centre development sites which would impact on the vitality of city centres.

Place-making and sustainability

31. There is little reference to ensuring that local plans are 'climate ready'. For example whilst the zoning proposals make no mention of how low and zero carbon infrastructure will be dealt with in the different zones (the assumption being that this will be addressed by design codes).
32. There is a need for greater clarity and certainty of how the impacts of new development will be assessed under the new proposals. Under the current system of environmental assessment, which includes Strategic Environmental Assessment / Sustainability Appraisal (SEA/SA) of local plans, and Environmental Impact Assessment (EIA) of development proposals, there is potential for duplication, delay and lack of transparency. However in proposing the abolition of sustainability appraisal of local plans the white paper provides no detail as to how the simplified assessment process would work and the implications for SEA and EIA. For example for Growth areas, allocations confer outline consent upon adoption of a local plan. However by avoiding the outline application stage, it is not clear how environmental impacts will be screened, scoped and assessed in Growth areas (especially if SA is abolished) and whether EIA will be required at the detailed application stage. The white paper does however state that the new system will need to ensure that "we take advantage of opportunities for environmental improvements while also meeting our domestic and international obligations for environmental protection". It notes that this will be the subject of a separate and more detailed consultation in the autumn, which will be awaited with interest.
33. The proposal in the white paper for new homes to be carbon neutral by 2050 lacks ambition, given that this has been pushed back from 2016 as originally intended by the government. Whilst the ambition that homes built under the new system will not need retrofitting is welcome, there is no

mention of how housing delivery will be complemented by a national retrofit strategy to reduce energy demand and support place-based regeneration.

Digital transformation of planning

34. The white paper's proposals for a more digital planning system has many potential benefits. For example the ability to access real-time data on many fronts including for example pedestrian footfall or air quality will help transform how these issues are taken account of in development proposals. Also the ability to ensure more effective input from a wide range of participants and stakeholders through improved consultation methods, will be beneficial to planning.
35. Whilst the white paper's proposals in this respect are largely welcomed, it is important that they complement and do not replace existing approaches to planning. It is important that engagement still includes those who lack the confidence, skills or resources to use digital technology.

Design

36. The white paper has a strong focus on design quality and "beauty", with a requirement for local authorities to produce design codes as noted above. These design codes need to be responsive to the local environment as what works in one setting may not be appropriate in another. They need to be context-specific and more detail is required on how they can be sensitively applied to different areas and contexts. Once a design code is established as the basis for development, opposition against proposals designed in compliance with the relevant design code is likely to be stifled. Stakeholder and local community input into the design code development process is therefore critical, though it should be noted that this will inevitably have impacts on timescales.
37. Significant resourcing will be needed to ensure that design codes address critical issues including decarbonisation, climate resilience, health and equality, and to ensure meaningful local community and stakeholder involvement. It is very difficult to reconcile the focus in the white paper on the quality of design with the ongoing deregulation of the planning system which has resulted in much poorly designed housing being delivered.

Housing delivery

38. Issues relating to housing delivery are also addressed under the section relating to the 'Changes to the current planning system' consultation including the new standard methodology for assessing housing need, the proposals for First Homes and the raising of threshold for affordable housing delivery on sites (see paragraphs 50-63 below).
39. The imposition of binding housing requirement figures, based on a revised standard method, will not guarantee delivery of significantly raised levels of housing. It is not the planning system that is preventing delivery of new housing, but other factors such as developers land-banking sites.

40. There are no proposals to support construction innovation and little recognition of factors that lead to rising house prices such as speculation in land and property markets and loss of grant funding for social housing.
41. The delivery of affordable housing will be affected by the requirement to grant discounts for First Homes and the proposed flexibility to spend Infrastructure Levy receipts on “improving services and reducing council tax”.
42. As with previous reforms there is a narrow emphasis on increasing the supply of land for market housing which risks crowding out other important planning objectives. The lack of any enhanced powers in order to deliver planned development is a serious weakness in the white paper’s proposals.

Infrastructure delivery

43. Through the creation of the new Infrastructure Levy (IL) by merging the existing community infrastructure levy (CIL) and section 106 planning obligations systems, the white paper aims to “raise more revenue than under the current system of developer contributions, and deliver at least as much - if not more - on-site affordable housing”. It is agreed that the existing system of CIL and S106 is extremely complex and time consuming and can significantly delay decisions being issued on fundamentally acceptable developments. However the council has a number of concerns in relation to the proposals as outlined below.
44. The later timing of payments under the new system, at completion of development rather than commencement, presents a major issue in terms of delivery of infrastructure. Information is required on how this would impact on land values and viability of development.
45. The proposals include a threshold below which IL would not be sought on developments of marginal viability. There are no proposals for redistribution of IL meaning that in high value areas there would be far greater IL receipts whereas in lower value areas with marginal viability there is likely to be a shortage of IL receipts and in turn affordable housing.
46. Although the white paper proposes that local authorities will be able to borrow against the new Infrastructure Levy it provides no details of how investment will be coordinated strategically.

Resources

47. Whilst the white paper acknowledges that reforms will require resourcing, and states that a comprehensive resources and skills strategy will be produced by government for the planning sector, there is little detail about the specific skills gaps that will be addressed. This is particularly required in areas such as digital planning, net zero carbon and climate resilience, design, and master planning. There is an urgent need for local planning authorities to be properly resourced to implement the proposed major changes to the planning system.

48. The white paper suggests that fees will continue to be set nationally, however it is noted that the week prior to the issue of the white paper that the Housing, Communities and Local Government Committee recommended that the ability to set planning fees should be devolved to local authorities. The ability for planning authorities to be funded from planning fee income varies significantly from one authority to another, often due to circumstances outside an individual planning authorities control. Typically authorities with large urban extensions can drive significant planning fees from larger developments with less resource required to determine such applications. Conversely we have found in Norwich that brownfield urban sites require far greater resource commitment and are often smaller driving lower planning fees. In addition more minor applications (such as householders) fall some way short of covering the costs of determination. The ability to set fees locally is therefore advocated.

Changes to the current planning system consultation

49. The council's response to this consultation document is set out below, from paragraph 50 on. Its key proposals are:

- (a) changes to the standard method for assessing local housing need (i.e. the method for setting housing targets in each district)
- (b) securing of First Homes (a type of market discount affordable housing) through developer contributions
- (c) lifting the 'small sites' threshold below which developers do not need to contribute to affordable housing, from 10 to 40 or 50 homes.
- (d) extending the current Permission in Principle (PiP) to major development

Revised methodology for assessment local housing need

50. The government proposes out a revised methodology for calculating local housing need which will be the basis for local plan housing requirements. The original standard method was introduced in 2018 with the aim of "speeding up the planning system" and planning for delivery of 300,000 new homes annually. This method has already been revised once since its introduction, and the government has acknowledged that the current method is not considered capable of delivering the 300,000 new homes target.

51. The new method firstly involves setting the baseline by blending the existing housing stock with household projections, acknowledging the shortcomings of the existing method which uses only household projections. This method is intended to lead to more stability and less variation. Step 2 is to adjust the baseline by taking account of market signals using affordability data. The Planning white paper proposes that the standard method will generate a local housing need figure which will then be adjusted further by councils taking into account various constraints in their areas, which would be a 'binding figure' on local authorities.

52. The impact of the new method of calculating housing need is that there is huge variation in local housing need across local authorities locally and nationally. See appendix 1 which shows the variation between the existing and proposed methods for the East of England. This shows that housing need Norfolk-wide would rise by 45% under the revised method. In Greater Norwich the rise is even more significant, with a rise of over 60% for the whole area (from 2,008 units per annum under the current method to 3,256 units under the revised method). Within Greater Norwich there is significant variation, with a doubling of need in South Norfolk district, an almost 80% rise in Broadland, and a fall of 16% in Norwich. This is likely to have a major impact on the Greater Norwich Local Plan on which a verbal update will be given to this panel. The difference between the current and proposed methodologies are summarised below for the Greater Norwich authorities. The degree of change evident in the figures does not assist coherent strategy planning. It also should be noted that in relation to the urban area the methodology calculates a level need that is considerably below the Council's previous assessments of housing needs.

District	Current methodology	Proposed new methodology
South Norfolk	893	1,832
Norwich	598	502
Broadland	517	922
Greater Norwich total	2,008	3,256

53. The revised method does not take local circumstances or local authorities' ambitions for growth into consideration. This results in some anomalies where some areas with significant growth ambitions would see a decrease in housing need (eg Norwich) whereas others without such growth ambitions would see increases in need. These anomalies may be due to the use of household projection figures in the methodology that fluctuate very markedly based on recent build rates.

54. For those areas with increased housing requirements, local authorities will also have to address the implications for additional infrastructural requirements, including transport and community infrastructure, and potential impacts on the environment. It is also important to note that there is little evidence to suggest that the development industry has the ability or desire to deliver the increased levels of housing.

55. There has been much discussion about the revised housing targets in the national and planning press in recent weeks and a government minister has recently indicated that proposed new housing numbers will not be “set in stone”. It is also possible that there may be a further revision to the standard method in response to the consultation which adds to the uncertainty facing planning authorities and is unlikely to help ensure increased housing delivery.

Developer contributions for First Homes

56. Earlier this year the government consulted on initial proposal for its First Homes policy seeking to introduce a new form of discounted market housing for first-time buyers through the planning system. The current consultation proposes that 25% of all affordable housing secured through developer contributions will be for First Homes (ie houses or flats on new developments, sold with a discount of 30% to local first-time buyers) and that First Homes will take priority over other affordable tenures.

57. The 25% requirement is lower than that proposed in the earlier consultation, however it still does not take account of local circumstances such as local affordability, or the overall amount / types of affordable housing needed in a local area. Therefore the new proposals continue to raise serious concerns that local authorities will effectively lose control over the type of affordable housing delivered in their areas and reduce their ability to meet their local needs and may effectively displace other affordable tenures such as affordable rent.

58. The current Strategic Housing Market Assessment for Central Norfolk (2017) identifies a need for 38% of new homes in Norwich over the period 2015-35 to be affordable; the greatest affordable housing need in Norwich is for affordable rented homes (84%) compared to intermediate housing tenures at 16%. This starkly illustrates why policy prescription is incompatible with meeting identified local housing need.

59. The council has ambitious plans for housing delivery in the city as agreed by cabinet in July. The council already works with a range of providers to bring forward much needed affordable housing in the city. It is therefore critical that the council's efforts in this respect are not curtailed by the proposed changes. Progress to date includes working with Registered Providers to redevelop redundant or under-used council owned land. For example, our partnership with Orwell Housing Association in recent years has delivered over 150 new affordable homes in the city. Since 2012 the council has also launched its own house building programme and last year won the prestigious Stirling prize for Goldsmith Street, its first major development in over 20 years.

Increasing the threshold for delivery of affordable housing on sites

60. The consultation proposes raising the threshold for delivery of affordable housing from sites of 10 or more units (in the current NPPF) to sites of either 40 or 50+ units. This measure aims to stimulate economy recovery with a particular focus on reducing ‘burdens’ (ie developer contributions) on small and medium sized enterprises (SMEs), in response to the Covid-19

pandemic. The policy would be introduced for an initial period of 18 months before being reviewed by ministers to ensure that it supports the country's economic recovery after the pandemic but does not inflate land prices in the longer term.

61. This is likely to have major impacts on the delivery of First Homes and affordable homes given that they would now only be required on large sites of over 40/50 units. The consultation document acknowledges that the measure will lead to a reduction of between 7-14% of affordable housing delivery per annum if applied to sites of 40+ units, and a reduction of 10-20% for sites of 50+ units.
62. Given that the proposed threshold will be nationally applied, it does not reflect local circumstances and characteristics, and will make it much harder for Norwich and many other local authorities to deliver their affordable housing requirements, particularly for those authorities that have a high proportion of housing developments on smaller sites. Between 2011-12 and 2019-20, 18 Section 106 schemes in Norwich delivered affordable housing, but only 12 of the sites were for schemes of 40+ units (66%) which means a third of our AH homes were delivered on sites below 40 units.
63. The benefits of the policy change in bringing forward some housing schemes may be quite minor when set against the loss of affordable housing. The proposals may also dis-incentivise some developers from bringing forward schemes slightly larger than the revised threshold and to focus on smaller schemes which would be more profitable and in doing so not make best use of the available land.

Removal of restriction in regulation to allow for Permission in Principle on major development

64. Under the current system, Permission in Principle (PiP) currently applies only to minor development schemes (sites of under 10 units of housing). PiP is equivalent to outline planning consent and establishes acceptability of development in principle, with technical details reserved for future application. There are two routes to grant of PiP, either by application for PiP by a developer, or through local authorities identifying sites for PiP on their Brownfield Register.
65. Again, this proposal aims to benefit smaller developers by reducing upfront costs and by providing greater certainty.
66. Given that the scope of the technical details stage of PiP is more limited than for a normal planning application, there is concern at the potential for harm to arise from such development. There is also potential for reduction in planning fees for councils.

Overall conclusions

67. These radical proposals are coming forward at a time of unprecedented economic, societal and market instability. Although some aspects of proposals have merit, the council is concerned that, overall, they will have negative effects in a number of key areas.

68. The council therefore does not support most of the proposals in the two consultation papers as noted above. In summary, the proposals would undermine the ability of local authorities to produce plans that respond effectively to local need, through the zoning approach and streamlining of local plans. They would also threaten delivery of affordable housing, curtail local democracy, and impact on effective stakeholder engagement in the planning process. The council is also concerned at the proposals' implications for effective cross-boundary working on strategic planning issues in the absence of the duty to cooperate. Furthermore, there is no guarantee that the proposals will deliver the required new homes and may indeed give rise to greater uncertainty in relation to housing need.

APPENDIX 1 – Changes to housing need in East of England by district as a result of the revised standard method

	Avg delivery (last 3 years)	Current Standard Method	Proposed new Standard Method	Actual Change	% Change
East of England	30,612	38,971	45,383	6,412	16.5%
Hertfordshire	4,143	8,074	6,909	- 1,165	-14.4%
Dacorum	627	1,023	922	- 101	-9.9%
Hertsmere	524	716	668	- 48	-6.7%
St Albans	450	893	997	104	11.6%
Three Rivers	186	624	588	- 36	-5.8%
Watford	309	787	533	- 254	-32.3%
North Hertfordshire	347	973	625	- 348	-35.8%
East Hertfordshire	666	1,145	1,122	- 23	-2.0%
Broxbourne	337	594	465	- 129	-21.7%
Stevenage	350	444	322	- 122	-27.5%
Welwyn Hatfield	347	875	667	- 208	-23.8%
Bedfordshire	4,080	4,286	4,618	332	7.7%
Bedford	1,321	1,305	1,153	- 152	-11.6%
Central Bedfordshire	1,993	2,386	2,752	366	15.3%
Luton	766	595	713	118	19.8%
Norfolk	4,215	4,116	5,969	1,853	45.0%
Kings Lynn and West Norfolk	404	538	540	2	0.4%
Breckland	692	661	1,070	409	61.9%
Broadland	673	517	922	405	78.3%
North Norfolk	505	552	730	178	32.2%
Norwich	529	598	502	- 96	-16.1%
South Norfolk	1,164	893	1,832	939	105.2%
Great Yarmouth	248	357	373	16	4.5%
Suffolk	5,214	5,759	7,701	1,942	33.7%
Ipswich	2,769	3,142	3,755	613	19.5%
Babergh	379	416	789	373	89.7%
Mid Suffolk	474	535	754	219	40.9%
West Suffolk	737	800	743	- 57	-7.1%
East Suffolk	855	866	1,660	794	91.7%
Cambridgeshire	5,658	6,053	6,944	891	14.7%
Peterborough	2,241	2,199	3,009	810	36.8%
Cambridge	1,069	658	745	87	13.2%
East Cambridgeshire	298	597	554	- 43	-7.2%
Fenland	418	538	844	306	56.9%
Huntingdonshire	823	976	1,019	43	4.4%
South Cambridgeshire	809	1,085	773	- 312	-28.8%
Essex	7,302	10,683	13,242	2,559	24.0%
Southend-on-Sea	498	1,181	1,324	143	12.1%
Thurrock	623	1,147	1,483	336	29.3%
Brentwood	191	453	393	- 60	-13.2%
Maldon	250	308	623	315	102.3%
Braintree	439	857	776	- 81	-9.5%
Chelmsford	1,089	946	1,557	611	64.6%
Colchester	1,045	1,078	1,612	534	49.5%
Tendring	713	866	1,141	275	31.8%
Basildon	364	1,001	820	- 181	-18.1%
Castle Point	160	354	386	32	9.0%
Rochford	226	360	586	226	62.8%
Epping Forest	380	953	868	- 85	-8.9%
Harlow	432	473	442	- 31	-6.6%
Uttlesford	892	706	1,231	525	74.4%

Report to Sustainable development panel
01 October 2020
Report of Director of place
Subject Statement of Community involvement update

Item

6

Purpose

To consider the proposed updates to the Statement of Community Involvement. The proposed updates are temporary and are in direct response to the impacts of the coronavirus pandemic (Covid-19) upon our ability to engage with the community using some methods, such as public meetings. This is as a result of the social distancing guidance which is issued by the government.

Recommendation

To endorse the changes to the document and recommend to cabinet that the council adopts the updated Statement of Community Involvement.

Corporate and service priorities

The report helps to meet the corporate priority great neighbourhoods, housing and environment and people living well

Financial implications

None

Ward/s: All Wards

Cabinet member: Councillor Stonard - Sustainable and inclusive growth

Contact officers

Katherine Brumpton, Planner 07956 288124

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Background documents

None

Reference

Statement of Community Involvement (2016)

Report

Context

1. Statements of Community Involvement (SCIs) are codes of practice for setting out how councils intend to involve people in planning decisions. They cover decisions in relation to both planning policy and planning applications (development management). SCIs are required under section 18 of the Planning and Compulsory Act 2004. Norwich City Council's latest SCI was adopted in November 2016, and is published on our website here; https://www.norwich.gov.uk/downloads/file/2269/statement_of_community_involvement .
2. The coronavirus outbreak (Covid-19) has impacted on how we can currently engage with the community, with several methods in the 2016 SCI not possible under the current government guidelines on social distancing.
3. New planning guidance (updates to the National Planning Policy Guidance¹) has been published for Statement of Community Involvement policies which allows local planning authorities to review and update them accordingly. This guidance allows for temporary alterations to be made where the current policy cannot be complied with due to the current social distancing restrictions in response to the coronavirus outbreak. The guidance advises that temporary revisions to SCIs made under this guidance do not need to be publicly consulted on.
4. The proposed changes to the SCI are anticipated to be temporary, and are proposed to ensure the safety of our communities, key partners, businesses and council staff.
5. Also of note is an amendment to the Town and Country Planning (Local Planning) (England) Regulations 2012 (S.I. 2012/767) ("the 2012 Regulations") reference 2020 No.731². This amendment removes the requirement for local planning authorities to have certain documents available for inspection at a premise and to provide hard copies on request. These measures are temporary and apply until 31 December 2020. Policy documents will currently be considered made when they are made available on the local planning authority's website.
6. A more thorough review of the SCI is anticipated next year. Current guidance requires SCIs to be updated every 5 years, and so a review is due by November 2021. The current revision focuses on the impact of the virus only, and does not extend beyond this remit. The recently published Planning for the Future White Paper published by the Ministry of Housing, Communities & Local Government (MHCLG) has proposed significant changes to the way in which communities are consulted in relation to planning, placing more emphasis on the planning policy stage. At this point it is also unclear how the White Paper will impact the council's planning policies in the short to medium term, notably the draft Greater Norwich Local Plan. It is therefore recommended that a temporary update to the SCI is adopted with a future revision addressing the wider changes to planning.

Proposed changes

7. The current SCI has three main sections; introduction, consultations on planning policy documents, and consultations on planning applications (development management). All three sections have been amended (see track changes version at Appendix 1). The proposed changes in each section have been summarised below.

Introduction

8. Within the need for review section the additional paragraphs outline why the temporary amendments are proposed and provides some background.
9. Equality is a statutory duty under The Equality Act 2010 and for the public sector this means that public bodies have to consider all individuals when carrying out their day to day work, such as shaping policies, delivering services and in relation to their employees. Some individuals may be disproportionately impacted by the restrictions imposed by the social distancing guidance. An additional paragraph in the section titled “The Council’s commitment to equality” acknowledges this, and identifies that the council will assist any individual where a need is identified.
10. The Role of Councillors section includes a new paragraph which explains that planning applications committee meetings are currently being held virtually, as permitted under the Coronavirus Act 2020. The meetings are available live on the council’s YouTube channel. This situation will continue to be reviewed, and alternatives such as hybrid meetings may be considered (where some attendees are in-person and some are remote).

Consultations on planning policy documents

11. The Consultation methods sub-section has been amended, advising that not all of the consultation methods listed maybe possible at present due to the coronavirus pandemic. In particular hard copies and face to face events are unlikely to be readily available, dependent on the current government guidance.
12. Hard copies of consultation documents are usually available at the council’s office and at the Millennium library. Focus group sessions, public meetings and presentations/exhibitions are often held throughout the consultation process. The proposed amendments allow these to go ahead where possible and subject to social distancing guidelines. At the time of writing neither the Council’s offices nor the Millennium library are open to the public as widely as they were prior to the pandemic.

Consultations on planning applications

13. A section has been added advising that not all of the consultation methods listed maybe possible at present due to the coronavirus pandemic. In particular hard copies of planning applications committee papers are unlikely to be readily available, and face to face events such as the planning applications committee itself may be held remotely instead.
14. Details on the planning applications committee are repeated in this section from the Role of the Councillors section above.

15. The SCI strongly encourages applicants to consult the local community before submitting a planning application, in particular for housing developments of 10 or more and for any development with a floor area of 1,000 square metres or above. Applicants are also likely to be impacted by the government's social distancing guidance and are now advised to consider alternatives methods and explain their approach.
16. The alterations ensure that consultation methods that maybe impacted by the coronavirus pandemic can be varied or removed, dependent upon the current government guidance in relation to the coronavirus pandemic.

Conclusion

17. The proposed alterations to the SCI will allow the document to respond to the current pandemic and to set out how the community will be consulted by their local planning authority appropriately at this time. The measures are temporary, and whilst it is hoped that any change to the government guidance on social distancing results in a relaxation, the wording used for the amendments has been deliberate in allowing for the guidance to move either way.



NORWICH
City Council

Statement of Community Involvement for Norwich

A code of practice for involving the community in planning issues

November 2016 ([amended September 2020](#))

Foreword

The coronavirus outbreak (Covid-19) has impacted on how we can currently engage with the community, with several methods in the 2016 SCI not possible under the current government guidelines on social distancing. At the time of writing the government guidelines restrict some peoples' movement and some workplaces remain closed. Places where hard copies of documents were routinely placed are still impacted from the guidelines, with local authority offices largely closed to the public and Norfolk libraries only partially reopened. Government guidelines also advise that the virus can exist on surfaces, such as hard copies of documents.

The impact of the coronavirus, and the advice from the government therefore makes the physical inspection of documents more difficult for the following reasons:

- Restrictions on movements may prevent people visiting the location of the documents;
- May be impossible to provide an address for the provision of a hard copy due to closures of offices/libraries; and
- Concerns regarding the public sharing hard copies.

New planning guidance (updates to the National Planning Policy Guidance¹) has been published for Statement of Community Involvement (SCI) policies which allows local planning authorities to review and update them accordingly. This guidance allows for temporary alterations to be made where the current policy cannot be complied with due to the current social distancing restrictions in response to the coronavirus outbreak. The guidance advises that temporary revisions to SCIs made under this guidance do not need to be publicly consulted on.

The SCI published in November 2016 has been amended, as below, to allow for the current restrictions. The changes to the SCI are anticipated to be temporary and have been limited to those required as a direct result of the coronavirus pandemic. The changes are proposed to ensure the safety of our communities, key partners, businesses and council staff.

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1. Introduction

Why we are preparing the Statement of Community Involvement

1. The city council is always looking for ways for the community to become more involved in its plan making and decision taking. We want to encourage more people to be involved and to make that as easy as possible. We hope that your local knowledge will help to make sure that development in the city benefits everyone whilst protecting the special qualities of the city. How we will ensure that you are part of this process is set out in this statement.
2. Under Section 18 of the Planning and Compulsory Purchase Act 2004, all local planning authorities in England and Wales must prepare a Statement of community involvement (SCI) and must carry out planning consultations in accordance with it. The SCI is a 'code of practice' setting out how the council intends to involve people in planning decisions. This can include both decisions about planning policy (plan-making) and decisions on planning applications.
3. This is the ~~fourth~~ fifth edition of the Statement of community involvement. It ~~temporarily~~ replaces the version published in ~~November 2016~~ July 2013.

Need for review

4. Due to the current coronavirus (Covid-19) outbreak the government has issued guidance regarding social distancing, some of which impacts the range of methods of community involvement available.
5. New planning guidance has been published for Statement of Community Involvement policies which allow local planning authorities to review and update them accordingly. This guidance allows for alterations to be made where the current policy cannot be complied with due to the current social distancing restrictions in response to the coronavirus outbreak. The guidance can be found here; <https://www.gov.uk/guidance/plan-making#coronavirus>
6. The changes to this document, which are as a result of social distancing requirements, are anticipated to only be temporary. The changes are made to ensure the safety of our communities, key partners, businesses and council staff.
7. SCIs are required to be updated every 5 years. It is anticipated that a more thorough review of this document will occur next year, in 2021.
8. Under the national planning system, the council must prepare a local plan, which will guide the city's development and growth over the next 15 to 20 years. With an up to date local plan in place, it is clear how the council intends to provide for new housing and employment in the city, how much development will be planned for and where it will go. A local plan also sets out clearly what will and what will not be allowed in certain areas and which areas must be protected from development altogether. Local plans must be reviewed regularly to remain up to date and respond to changes in local circumstances. Plans must also be consistent with national

planning policy and guidance. If this guidance changes, local planning policy usually needs to change too.

9. Since we published the last Statement of community involvement in 2013, there have been a number of important changes to the national planning system which will affect how we prepare and consult on plans and proposals in future. Further changes in national rules are expected in coming years, particularly as a result of measures announced in the forthcoming Housing and Planning Act.
10. In relation to plan-making, the government has made it clear that it expects councils to prepare local plans and put them in place as quickly as possible. Recent government announcements suggest that councils which do not already have up to date local plans will be expected to prepare and adopt them (that is, complete the legal process to bring them into force) by the end of 2017. Councils which fail to produce timely local plans might also face possible sanctions and financial penalties. Councils that have adopted their plans recently must keep them up to date and review them as soon as practicable. There will also be an increased role for neighbourhood plans prepared directly by local communities.
11. Although Norwich's main local plan documents were adopted as recently as December 2014, the overall planning strategy for the Norwich area, the Joint core strategy for Broadland, Norwich and South Norfolk, is becoming out of date and a new local plan needs to be prepared to manage and shape longer term growth and development. At the same time, there is a need for an overall planning framework to establish future needs and set targets for housing and jobs in Norfolk and ensure that new local plans for individual districts are consistent with those targets.
12. Accordingly, in partnership with Broadland and South Norfolk Councils and Norfolk county council, we are starting work on a new Greater Norwich Local Plan that will set out a development strategy for the wider Norwich area between now and 2036, as well as a broader Norfolk Strategic Framework to set overall planning targets.
13. In relation to planning applications, the government has made further changes in national planning rules which mean that more kinds of development can be carried out and more kinds of premises can change their use without planning permission – called permitted development. As part of the drive to encourage more housebuilding, the government will also be changing and simplifying the planning process for housing, granting automatic “permission in principle” for new housing development on previously developed sites which councils have listed as suitable. Local plans will also have to identify land for low cost starter homes on all suitable housing development sites.
14. During this period of rapid change, we must strike a careful balance between meeting our obligations to government to prepare plans and decide applications as quickly as possible, and making sure that local people still have a meaningful opportunity to comment on and influence planning policies and proposals. In order to meet government directives we will need to review some of the consultation arrangements for plan-

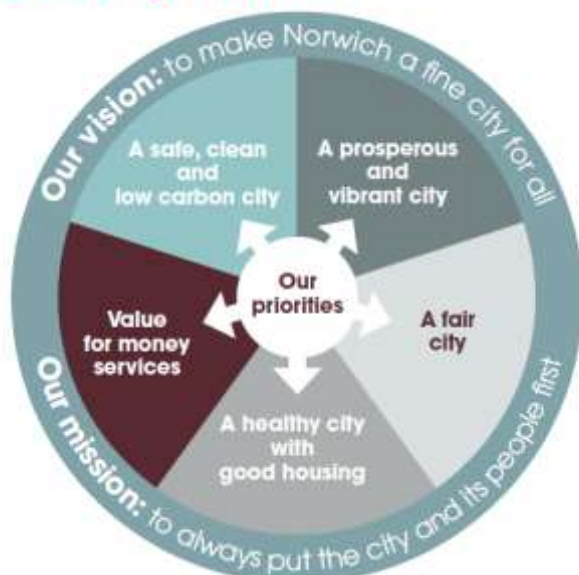
making in the 2013 Statement of Community Involvement, particularly to streamline certain procedures and (where this is unavoidably necessary) to reduce the length of time we consult on key documents.

15. Taken together, the changes in the planning system will inevitably affect the way that local plans are prepared and how planning applications are made and dealt with. This means that the way we involve local people in the planning process also needs to change. In cases where no planning application is needed, the city council cannot always let people know about all development which is happening in their area. In a very small number of cases, the national rules have been tightened, for example changing a shop to a betting shop now needs permission where it did not before, as does changing the use of or demolishing a local pub which is registered as an Asset of Community Value. The permitted development rule changes are designed to speed up the planning process, get development going and make smaller scale building projects and minor changes easier. But they will sometimes mean that local people will have less opportunity than before to have their say.

Planning and community Involvement

16. The council produced a Community engagement strategy (CES) in 2009 outlining the council-wide approach to community involvement. The Statement of community involvement shows how this approach will be applied to plan making and decision making on planning applications.
17. The Council developed the Community engagement strategy to support the overall citywide vision and objectives in its corporate plan. The priorities within the latest corporate plan (2015-2020) are shown in figure 1 on page 4.

Council priorities



Our core values

Everything we ever do as an organisation, whether in teams or as individuals, will be done with our core values in mind. These are:

- P Pride.** We will take pride in what we do and demonstrate integrity in how we do it.
- A Accountability.** We will take responsibility, do what we say we will do and see things through.
- C Collaboration.** We will work with others and help others to succeed.
- E Excellence.** We will strive to do things well and look for ways to innovate and improve.

Figure 1: Extract from the Corporate Plan 2015-2020 (Norwich City Council)

18. In order to achieve the council's vision and priorities through the planning service, it is essential that there is effective public involvement in plan-making and decision making on planning applications and that clear standards are set for when and how involvement will take place.

The Compact: Code of practice on involvement

19. Norwich City Council is a signatory of The Compact. The Compact is a national agreement between the government and community sectors, which aims to improve the way voluntary and community sectors, and local councils involve each other, including involvement in the planning process. We will continue to provide a positive framework for productive working relationships and will ensure that the guidelines set out in the Compact are

met where possible. In some circumstances it may be necessary to depart from the Compact should new legislation change the regulations for involvement of others in plan-making and planning applications, or if full compliance with the compact is likely to result in penalties or sanctions for the Council through failure to meet prescribed Government targets for plan-making or decision-taking.

20. Further details on consultation arrangements for planning policy are provided in section 2 – Consultation on planning policy documents. Consultation arrangements for development management are provided in section 3 – Consultations on planning applications.

The Council's commitment to equality

21. The council has a commitment to equality which is a statutory duty under the Equality Act (2010). This is particularly relevant to planning which has a role to play in promoting equality of opportunity and cohesion by considering the needs of the community. The council recognises that equality of opportunity in practice includes ensuring that vulnerable or disadvantaged groups have their voices heard and their needs considered. This statement supports that objective through providing guidance on how to get people involved. The impact of planning activities and decisions will be assessed in order to ensure that there are no unintended negative impacts on vulnerable or disadvantaged groups. The assessments will focus on the six protected characteristics of race, gender, disability, age, sexual orientation and religion or belief, but will also consider the wider implications of socio-economic inequalities on community cohesion. This is normally carried out through an Equality Impact Assessment (EqIA) which takes place at the beginning of the plan-making process.
22. It is recognised that there may unfortunately be some impacts upon vulnerable or disadvantaged groups as a result of the temporary changes proposed to the SCI. However these changes are made in direct response to the government's guidelines on social distancing as a result of the coronavirus outbreak and are intended to ensure the safety of our communities, key partners, businesses and council staff, to include any vulnerable or disadvantaged groups. As such the council will endeavour to be as flexible as practicable during this time of social distancing to reduce any impact upon vulnerable or disadvantaged groups. Individuals or groups who would benefit from further assistance, such as hard copies of papers, should contact the relevant officer.

The role of councillors

23. Councillors have three roles: as decision makers, as community representatives and as communicators to exchange and share information and discuss the issues and concerns of local electors with council officers and other stakeholders. Members of the public can make their views known to ward councillors, the relevant council executive member/portfolio holder, or at planning applications committee in a number of ways; by letter, email, or face-to-face discussion.

24. However, it is important that the consultation process is used because this is how views are registered in the plan-making or planning application process. This ensures that while councillors hear what you have to say, you will not miss the opportunity to be heard at committees or at any subsequent appeal, inquiry, hearing or examination.

25. As permitted under the Coronavirus Act 2020, planning application committee meetings are not currently being held at the City Hall due to the current guidance on social distancing. They are instead being conducted online and made available to watch on the council's Youtube channel. This will continue to be reviewed, and options such as hybrid meetings will be considered (where some attendees are in-person and some are remote). Current information is available here;
<https://cmis.norwich.gov.uk/live/Meetingscalendar.aspx>

RTPI Planning Aid England

26. The Royal Town Planning Institute (RTPI) Planning Aid England offers assistance and advice on the planning system to individuals and groups who are unable to pay for independent professional planning advice. Planning Aid encourages people to get involved in the planning system to help shape their own environment. The council supports the work of Planning Aid and will work with the service to provide independent advice for some of the involvement procedures proposed in this document.

27. RTPI Planning Aid England can be contacted via planning aid advice line:

Tel: 0330 123 9244
Email: advice@planningaid.rtpi.org.uk
Web: www.rtpi.org.uk/planning-aid

2. Consultations on planning policy documents

National policy requirements

28. National planning policy makes clear that local planning authorities must seek the views of communities and other stakeholders from an early stage in the plan-making process, stating:

'Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.'

National Planning Policy Framework (NPPF), 2012; para 155.

29. The Localism Act 2011 has made a range of new powers available to communities across the country to enable them to play a greater part in planning for their future. One of these powers is neighbourhood planning, which we discuss in more detail later in this SCI. The Localism Act also introduced a Duty to Cooperate which is a legal duty on local planning authorities, county councils and public bodies 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. In simple terms, this means that councils cannot plan for new development within their areas in isolation, but must make sure that neighbouring councils and other organisations which provide services across larger areas participate fully in plan-making to ensure a co-ordinated, strategic approach to development and growth across administrative boundaries.

What kinds of documents are consulted on?

30. Development plan documents or DPDs (now more usually called "local plans") are the formal policy documents which make up the statutory development 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 policies in the development plan, unless material considerations indicate otherwise.
31. Supplementary planning documents (SPD) help to support and explain in more detail how the city council will implement particular policies and proposals in the local plan. SPD 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. SPD 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.

32. The planning policy documents to be prepared by the council are identified in the Local development scheme (LDS). The LDS includes a timetable of when we aim to produce the documents, and the various stages they must go through to be adopted. The LDS is available on the Council's website and is reviewed and updated regularly (hard copies are available on request):

https://www.norwich.gov.uk/downloads/file/1671/local_development_scheme

The current local plan

33. The currently adopted development plan (the 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; the Norwich Development Management Policies Local Plan (the DM Policies Plan), adopted December 2014; and the Northern city centre area action plan (NCCAAP) for part of Norwich city centre, adopted March 2010. The NCCAAP runs only to March 2016 and will expire during the currency of this Statement of Community Involvement. The JCS will be replaced by the emerging Greater Norwich Local Plan (GNLP), which is scheduled to be adopted in 2020.
34. The table in figure 2 shows the relationship between these documents, as well as the supplementary planning documents which are already in place to support their policies. More details of supplementary planning documents the council intends to prepare in future are in the LDS. Both the LDS and this Statement of community involvement (SCI) are procedural documents that support the production of the local plan setting out what will be produced and explaining how people can get involved with the process.

The emerging local plan

35. The proposed Greater Norwich Local Plan (GNLP) will be a new statutory local plan for Broadland, Norwich and South Norfolk to update the present Joint Core Strategy (JCS). This will, similarly, set out a statement of strategic planning policy for the wider Norwich area but, unlike the present JCS, will also include policies and proposals for individual sites. As such, the GNLP will eventually also replace separate site allocations plans for individual districts. It is the only formal Development Plan Document in the current Local Development Scheme programme.
36. The proposed Norfolk Strategic Framework (NSF) will be a non-statutory strategic policy statement which will set 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.
37. Both the above documents will cover the period to 2036. The work programme for the preparation of the GNLP and NSF is set out in the latest revision of the Norwich Local Development Scheme which was

published in March 2016. The programme is subject to review dependent on the extent of evidence likely to be required.

Procedural Requirements

38. Local plan documents 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. This procedure will be followed in preparing the Greater Norwich Local Plan, but a more streamlined and fast-track process will be used for the Norfolk Strategic Framework, as this is not a local plan but an evidence framework to inform other plans.
39. 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 be 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.
40. Certain other documents must be published alongside each DPD, including:
- the independently prepared sustainability appraisal (SA) report of the DPD 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 policies map, setting out the DPD's 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; and
 - an adoption statement and environmental statement (when the plan is adopted).
41. The local plan is supported by a range of research reports, studies and topic papers making up a detailed evidence base which informs and justifies its policies.

Meeting the Duty to Cooperate

42. For many years Norwich City Council has worked in close cooperation with its neighbouring councils Broadland and South Norfolk to plan for and deliver major growth envisaged for the Norwich Policy Area. This work was first undertaken as part of a formal Greater Norwich Development Partnership (GNDP), whose responsibilities have since been inherited by

its successor the Greater Norwich Growth Board (GNGB). The Joint Core Strategy for Broadland, Norwich and South Norfolk was produced by the GNDP, which includes the Broads Authority and Norfolk County Council working in partnership with the three districts. Other documents produced by the GNDP include the Community Infrastructure Levy (CIL) Charging Schedule for each district/authority area. The Community Infrastructure Levy is a statutory charge on new development introduced by the CIL Regulations 2010. It came into force in Norwich in 2013.

43. As noted above, the need for councils and other agencies to work together in developing effective planning strategies for their areas is now a legal duty. Councils must show that they have met this statutory Duty to Cooperate in order for local plans to be accepted (found “sound” and “legally compliant”) when those plans are independently examined by government. Work on preparing the overall Norfolk Strategic Framework – although it will not be a formal local plan – will involve the city council in joint working with all the local planning authorities and other relevant bodies across Norfolk.
44. The planning policy documents which have been (and will be) prepared jointly by the Norwich area authorities are set out in the respective Local Development Schemes for each authority. Public involvement in their preparation is guided by the community involvement standards as set by the partnership councils jointly in their respective statements of community involvement. For the current round of joint local plan preparation, consultation standards and consultation periods will be common across the three local authority areas and all the participating authorities will work to the same consultation timeframes for key documents in their SCIs.

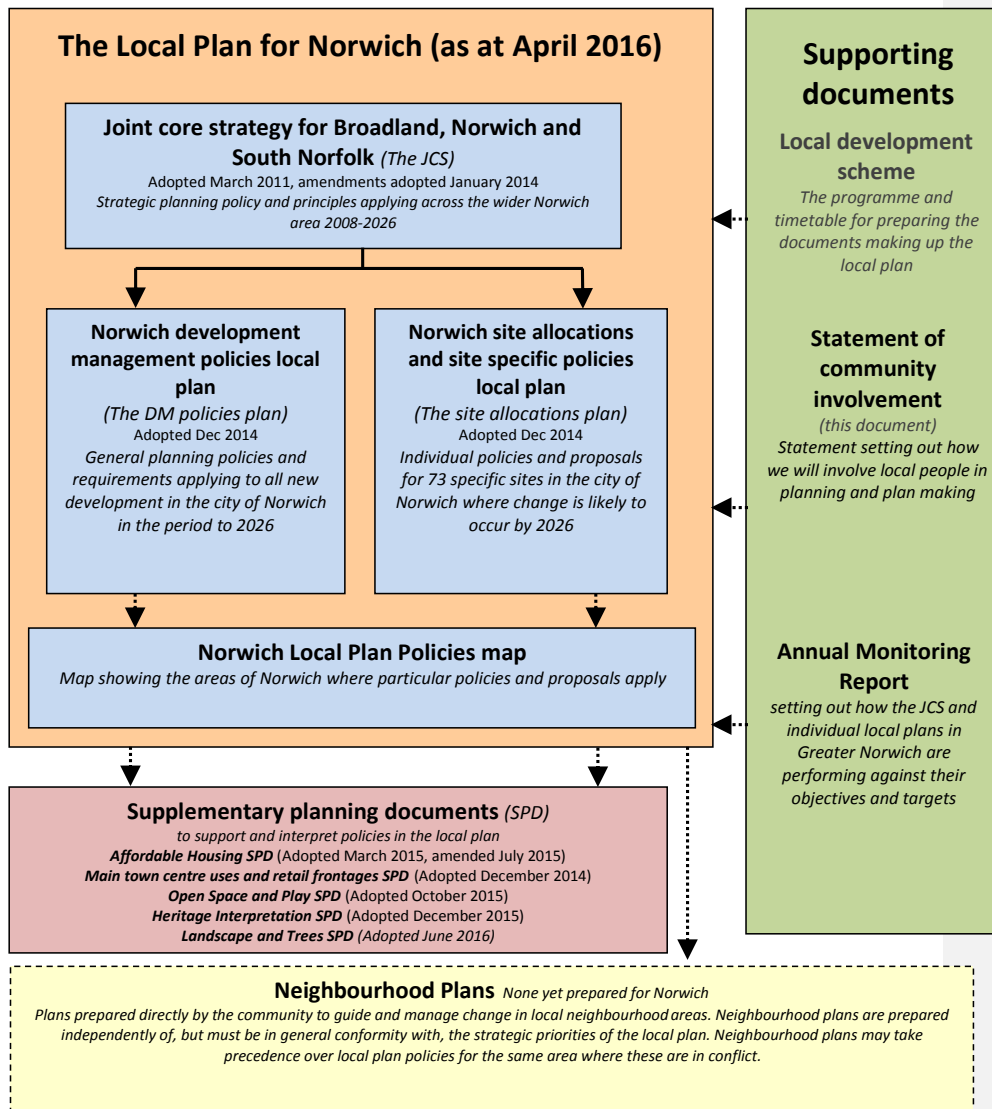


Figure 2: Documents making up the adopted local plan

Consultation Methods

Please note that due to the Government's guidance on social distancing in relation to the coronavirus outbreak not all of consultation methods listed below may be possible at present. We will continue to utilise electronic means of communication but may not be able to engage in face to face events or provide hard copies in a manner in which we have previously done so. We will continue to monitor Government guidance and tailor our consultation methods appropriately. We may use alternative approaches to consultation.

45. The council has a well-established procedure for involving people in plan-making. We will continue to develop our understanding of different consultation techniques over time and learn from what works, and what doesn't. A variety of methods have and will be used during consultations, taking into consideration issues being consulted on and the needs of the audience. These include the use of appropriate locations, and/or the use of particular presentation media for presentations to blind people, people with impaired hearing, and people with mental health issues or learning difficulties.
46. Consultation is carried out increasingly by electronic means but is still rapidly evolving in the digital age. Although almost all the documents we consult on are made available electronically, the challenge remains as to how information can be publicised effectively to attract the widest audience. The council is steadily expanding the use of interactive web technology to enable direct access to its services across a range of devices and allow local people to make payments, submit comments and report issues and problems direct via online forms. We will endeavour in future planning consultations to integrate these mechanisms where possible and extend the use of social media to help access "hard to reach" groups, especially younger people. We will also continue to use more traditional methods of consultation to include those without access to the internet or social media.
47. Based on our current success and lessons learned from previous consultations, we will endeavour to use a range of consultation approaches, as necessary and where permitted by the current guidance on social distancing. These are set out in the following list:
- Letters/emails to groups and individuals
 - newspapers and Citizen magazine
 - paper documents
 - council's website
 - "planning for real"¹ type events



¹ "Planning for Real" is a nationally recognised planning process where residents take a hands-on role in registering their views, identifying priorities and suggesting solutions for development in their area

- presentations to community groups
- public meetings
- focus groups
- exhibitions
- local councillors
- social media
- local radio

48. We acknowledge that it is important to make public consultation arrangements as extensive as possible to make sure the public can get their voice heard. However, it is not always possible or appropriate to consult using all the methods listed above. We will make sure that consultations are tailored appropriately to the kind of plan, policy or proposal being consulted on and the stages it has reached. We will ensure that people with no access to the internet, email, text or social media are kept informed by traditional, non-electronic means.

How long will consultations last?

49. At all consultation stages the Council will comply with the minimum legal requirements. The National Compact (see paragraph 15 above) states that local authorities should "...where it is appropriate, and enables meaningful engagement, conduct 12-week formal written consultations, with clear explanations and rationale for short timeframes or a more informal approach."

50. In most circumstances a 12 week consultation period will not be needed to respond to emerging plans and policies. This is because

- In future, the need to expedite the production of statutory local plans to meet more rigorously enforced government targets for speedy plan-making and timely review mean that an extended period of public consultation may not always be achievable within the timeframes available. In these circumstances the reasons for reducing the consultation timescale will be clearly set out.
- the council's programme for preparing planning policy documents must be set out in the statutory Local Development Scheme (LDS) and this gives details of forthcoming documents and expected timescales well in advance;
- The council's forward agenda gives advance notice of documents which will be considered by council committees.

51. The following timescales will be adhered to for documents consulted on:

using 3D models, plans and maps. Sessions are usually facilitated by an independent organisation such as Planning Aid England.

Document type	Normal period for consultation	Circumstances in which the consultation period will be extended
Development plan documents (DPDs)	We will consult for at least the minimum statutory period of six weeks (42 calendar days) on DPDs	Where a normal period of consultation would take in all or part of the Christmas/New Year holiday, the Easter holiday or the July/August summer holiday period in addition to bank holidays, extra days will be added to allow for this, up to a maximum of 14 calendar days over and above the statutory minimum.
Neighbourhood development plans ("Neighbourhood plans")	We will consult for at least the minimum statutory period of six weeks (42 calendar days) when proposals for neighbourhood plans prepared by designated neighbourhood planning bodies are published	
Future reviews of this Statement of Community Involvement (SCI)	We will consult for at least six weeks (42 calendar days) on any future reviews of this SCI	At its discretion, and only in the early, informal stages of DPD/SPD production, the Council may allow additional time for representations to be made in circumstances where there is a justifiable reason for not responding within the deadline.
Supplementary planning documents (SPD) including planning briefs	We will consult for at least the minimum statutory period of four weeks (28 calendar days) on SPD and on planning briefs which have the status of SPD	In accordance with the Code of Recommended Practice on Local Authority Publicity, we will not normally run consultations on planning documents in the six week period immediately before local council elections. ("Purdah").
Non-statutory planning documents and informal advice notes	We will consult for a period appropriate to the coverage and content of the document concerned	

52. For supplementary planning documents (SPDs) and planning briefs, the Local Development Regulations specify a minimum four week consultation period, although the period for legal challenge after adoption is longer than it is for DPDs. Because supplementary planning documents typically relate to small geographical areas or subjects of specialist interest, shorter consultation periods are justified, particularly as similar lead-in times and reporting arrangements exist for SPD as they do for development plan documents.

53. For neighbourhood plans a separate period of public consultation by the neighbourhood planning body proposing the plan is required before a draft plan can be formally submitted to and accepted by the council, although at the time of writing no neighbourhood plans have been prepared or proposed in Norwich.

Who will we involve, and how?

54. The Council's Community engagement strategy (CES) "Working Better Together" identifies five levels of involvement:

- Keeping you informed;
- Asking what you think;
- Deciding together;
- Acting together; and
- Supporting independent community initiatives.

55. Different types of policy documents need different levels of involvement, depending on factors such as how many people would be affected by the proposed policy and the type of impact it would have. Detailed guidance on who we will involve, how, and at what level at the various stages of the plan making process is given in the tables on the following pages.

Public involvement in Local Plans (Development plan documents)

Key stages	Involvement Level	Public/stakeholder involvement arrangements
1. Pre-production/evidence gathering The information needed for the plan is prepared and potential issues identified.	<ul style="list-style-type: none"> Asking you what you think Deciding together 	<ul style="list-style-type: none"> Writing to statutory environment bodies to initiate Sustainability appraisal screening Early involvement of relevant stakeholders Hold focus group sessions where necessary to help decide issues to be included in the plan (where possible and subject to social distancing guidance)
2. Draft Local plan The information gathered at first stage is taken into account in the drafting of detailed policies and allocations. Depending on the level of complexity, the draft local plan stage may involve more than one period of consultation.	<ul style="list-style-type: none"> Asking you what you think 	<ul style="list-style-type: none"> Publish draft documents for consultation for a minimum of six weeks, and, at the start of the consultation period, <ul style="list-style-type: none"> publish the Sustainability scoping report or appraisal as appropriate; inform specific consultation bodies (this will be done by email where possible: postal mailing will be used where there is no email address on the database); inform relevant consultation bodies , other interested bodies and individuals on the consultation database, as above; publish electronic copies of the consultation documents on the Council's website; make hard copies of consultation documents available for inspection at the Council's office and the Millennium library (where possible and subject to social distancing guidance); issue press release in local papers; add consultation information on Council's social media sites. Arrange public meetings, exhibitions, focus groups as appropriate (where possible and subject to social distancing guidance)
3. Publication of the Local plan The Local plan is finalised and published for a last stage of consultation. Comments at this stage will only be sought on soundness and legal compliance of the plan.	<ul style="list-style-type: none"> Asking you what you think 	<ul style="list-style-type: none"> Publish the Local plan and relevant documents for consultation for a minimum of six weeks, and, at the start of the consultation period, <ul style="list-style-type: none"> publish a statement of the representations procedure; publish the Sustainability appraisal report for consultation; publish a consultation statement summarising all comments received from the previous stages and how the comments have been considered and taken into account; publish relevant supporting documents; inform specific consultation bodies, as above; inform relevant general consultation bodies , other interested bodies and individuals on the consultation database, as above; publish electronic copies of all the documents on the Council's website;

Key stages	Involvement Level	Public/stakeholder involvement arrangements
		<ul style="list-style-type: none"> make hard copies available for inspection at the Council's office and the Millennium library <u>(where possible and subject to social distancing guidance)</u>; issue public notice in local newspapers; issue press release in local newspapers; add consultation information on Council's social media sites. Arrange exhibition or presentation to interest groups if necessary, <u>and where possible and subject to social distancing guidance.</u>
4. Submission	<ul style="list-style-type: none"> No involvement 	The draft Local plan, and all supporting documents and the comments received from public consultation are submitted to the Secretary of State, who appoints an independent planning inspector. The hard copy documents are made available at Council's offices and the Millennium library <u>(where possible and subject to social distancing guidance).</u>
5. Public examination	<ul style="list-style-type: none"> No involvement 	The Local plan and the comments received are examined by the planning inspector, followed by the inspector's report.
6. Adoption The Local plan is adopted following the consideration of the recommendations in the inspector's report.	<ul style="list-style-type: none"> Keeping you informed 	<ul style="list-style-type: none"> Make the inspector's report available for inspection on the Council's website and at the Council's office <u>(hard copies will be made available where possible and subject to social distancing guidance)</u> Inform consultees who previously made representations about the availability of inspectors report <p>Following adoption of the Local plan, we will:</p> <ul style="list-style-type: none"> Publish the Local plan, make electronic copies available on the Council's website and hard copies available at the Council's office <u>(hard copies will be made available where possible and subject to social distancing guidance)</u> Publish adoption statement in Local newspapers Send adoption statement to specific and general consultees and those who made representations at previous stages or those who have asked to be notified of the adoption Make the Sustainability appraisal and other supporting documents available for inspection for six weeks after adoption provide information about the adoption of the plan on Council's social media sites

Public involvement in Supplementary Planning Documents (SPDs) and planning briefs

Key stages	Involvement Level	Public/stakeholder involvement arrangements
1. Pre-production/evidence gathering The information needed for the plan needs to be prepared and potential issues need to be identified.	<ul style="list-style-type: none"> Asking you what you think Deciding together 	<ul style="list-style-type: none"> Engaging relevant stakeholders in deciding the level of detail to be included in the plan and to identify key issues that need to be addressed Where necessary, preliminary consultations will be carried out prior to the publication of draft SPDs
2. Draft SPDs/ Planning briefs A Draft SPD/planning brief is prepared following the initial evidence gathering stage. Consultations at this stage will involve publishing a draft of the SPD/ planning brief for comment.	<ul style="list-style-type: none"> Asking you what you think 	<ul style="list-style-type: none"> Publish the Draft SPD/planning brief for consultation for a minimum of four weeks, and, at the start of the consultation period, <ul style="list-style-type: none"> make electronic copies of the plan and supporting documents available on the Council's website; make hard copies of the plan and supporting documents available at the Council's office and Millennium library for inspection <u>(where possible and subject to social distancing guidance)</u>; inform relevant specific and general consultees and those on the consultation database who may have an interest on the issues (this will be done by email where possible: postal mailing will be used where there is no email address on the database); issue a press release for the matters concerned if appropriate; provide consultation information on Council's social media sites. Arrange exhibition or presentation to interest groups if appropriate <u>(where possible and subject to social distancing guidance)</u>
3. Adoption The Council will consider the representations received through the consultations and make any amendments necessary before adopting the SPD/ planning brief.	<ul style="list-style-type: none"> Keeping you informed 	<ul style="list-style-type: none"> Publish the SPD/planning brief – make electronic copies and any supporting documents available on the Council's website and hard copies available at Council's office <u>(hard copies will be made available where possible and subject to social distancing guidance)</u> Publish a consultation statement summarising all comments received from the previous stages and how the comments were considered and taken into account Send an adoption statement to those who have made representations during the previous consultations and those who have asked to be notified of the adoption of the SPD/planning brief. provide information on Council's social media sites

Publicising Neighbourhood Plans

Neighbourhood plans are prepared independently by the local community. As such, deciding how to involve people about what should be in a neighbourhood plan and determining what issues it will cover is the role of the neighbourhood forum or other designated body² actually proposing the plan. The council does not itself have a direct role in preparing a neighbourhood plan but must provide technical advice and support to any group proposing one, to ensure that it will be broadly consistent with the existing development plan for the area. The council is only required to consult formally at key stages, following the legal procedures as described below. The neighbourhood planning body must abide by the neighbourhood planning regulations and must consult “meaningfully” about a proposed plan, but is not bound by this Statement of Community Involvement.

Key stages	Involvement Level	Public/stakeholder involvement arrangements
1. Neighbourhood Area Application A neighbourhood forum or other prospective neighbourhood planning body applies to the city council to designate a Neighbourhood Area for which they propose to prepare a Neighbourhood Plan. The city council publicises the application and invites representations over a minimum 6 week period.	<ul style="list-style-type: none"> • Keeping you informed • Asking you what you think • Supporting independent community initiatives. 	Publish the Neighbourhood Area proposal and invite representations for a minimum of six weeks, and, at the start of the period, <ul style="list-style-type: none"> • make electronic copies of the proposal documentation available on the Council's website; • make hard copies of the proposal documentation available at the Council's office and Millennium library for inspection (where possible and subject to social distancing guidance); • inform relevant specific and general consultees and those on the consultation database who may have an interest in the proposal (this will be done by email where possible: postal mailing will be used where there is no email address on the database); • issue a press release relating to the proposal if appropriate; • add information about how to respond to the proposal on the Council's social media sites.
2. Submission of a Neighbourhood	<ul style="list-style-type: none"> • Keeping you 	Publish the submitted plan and invite representations for a minimum of six weeks,

² In areas without a parish or town council (such as Norwich), local people will need to decide which organisation should produce a neighbourhood plan. These can be existing community groups or local people forming a new group. In both cases they will need to be formally designated and must meet the basic conditions set out in the Localism Act. This includes having at least 21 members and being established to promote the wellbeing of the neighbourhood area. It must be open to new members and have a written constitution and have taken reasonable steps to secure membership from residents, business and local elected members across the neighbourhood area.

Key stages	Involvement Level	Public/stakeholder involvement arrangements
Plan The neighbourhood forum submits the Neighbourhood Plan to the city council. The council invites representations on the submitted plan over a minimum 6 week period.	informed <ul style="list-style-type: none"> • Asking you what you think • Supporting independent community initiatives 	and, at the start of the period, <ul style="list-style-type: none"> • make electronic copies of the submitted plan available on the Council's website; • make hard copies of the submitted plan available at the Council's office and Millennium library for inspection (where possible and subject to social distancing guidance); • inform relevant specific and general consultees and those on the consultation database, as above; • issue a press release relating to the Neighbourhood Plan if appropriate; • provide information about how to respond to the plan on the Council's social media sites.
3. Publication of examiners report The city council publishes the report of the examination into the submitted Neighbourhood Plan and the decision of the council as to whether or not it accepts the examiner's recommendations.	<ul style="list-style-type: none"> • Keeping you informed 	<ul style="list-style-type: none"> • make electronic copies of the examiner's report and decision statement available on the Council's website; • make hard copies of the examiner's report and decision statement available at the Council's office and Millennium library for inspection (where possible and subject to social distancing guidance); • inform relevant specific and general consultees and those on the consultation database, as above; • Provide information about the examiner's report and decision on the Council's social media sites.
4. Referendum information statement The city council publishes the Referendum Information Statement and specified documents, setting out the date and procedure for the Neighbourhood Plan referendum. A minimum of 28 working days' notice will be given.	<ul style="list-style-type: none"> • Keeping you informed 	No less than 28 working days before a Neighbourhood Plan referendum: <ul style="list-style-type: none"> • make electronic copies of the referendum information statement and documentation available on the Council's website; • make hard copies of the referendum information statement and documentation available at the Council's office and Millennium library for inspection (where possible and subject to social distancing guidance); • inform relevant specific and general consultees and those on the consultation database, as above; • Provide information about the referendum on the Council's social media sites
5. "Making" of the neighbourhood plan The city council confirms that the Neighbourhood Plan has come into effect	<ul style="list-style-type: none"> • Keeping you informed • Supporting 	<ul style="list-style-type: none"> • Publish the neighbourhood Plan – make electronic copies and any supporting documents available on the Council's website and hard copies available at Council's office

Key stages	Involvement Level	Public/stakeholder involvement arrangements
(has been “made”) ³ .	independent community initiatives	<ul style="list-style-type: none"> • Notify those who have asked to be informed about the making of the neighbourhood plan. • Provide information about the made plan on Council’s social media sites.

³ Under planning legislation, neighbourhood development plans prepared by the community are referred to as being “made” when they take legal effect. This is distinct from local plans prepared by a council or other local planning authority, which are “adopted”.

3. Consultations on planning applications

Please note that due to the Government's guidance on social distancing in relation to the coronavirus outbreak not all of consultation methods listed below may be possible at present. We will continue to utilise electronic means of communication but may not be able to engage in face to face events or provide hard copies in a manner in which we have previously done so. We will continue to monitor Government guidance and tailor our consultation methods appropriately. We may use alternative approaches to consultation.

Introduction

56. Planning applications are considered through the development management process. It is important that the views of the general public and stakeholders are taken into account to inform decisions.
57. The legal minimum requirements of publicity on planning applications are set out in legislation. These requirements include publication on the Council's register, notices displayed near the site and/or neighbours being notified directly. For some applications, an advertisement is required in a local newspaper. Similar requirements apply to applications for listed building consent.
58. This section sets out the council's approach to encouraging, and requiring where necessary, developers to undertake pre-application consultations and for the involvement of the community in commenting on planning applications.
59. The Planning service standards outline how people can expect to be involved in planning applications and the service they can expect to receive including response times to letters, emails and phone calls. The most up-to-date Planning service standards are available on our website at www.norwich.gov.uk; these will be updated when appropriate to reflect any future changes in legislation or internal processes.

Pre-application consultation

60. The National Planning Policy Framework (NPPF) states that local planning authorities should encourage other parties involved in the development process to take maximum advantage of the pre-application stage, so that prospective developers and applicants who are not already required to do so by law may engage effectively with the local community before they make a planning application. This should improve the efficiency and effectiveness of the planning application system for all parties.
61. The city council strongly encourages developers and agents of all application types to engage with the community at the earliest opportunity. For major schemes this is a requirement. This will give the best information on which to base proposals and enable any planning application that is subsequently made to have the best chance of success.
62. Early involvement between developers, the community, consultees and the local planning authority allows issues and concerns to be discussed before planning proposals are formally submitted for assessment and decisions are made. Pre-application involvement by all parties allows issues and concerns to be raised at

an early stage, potentially enabling them to be addressed and giving communities the opportunity to shape or influence the development proposals.

63. There are several levels of pre-application service available, depending on the type of development proposed. A fee will be charged for this service. Further guidance can be found on the Council's website at the following link <http://www.norwich.gov.uk/Planning/PlanningApplications/Pages/PreApplicationAdviceService.aspx>.
64. The Council strongly encourages applicants to consult the local community before submitting a planning application for significant development, in particular:
- Housing developments of 10 or more dwellings;
 - Any other development with a floor area of 1,000 square metres.
65. The Validation requirements produced by the Council provide details of the pre-application consultation requirements for applications. These will be regularly updated in accordance with legislative requirements. The validation requirements can be accessed from the Council's website: https://www.norwich.gov.uk/downloads/file/1558/validation_requirements.
66. The figure on the next page gives some basic advice on how involvement and consultation would be expected to be conducted. If community consultation is impacted by the Government's guidance on social distancing, for example preventing large public meetings, developers and agents will be expected to consider alternative methods of effective consultation and explain their approach.

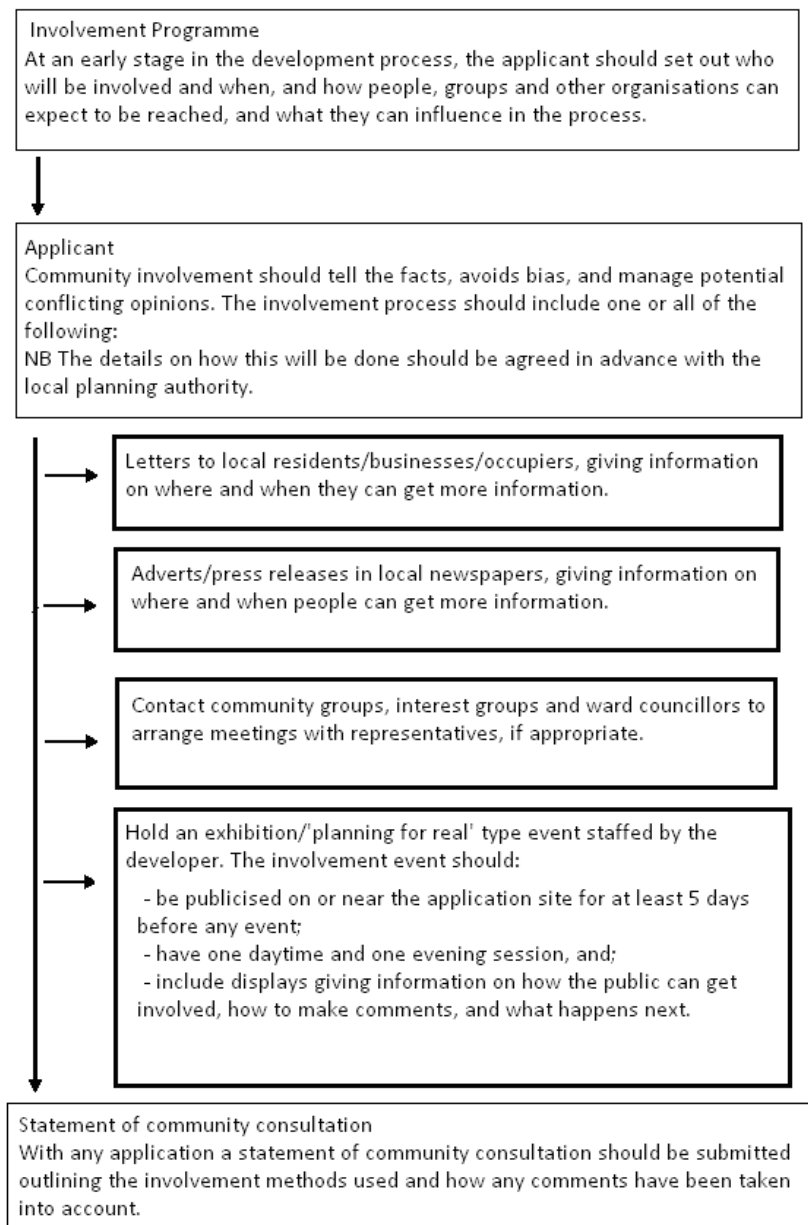


Figure 3: An example of how a pre-application community consultation could be conducted

Planning application consultation

67. It is important that the community have suitable opportunities to be involved in commenting on planning applications and that those comments are taken into account when the decision is made.

68. The council has a well-established process of consultation on planning applications. The main way to find out information on planning applications is through the Planning Public Access service⁴ on our website: <http://planning.norwich.gov.uk/online-applications>. You can also sign up to receive e-mail alerts of proposed developments in your area through this service. Other methods currently include:

- i) letters and emails to statutory consultees, other organisations and interest groups;
- ii) letters and emails to residents, businesses and properties within 10 metres of the boundary of the site;
- iii) the display of site notices (for some applications);
- iv) publication in local newspapers (for some applications);
- v) viewing of all comments received on our website;
- vi) viewing of all decision reports on our website;
- vii) presentations at committee (for some applications) (in accordance with the requirements of the Planning Service Code of Conduct);
- viii) committee papers – available a week before each meeting (in paper form on the website, and in paper form where possible and subject to social distancing guidance), and;
- ix) committee minutes – available 7 days prior to the next meeting.

NB: The methods listed at ii), iii) and iv) above will be carried out in accordance with at least the minimum requirements of Section 15 of the The Town and Country Planning (Development Management Procedure) (England) Order 2015 (or any updated version thereafter). The above list is not exhaustive and may be amended in response to future changes in national planning legislation or regulation. Full details of the consultation methods on planning applications can be found at the following links:

https://www.norwich.gov.uk/info/20017/planning_applications/1201/april_2009
https://www.norwich.gov.uk/info/20017/planning_applications/1202/june_2013

NB2: As permitted under the Coronavirus Act 2020, at present planning committee meetings are not being held at the City Hall due to the current

⁴ The Planning Public Access website allows you to search for details of planning applications, plans and supporting documentation that have been submitted to Norwich City Council's planning service.

guidance on social distancing. They are instead being conducted online and made available to watch on the council's Youtube channel. This will continue to be reviewed, and options such as hybrid meetings will be considered (where some attendees are in-person and some are remote). Current information is available here: <https://cmis.norwich.gov.uk/live/Meetingscalendar.aspx>

Deleted: This will continue to be reviewed.

69. If any planning application is amended during the process of its assessment and the amendment would be likely to have a significant adverse impact on neighbouring properties, then the occupiers of properties affected will be re-notified. All revised or additional documentation or plans will be published on the website. If necessary, the case officer for the application will agree a new determination deadline with the developer/agent as required.

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70. The Planning Portal (www.planningportal.gov.uk) provides information on planning in general, with Norwich City Council's website providing more specific information relevant to Norwich. Public Access contains details of all planning applications and comments of consultees and the consideration of the application by officers from December 2005 onwards, with some information on applications from January 1988 to November 2005.

Material planning considerations

71. In the process of assessing an application the planning officer must have regard to material planning considerations. Some examples of material considerations and non-material considerations can be found below (please note, this list is not exhaustive). For example, the loss of property value is not a material planning consideration and will not be taken into account in the assessment of an application.

72. More advice on material planning considerations can be found via the Planning Portal and Planning Aid England by following the links below:

<http://www.planningportal.gov.uk/general/faq/faqapplyprocess%20-%20Whatarematerialconsiderations#Whatarematerialconsiderations>
<http://www.rtpi.org.uk/media/686895/Material-Planning-Considerations.pdf>

Material planning considerations	Non-material considerations
National and local policies	Issues considered under Building Regulations
Planning history and previous appeal decisions	Land/boundary disputes, including rights of access
Case Law	Opposition to business competition
Impact on sunlight, outlook, privacy and amenity	Loss of property value
Highways issues (e.g. increased traffic movements)	Loss of view (NB this does not include 'outlook')
Effect on a Listed Building or Conservation Area	Opposition to the principle of a development if permission has been granted by an outline application or appeal decision

Figure 4: Examples of material and Non-material considerations
(Source: RTP/Planning Portal/ Planning Aid England)

4. Resources and management

73. This section discusses the management of the involvement process and the resources available to the council. The local plan is managed by the council's planning policy and projects team and supported by officers from other council departments who will provide expertise, support and advice during the process. The resources are designed to ensure that the Local plan, Sustainable community strategy and other council strategies are linked and that all local community involvement events are coordinated.
74. The council will aim to make the most efficient use of limited staff time and resources to prepare local planning documents and involve people throughout the plan-making process. We will work closely with those involved to understand and agree policies and proposals at an early stage so that outstanding issues can be resolved where possible, meaning that fewer resources are needed at the examination stage to debate outstanding objections. From previous experience of consulting on planning policy documents, using time and resources efficiently to involve the public, developers and other stakeholders at the earliest stage can greatly shorten the length of examination time and reduce unnecessary delays in the plan production process. This helps to ensure that emerging policies and proposals have a broad consensus and will be appropriate and effective in bringing forward sustainable development.
75. The council may engage specialised agencies or consultants for specific parts of the planning policy framework such as master planning and evidence studies. They will be expected to undertake public participation and involvement on their proposals and results which will be consistent with this document.



Appendix 1: Local plan consultees

In the planning policy making process, the Council is required to consult organisations which are known as either 'specific' or 'general' consultees. In addition the government has introduced a 'Duty to co-operate' in the 2012 planning regulations⁵; many of the consultees required under the Duty to co-operate are already included in the list of 'specific consultees' below, but for completeness they are all listed separately on page 25. As the legislation and regulations are frequently updated, the lists of consultees below may change over time and must be checked against the requirements set out in any new regulations.

The recent planning regulations set out the specific consultation bodies. Along with relevant government departments, the list contains the bodies below.

Regard will also be had to the consultation requirements indicated in the Neighbourhood Plan Regulations (2012 as amended).

Specific consultation bodies

- The Coal Authority
- The Environment Agency
- The Historic Buildings and Monuments Commission for England (Historic England)
- The Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- The Highways Agency
- Norfolk County Council
- Broads Authority
- Adjacent local authorities
- Norfolk, Suffolk and Cambridgeshire Clinical Commissioning Bodies (or successor health care bodies)
- NHS England Midlands and East (East)
- Norfolk Constabulary
- Police and Crime Commissioner
- Relevant telecommunications companies
- Relevant electricity and gas companies
- Relevant water and sewerage undertakers
- The Homes and Communities Agency
- Local nature partnerships

⁵ The Town and Country Planning (Local Planning) (England) Regulations 2012

General consultation bodies - examples

Through this Statement of community involvement, we are committed to involving a wide range of other groups, organisations and interested individuals in the planning process. This will ensure that as many people as possible who are interested are involved in the future development of Norwich.

The list below provides some examples of general consultation bodies:

- Community groups (area based and topic based)
- Parish councils in Norwich policy area
- Housing organisations
- Housebuilders
- Residents and tenants groups
- Business and commerce organisations
- Economic development agencies
- Educational bodies
- School councils
- Community safety bodies
- Environmental and heritage organisations
- Equal opportunities bodies
- Ethnic minority groups
- Disabled people's organisations
- Older people's groups
- Faith groups
- Health and social care groups
- Norfolk and Waveney Mental Health Trust
- Youth organisations
- Agents/developers
- Landowners
- Regeneration bodies
- Tourism bodies
- Transport bodies
- NCC Public Health
- Community centres
- Volunteer development organisations
- Sports and recreation organisations
- Health and Safety Executive

- Royal Mail
- Emergency services.
- Gypsies, Travellers and Travelling Show people
- Design Review Panel
- Norfolk Historic Environment Service
- Local Enterprise Partnerships
- Interested individuals

Duty to Co-operate: consultees required under the 2012 Planning Regulations
(as amended by the National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013)

- The Environment Agency
- The Historic Buildings and Monuments Commission for England (Historic England)
- Natural England
- The Civil Aviation Authority
- The Homes and Communities Agency
- Clinical Commissioning Groups (established under section 14D of the National Health Service Act 2006);
- The National Health Service Commissioning Board
- The Office of Rail Regulation
- Integrated Transport Authorities
- Highway Authority (Norfolk County Council)
- The Marine Management Organisation

Note that consultees specific to London are not included in this list.