

Report to Cabinet
16 July 2014
Report of Head of planning service
Subject Local development scheme 2014 - 15

Item
7

Purpose

To consider the draft revised local development scheme (LDS) - the work programme for producing the key planning documents – as recommended by sustainable development panel.

Recommendations to:-

- 1) approve the revised Local development scheme 2014 - 15 as set out at Appendix 1 for publication; and
- 2) give delegated authority to the Deputy Chief Executive (Operations) in consultation with the portfolio holder for environment, development and transport to make minor changes to the Local development scheme before publication and arrange for it to be published.

Corporate and service priorities

The report helps to meet the corporate priority “A prosperous city” and the service and team priorities to review the Local development scheme.

Financial implications

None

Ward/s: All wards

Cabinet member: Councillor Stonard – Environment development and transport

Contact officers

Judith Davison 01603 212529

Jonathan Bunting 01603 212162

Background documents

None

Report

Introduction

1. The Local Development Scheme (LDS) is required to be prepared as part of the statutory process of plan making. It is essentially the work programme and project plan for preparation of the various planning policy documents making up the local plan for the city.
2. Preparation of an LDS is required by section 15 of the Planning and Compulsory Purchase Act, as amended by section 111 of the Localism Act 2011. The Localism Act has amended procedures for LDS production: a local planning authority has only to make a formal resolution to adopt the scheme and publish it on their website in order for it to take effect. There is no requirement to consult on the local development scheme prior to publication, or to submit it to the government for formal endorsement. The amended procedures focus on the need to provide timely and relevant information to the public about progress on the local plan and adherence to its timetable.
3. The streamlined arrangements simplify the process of review if the detail of the scheme has to be changed. Local authorities have considerable leeway in the form and content of the LDS – in particular it no longer has to cover a prescribed three year period – although the legislation still requires the following details to be made available to the public when publishing it:
 - the up-to-date text of the scheme,
 - a copy of any amendments made to the scheme, and
 - up-to-date information showing the state of the authority's compliance (or non-compliance) with the timetable for the preparation and revision of documents identified within it.
4. This iteration of the Norwich LDS is proposed to run for a 1 year period. It is intended that it will be reviewed by summer 2015, when there will be greater certainty about the need for and format of review of the Joint Core Strategy. Future iterations may look forward over longer periods.

Revisions to the Norwich local development scheme

5. Since the 2012 LDS was prepared, the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) has been adopted with amendments, following the legal challenge in 2011 and public examination in 2013. As this plan is now adopted it does not appear in the formal LDS schedule (attached at Annex 1, at the end of Appendix 1), although it is referred to in the LDS covering document as it forms part of the Norwich Local Plan. Similarly the document also refers to the Adopted City of Norwich Replacement Local plan (2004) and Northern City Centre Area Action Plan (2010). The former will be superseded in its entirety by the Development Management policies plan and Site Allocations plan once adopted. Details of the adopted local plan documents are set out in chapter 2 of the LDS document (see Appendix 1).

6. The focus of the revised LDS is on the Development Management policies and Site Allocations plans, and the accompanying Policies Map. These plan documents are at an advanced stage of preparation: the public examination hearings concluded in March 2014 and the consultation on the Inspector's main modifications is currently underway. The LDS anticipates that the plans and policies map will be adopted by Autumn 2014. For further details see chapter 5 and 6 of the LDS document attached at Appendix 1.
7. The revised LDS also includes supplementary planning documents (SPD) and informal advice notes. These are not required to be included in an LDS but it is considered helpful to include them in Norwich's LDS as they are part of the general programme of plan preparation and will contribute to the implementation of planning policies. Two SPDs are required to be prepared (for Affordable housing, and Retail frontages) and to be adopted at the same time as the development plan documents, i.e. by autumn 2014. Three other informal advice notes are included in the LDS (relating to Trees, Landscape and Development; Heritage interpretation; and Open space and play). For further details on all these documents please see chapter 5 of the LDS document at Appendix 1.
8. The LDS document also makes reference in chapter 5 to anticipated and potential workstreams, for which limited detail is available at present but which may form part of the planning work programme during this LDS or in future revisions to the LDS. Anticipated workstreams for this LDS include appraisals of the future planning policy for the Northern City Centre (as the NCC area action plan will fall away in March 2016), and an assessment of options for preparation of additional guidance on policy for houses in multiple occupation. Potential workstreams which may form part of future revisions to the LDS include a Gypsy and traveller local plan, a targeted review of the Development Management policies plan, and a review of the Joint Core Strategy. Details of all these anticipated or potential work items are set out in chapter 5 of Appendix 1.
9. Sustainable development panel considered the draft Local development scheme at their meeting on 25 June 2014 and recommended it for approval by cabinet with no further changes. Compared with the version presented to panel, the version attached at Appendix 1 incorporates some minor presentational changes.

Conclusion

10. The work programme for production of planning policy documents as set out in the revised LDS focuses on the adoption of the key development plan documents (Development Management policies and Site Allocations plans, and production of associated supplementary and informal planning advice. The inclusion of SPDs and advice notes are important as they will contribute to the successful implementation of adopted planning policy.
11. There are a number anticipated / potential workstreams which, although not included in the LDS schedule at Annex 1 (within Appendix 1), are potentially significant future work items for the Planning Policy team. Further details about these areas of work will be reported to members as options are explored and will be included in future revisions to the LDS as appropriate.

Integrated impact assessment



NORWICH
City Council

Report author to complete

| | |
|-------------------------|---|
| Committee: | Cabinet |
| Committee date: | 16 July 2014 |
| Head of service: | Graham Nelson |
| Report subject: | Local Development Scheme |
| Date assessed: | tbc |
| Description: | The impact assessment is based on the recommendation to approve the revised Local development scheme for publication and not on the contents of the scheme itself. The key documents detailed in the scheme have been subject to Sustainability Appraisal (including consideration of environmental, social and economic objectives) and have been screened for impacts on diversity considerations. It is expected that the policy documents detailed in the scheme will be reported individually to members and the specific impacts of each document will be appraised at that time. |

| | Impact | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|---|
| Economic (please add an 'x' as appropriate) | Neutral | Positive | Negative | Comments |
| Finance (value for money) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | There are some costs associated with the preparation of the LDS but this is a statutory requirement. Publication of timely and relevant information about the council's planning policy documents will reduce the amount of officer time dealing with enquiries about their status and contribute to more efficient service delivery. |
| Other departments and services e.g. office facilities, customer contact | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Very limited impact on Design Print and Production service which will upload electronic versions on the council's website. |
| ICT services | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified. |
| Economic development | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | No direct impact identified. Indirectly, the LDS raises awareness of the role of positive planning strategies for the city alongside supplementary planning documents and advice which will help to support the delivery of sustainable development, homes and jobs. |
| Financial inclusion | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified |
| Social (please add an 'x' as appropriate) | Neutral | Positive | Negative | Comments |
| Safeguarding children and adults | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified |
| <u>S17 crime and disorder act 1998</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified |
| Human Rights Act 1998 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified |
| Health and well being | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified |

| | Impact | | | |
|--|-------------------------------------|--------------------------|--------------------------|---|
| Equality and diversity (please add an 'x' as appropriate) | Neutral | Positive | Negative | Comments |
| Relations between groups (cohesion) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified |
| Eliminating discrimination & harassment | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified |
| Advancing equality of opportunity | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No impact identified |
| Environmental (please add an 'x' as appropriate) | Neutral | Positive | Negative | Comments |
| Transportation | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The publication of the LDS will not have a direct impact on transportation |
| Natural and built environment | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The publication of the LDS will not have a direct impact on the natural and built environment |
| Waste minimisation & resource use | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The publication of the LDS will not have a direct impact on waste minimisation and resource use |
| Pollution | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The publication of the LDS will not have a direct impact on pollution |
| Sustainable procurement | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The publication of the LDS will not have a direct impact on sustainable procurement |
| Energy and climate change | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The publication of the LDS will not have a direct impact on energy and climate change |

| | Impact | | | |
|------------------------------------|-------------------------------------|--------------------------|--------------------------|---|
| (Please add an 'x' as appropriate) | Neutral | Positive | Negative | Comments |
| Risk management | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Likely to be neutral impact subject to clear reasons being given if any changes are made to the scheme. |

Recommendations from impact assessment

Positive

No direct positive impacts identified, although the revised scheme once in place should provide clear and concise information to the public and the development industry on the progress toward the adoption of the emerging local plan for Norwich and supporting advice and guidance, which together will help to improve the overall delivery and targeting of the council's planning services

Negative

Minor negative resource impacts identified however these are considered essential to support the publication of the local development scheme, which is a statutory requirement.

Neutral

No impact in relation to the majority of issues

Issues

The key issue is to ensure that the programme of policy document production identified in the revised scheme will contribute to achieving the city council's corporate objectives for the delivery of homes and jobs for Norwich and will also accord with the government's stated objectives in relation to sustainable development. The LDS programme must also be achievable within the resource constraints of the planning service, and the rationale for any decision by Cabinet to vary the content of the scheme should be clearly documented.

APPENDIX 1

**Local development scheme
for Norwich**

2014-15

Revised

July 2014



NORWICH
City Council

1. The Norwich Local Development Scheme

- 1.1 A Local development scheme (LDS) must be prepared under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). An LDS is essentially a project plan which identifies (among other matters) the development plan documents which, when prepared, will make up the Local Plan for the area. It must be made publicly available and kept up-to-date. This enables the public and stakeholders to find out about planning policies in their area, the status of those policies, and the details of and timescales for production of all relevant documents.
- 1.2 In addition to providing information about development plan documents in preparation, this LDS also provides detail about the preparation of Supplementary Planning Documents (SPDs) and other informal planning guidance (which are not required to be in the LDS), and adopted local development documents, to provide a full account of the planning policies that will operate in Norwich. This document also refers to anticipated workstreams which will in due course form part of the Local Development Scheme.
- 1.3 This LDS was approved by the council's Cabinet on 16 July 2014 following consideration by Sustainable Development Panel on 25 June 2014. It updates the LDS which was published in October 2012 and takes effect from 17 July 2014.

Summary of changes since the last LDS

- 1.4 With the exception of the Northern City Centre Area Action Plan (already adopted), the timetable for completing the local plan documents has slipped to some extent from that anticipated in the 2012 Norwich Local Development Scheme. This was due largely to unforeseen delays in the re-examination of the remitted content in the greater Norwich **Joint Core Strategy (JCS)**, which informs the emerging Development plan documents (DPDs) being prepared for the city of Norwich.
- 1.5 The expectation of the 2012 LDS was that the re-examination of the remitted part of the JCS would be completed in May 2013 and that amendments to the document would be finalised and adopted in July/August 2013. The JCS examination hearings were adjourned for two months following a decision of the Inspector, to ensure that the GNDP authorities could prepare sufficient additional evidence on housing supply and site development viability to demonstrate that the plan approach was soundly based. This meant in turn that the Inspector's report could not be issued until November. As a consequence, the examination hearings for the **Development Management Policies Plan** and **Site allocations plan** for Norwich, originally scheduled for September 2013, were postponed for six months with the agreement of the Planning Inspectorate. Although the issues debated at the JCS examination hearings did not affect Norwich directly, the city council considered that it would not be in the public interest to proceed with the examination hearings for its own DPDs in advance of the Inspector's conclusions on the soundness of the JCS and adoption of amendments to that document.
- 1.6 Postponing the examination hearings for the JCS and consequent delay in the examination timetable for the Development Management Policies and Site allocations DPDs has enabled the city council to prepare additional evidence for examination to ensure that its own DPDs are sound. This has included

- A [Viability Study](#) (November 2013) to investigate the viability of development allocations in the Site Allocations Plan and the impact of policies in the Development Management (DM) policies plan on viability and deliverability; and
- A [Local plan evidence paper](#) (November 2013) on the impact of national legislative changes on emerging policy for office development and office space protection in Norwich.

2. The adopted development plan

- 2.1 A number of planning documents are already in place to guide the council's decisions on planning applications: together these form the existing adopted development plan for Norwich. Because they are already in use, they are not part of the formal LDS schedule set out in Annex 1, which deals in the main with the new documents that will be prepared to replace or supplement them. However they are included below in order to provide a complete picture of the planning policy documents which apply in Norwich.

Joint Core Strategy

- 2.2 The **Joint core strategy** (JCS) for the greater Norwich area was adopted in March 2011, with amendments adopted in January 2014. It is a planning document prepared jointly by Norwich, Broadland and South Norfolk district councils and Norfolk county council, covering the combined area of the three constituent districts and providing a long term vision, objectives and spatial strategy for development of Norwich and its surrounding area. The JCS is therefore at the heart of the local plan for Norwich.
- 2.3 Following a legal challenge to the adoption of the JCS in 2011, the judgement of the High Court in February 2012 was that the process of sustainability appraisal leading to the preferred alternative for growth in the Norwich Policy Area part of Broadland District (the North East Growth Triangle, or NEGT) had been deficient in some respects. Consequently those parts of the JCS specific to that area should be remitted – that is, removed from the adopted plan) for further consideration. The judgement also required that a new sustainability appraisal for that part of Broadland in the Norwich Policy Area should be prepared.
- 2.4 A “Regulation 19” proposed submission document revisiting those parts of the JCS content at issue was published (alongside a revised sustainability appraisal) in August 2012 and submitted for examination in February 2013. Public examination hearings into the remitted parts of the JCS affecting the Broadland part of the Norwich Policy Area took place across two hearing sessions in May and July 2013. The Inspector's report of the examination published in November 2013 resulted in a limited number of changes to the JCS affecting part of Broadland, including new policy 22 to ensure the delivery of sufficient housing land in that area: in the event of a significant shortfall in the 5 year supply of housing land after 2 years from adoption, the Councils will remedy the shortfall by producing a short, focussed local plan to identify additional locations for housing within the whole Norwich Policy Area. The changes resulting from the re-examination were approved and adopted as amendments to the JCS in January 2014.

City of Norwich Replacement Local Plan

- 2.5 The city's current local plan – the **City of Norwich replacement local plan** – was adopted in November 2004, setting out policies and proposals to manage development of the city over the period 2001-2011. The Replacement Local Plan was prepared under previous planning regulations and in terms of planning legislation is an “old style” local plan. From November 2007, around a third of the policies in the 2004 local plan ceased to have effect, with the agreement of the Government Office. Policies that were retained for use in decision making after that date and have not been superseded by more up to date policy documents are called “saved policies”. A further review of local

plan saved policies was undertaken in March 2013 to assess their consistency with national policy.

Northern City Centre Area Action Plan

- 2.6 The **Northern City Centre Area Action Plan (NCCAAP)** covering the key regeneration priority area in the northern part of Norwich city centre, was adopted in March 2010. Covering the period to March 2016, its policies were prepared and consulted on in the context of the Replacement Local Plan 2004, which the emerging DM Policies Plan and Site Allocations Plan will replace.
- 2.7 The Northern City Centre Area Action Plan is nearing the end of its ten year period. Although many of the area wide policies applying in the plan area will be superseded by the DM Policies Plan, any site specific proposals which are included in the plan and are not yet implemented by March 2016 will cease to have effect. This LDS makes provision for a review of options for planning policy for the Northern City Centre to commence prior to 2016.
- 2.8 Selected saved policies of the 2004 local plan and the majority of policies in the Northern City Centre Area Action Plan remain in use to guide the council's planning decisions (alongside the JCS) until the emerging new policy documents detailed in this local development scheme are formally adopted. The weight that can be given to adopted policies depends on their consistency with national policy. Policies which are inconsistent with national planning policy or which are out of date can be given limited or no weight in decisions.

Other relevant documents

- 2.9 In addition a **Statement of community involvement (SCI)** must show how the council intends to involve the community in plan preparation and planning decision making. The SCI does not itself form part of the local plan. The most recent SCI for the city of Norwich was adopted in July 2013.
- 2.10 To ensure that plans and policies are shown to be effective, an **Annual monitoring report (AMR)** must also be prepared to record progress on implementing the local plan and how new development and change taking place in the previous year has contributed to achieving its targets. From 2011, the AMR for Norwich has been incorporated within a combined monitoring report for the Joint Core Strategy prepared jointly by Norfolk county council and the three district authorities covering greater Norwich.

3. What kinds of documents are covered in this local development scheme?

- 3.1 **Development plan documents** (DPDs) are those making up the emerging statutory development plan (the new Local Plan) for Norwich. The council's planning decisions must be made in accordance with the local plan unless material considerations indicate otherwise. The main documents covered in this scheme which will guide development in Norwich in the coming years are the *Site Allocations and Site Specific Policies DPD* (also called the Site Allocations Plan) and the *Development Management Policies DPD* (also called the DM Policies Plan)
- 3.2 Each document must be prepared in accordance with a nationally prescribed procedure set out in the local plan regulations, last reviewed in 2012. At key stages of plan-making there is an opportunity for the public to comment on emerging planning policies and proposals in the document. At the end of the process, development plan documents must be submitted to the Secretary of State and subject to independent examination by a government appointed inspector to assess their soundness and legal compliance before they can be *adopted* by the council and come into force.
- 3.3 Certain other documents must be published alongside each DPD, including:
- the independently prepared *sustainability appraisal report* of the DPD at each stage;
 - 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;
 - an *adoption statement* and *environmental statement* (when the plan is adopted).
- 3.4 **Supplementary planning documents** (SPDs) help to support and explain in more detail how the city council will implement particular policies and proposals in the local plan. SPD can also take the form of detailed design briefs or development briefs for sites identified for future development ("allocated") in the plan.
- 3.5 Because the various funding sources, organisational arrangements and legal mechanisms to implement policies change over time, SPD can be reviewed frequently and relatively straightforwardly to respond to these changes, whereas a review of the policies in the plan is longer and more complex.
- 3.6 National planning policy and planning practice guidance states that supplementary planning documents should be used "where they can help applicants make successful applications or aid infrastructure delivery", and should not be used to add unnecessarily to the financial burdens on development. Previous regulations stated explicitly that SPD

could not set policies over and above those which are already in the parent plan, although this is not so clear in current regulations and some planning authorities have used SPD to bring forward new detailed policy, especially where their local plan is out of date. The implication of national advice, however, is that SPD should not usually include new or excessively detailed policy guidance, but ought to be used only where it can clarify and amplify existing policy and set out how it will help to bring forward sustainable development.

- 3.7 In this context, the SPD, advice and guidance included in the council's work programme is considered to be appropriate, proportionate and necessary in order to deliver the programme of growth and development for Norwich set out in the Local Plan.
- 3.8 Government regulations did not previously require SPD to be included in the local development scheme, however the importance of SPD to the council's overall work programme and its relevance in supporting infrastructure delivery means that it is important to include details of forthcoming supplementary guidance in this document.
- 3.9 **Informal advice notes** are also included in this Local Development Scheme document for information. Although they do not have the same status as Supplementary Planning Documents, they contribute to implementation of planning policies, through provision of best practice for example, and are part of the Council's work programme for planning policy documents.
- 3.10 **Potential and anticipated workstreams** are also referred to in this document for information. These include options appraisals for future development plan documents or SPD and are included for completeness as they are also part of the Council's work programme for local planning documents.

4. The hierarchy of local development documents

- 4.1 The documents making up the Local Plan for Norwich must conform to national planning policy in the National Planning Policy Framework (NPPF), supported by national planning practice guidance. At a Norwich area level, the adopted JCS for greater Norwich is the primary document at the top of the hierarchy to which other development plan documents prepared by individual districts should conform. For Norwich the *Site Allocations Plan* and *DM Policies Plan* will be the main Local Plan documents which interpret the JCS within the city. Supplementary planning documents build upon and provide more detailed advice or guidance on the policies in the Local Plan.
- 4.2 Figure 1 overleaf sets out the role of different planning documents within the local planning framework for Norwich.
- 4.3 The Localism Act 2011 allows for community led neighbourhood plans to be brought forward to complement the adopted local plan, and this is reflected in Figure 1. At the time of writing no such plans have been proposed within the city boundary although neighbourhood plans are now formally in place (“made”) for the adjoining suburban parishes of Cringleford in South Norfolk and Sprowston in Broadland. The city council remains open to working in cooperation with community-led groups to produce neighbourhood plans for individual parts of Norwich where these help to promote beneficial development, regeneration or neighbourhood enhancement in accordance with the presumption in favour of sustainable development and the general principles set out in the NPPF.
- 4.4 The preparation of the Local Plan needs to be supported by a robust evidence base. The extensive library of documents which have informed the preparation of the Site Allocations and DM Policies DPDs the plan can be viewed on the city council’s website [here](#). The JCS documents library can be viewed [here](#).

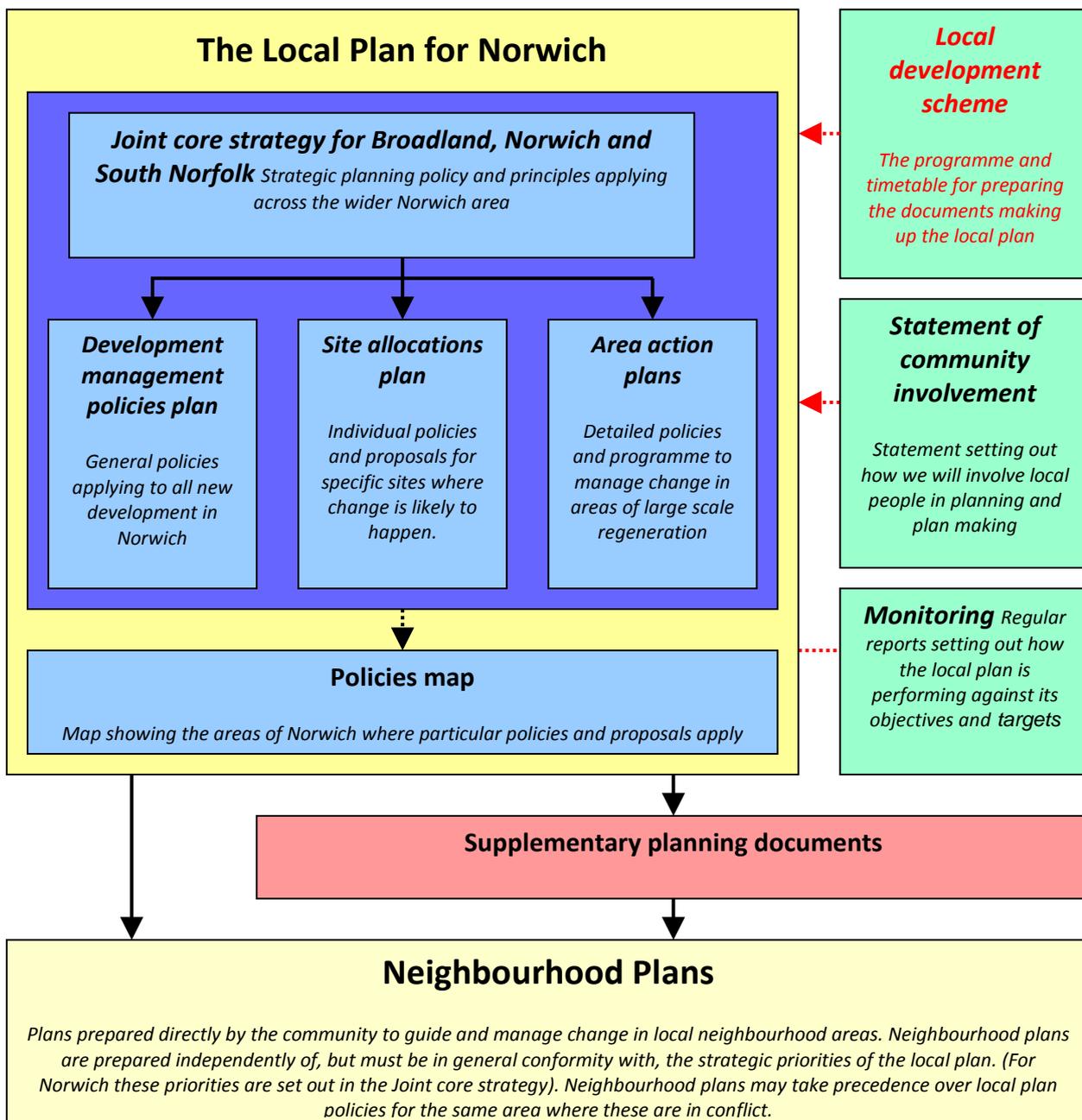


Figure 1: Documents making up the local planning framework for Norwich

5. Outline of the local development scheme

Development Plan Documents for Norwich: programme of plan preparation

- 5.1 The ***Site allocations and Site Specific Policies DPD*** (the Site Allocations Plan) identifies and sets out policies for 73 individual sites in Norwich city where development is proposed or expected to occur between now and 2026. It responds to the requirement of the JCS to identify additional sites for 3000 new homes in the city by 2026 over and above existing housing commitments, as well as identifying opportunities to accommodate the overall levels of growth in jobs and services anticipated over that period and to ensure that these can be delivered and located sustainably, with a particular focus on expanding office employment and retail and leisure uses in the city centre. It will also help to deliver the community facilities and green infrastructure and elements of the sustainable transport network required to support new development as it occurs, in accordance with the JCS.
- 5.2 Public consultation on an initial “long list” of development sites for potential inclusion in the Site Allocations Plan took place between November 2009 and February 2010. A further draft of the plan setting out the city council’s preferred shortlist of sites was published in January 2011, with a second round of consultation taking place between July and September 2011 on a small number of additional and amended sites. The “Regulation 19” publication version of the Site Allocations Plan was issued for consultation between August and October 2012, inviting comments on its soundness. Further amendments to the plan were made in response to this consultation and an amended version was submitted to the Secretary of State in April 2013 for examination.
- 5.3 The formal examination of the Site Allocations Plan is taking place alongside that of the Development Management Policies Plan (see following). Both documents are being examined concurrently by an independent Inspector, Christopher Anstey, appointed by the Planning Inspectorate. The public examination hearing into the Site Allocations Plan was held on 4, 5 and 6 March 2014. Public consultation on the inspectors proposed modifications to the plan commenced on 19th June 2014 for a period of 6 weeks. See Table 6.1 for further details, and Annex 1.
- 5.4 The ***Development Management Policies DPD*** (the DM Policies Plan) sets out a range of more detailed policies applying throughout Norwich which will be used in the council’s assessment of development proposals and to guide future council decisions on applications for planning permission up to 2026. 33 policies cover a range of topics, building on the national policy principles for sustainable development set out in the National Planning Policy Framework and the strategic policies and objectives of the JCS. In certain cases the policies also set out local criteria and standards for different kinds of development.
- 5.5 A draft version of the DM Policies plan was published (alongside the Site Allocations Plan) in January 2011. It was extensively revised in the light of comments received on the draft, input from the business community and other stakeholders and especially in response to the requirements of the NPPF, which appeared in draft during plan production and was published in its final form in March 2012. The final publication

version of the DM Policies Plan – the *pre-submission* version – was published for Regulation 19 soundness consultation in August 2012.

- 5.6 Further amendments to the plan were made in response to this consultation and an amended version was submitted to the Secretary of State in April 2013 for examination.
- 5.7 The public examination hearing into the DM Policies Plan was held on 25 and 26 February 2014. Public consultation on the inspectors proposed modifications to the plan is concurrent with consultation on the Site Allocations Plan, which commenced on 19th June 2014 for a period of 6 weeks. The Inspector’s report of his examination of both plans is expected to be published in September 2014, with formal adoption of the plans by the City council expected in the autumn.
- 5.8 The Site Allocations Plan and DM Policies Plan have been prepared on broadly the same timescale and have both been subject to independent Sustainability Appraisal (by retained consultants LUC) at key stages of the plan making process.
- 5.9 Changes in national planning rules made through the 2013 General Permitted Development Order mean that particular kinds of development no longer need planning permission. It also introduces the concept of “temporary flexible uses” where premises can be used for certain other purposes for up to two years without planning permission subject to informing the council of the proposed change under a simplified prior notification procedure. The 2013 Order has also removed the need for planning permission to change the use of premises to a state funded school, temporarily increased size limits for house extensions and certain commercial developments that can be built without planning permission, and temporarily removed the need for permission to change the use of offices to housing, provided the housing is occupied by May 2016. Most of these changes are subject to a streamlined prior approval process where in limited cases development can still be prevented if it would have harmful consequences for environmental or highway safety (by increasing flood risk, pollution or traffic congestion).
- 5.10 The wide ranging national planning deregulation in 2013 has meant that further changes must be made to the council’s local plan to make its emerging policies consistent with national policy and hence legally compliant and sound. These changes are being brought forward as part of the Inspector’s recommended modifications to the local plan being consulted on from June 2014. Many of the temporary rule changes in the General Permitted Development Order 2013 will expire in May 2016 and further deregulation may occur before that. This may trigger the need for a focused review of selected policies in the plan before 2016, most obviously policy DM19 of the DM Policies Plan, which seeks to promote new office development in the city centre and limit the change of use of high quality office space to other uses. See paragraph 5.19 and Table 6.2 for further details.
- 5.11 Please note that the Policies Map which will accompany both the above planning documents is shown separately in Annex 1.

Supplementary Planning Advice and Informal Guidance

- 5.12 **Supplementary planning documents (SPD)** and **Advice Notes** provide further guidance on particular policies in the DM Policies Plan. Future SPD may also take the form of planning briefs and guidelines which provide further site-specific detail in respect of sites in the Site Allocations Plan and any other sites on which major development may be proposed over the plan period.
- 5.13 A range of SPD is currently in place to support certain 'saved' policies of the adopted City of Norwich Replacement Local Plan 2004. It is intended that selected planning advice and guidance in these documents which is still relevant and necessary to support equivalent (or new) policies in the DM Policies Plan will be reviewed and consulted on over the period of this LDS. The intention is to streamline and simplify the content of SPD where possible, focusing only on those matters where there is a clear need for more detail to assist applicants and developers.
- 5.14 The topics which it is proposed to cover in SPD and other supplementary advice are as follows:

- **Affordable Housing (updated SPD).** The previous (2009) SPD for affordable housing supplemented and reflected the approach of saved policy HOU4 of the City of Norwich Replacement Local Plan which is now superseded by policy 4 of the JCS. This sets out revised affordable housing requirements and thresholds based on an up to date assessment of need. An interim statement on affordable housing was adopted by the city council in December 2011, setting out the circumstances in which off-site provision of affordable housing in Norwich may be acceptable as a departure from JCS policy 4, particularly for small sites where on site provision had become uneconomic. It also addressed how financial payments in lieu of affordable housing would be calculated in these circumstances. Revised guidance is now required to update the 2011 interim statement and take account of forthcoming national policy changes which are likely to increase the minimum size of site on which an element of affordable housing can be sought.

The draft SPD will be reported to Sustainable Development Panel in summer 2014 prior to public consultation, and will then be reported to Cabinet in the autumn for adoption as shown in Annex 1 to this report.

- **Main Town Centre Uses and retail frontages (new SPD).** This SPD, which will supplement policy DM20 of the DM Policies Plan, is essential in order to make the policy effective and consequently is proposed to be prioritised for early consultation and adoption alongside the plan. The need for new SPD results from a decision to introduce flexibility into policy DM20. The policy aims to protect the vitality, viability and diversity of the primary and secondary shopping areas and large district centres by managing changes of use within defined *frontage zones*, comprising discrete areas made up of small groups of shopping streets of varying character. The policy seeks to protect retail function by setting an indicative minimum proportion of frontage to be maintained in retail use in each zone. The policy itself does not set a proportion, and in his examination of the DM policies plan the Inspector has confirmed that it is appropriate to set out this detail in SPD, which can be reviewed flexibly as necessary in response to objective evidence of retail market trends and

changes in the character and function of the central shopping area over the plan period.

Research and regular monitoring by the city council and consultation with the business community and other stakeholders will inform the need for future reviews of this SPD. It will also include advice on the approach to be taken to proposals for various other main town centre uses and residential uses in shopping areas, taking account of recent changes in national policy allowing for the temporary flexible use of shops.

The draft SPD will be reported to Sustainable Development Panel in summer 2014 prior to public consultation, and will then be reported to Cabinet in the autumn for adoption as shown in Annex 1 to this report.

- ***Trees, Landscape and Development (new advice note expanding on and replacing existing SPD)***. The city council's current SPD on trees and development supplements City of Norwich Replacement Local Plan saved policies NE2, NE3, NE4 and NE8. It was adopted in its current form in September 2007 and it is intended to be selectively updated to support the new policy for trees in the DM Policies Plan (DM7) also making reference to legislative changes and new British Standards for tree protection. It describes the legal and procedural framework for the protection and management of trees, sets out the city council's requirements for comprehensive tree surveys and Arboricultural Method Statements (AMS) in support of planning applications for new development, which are normally imposed as a condition on a planning permission. It describes the arrangements to secure provision and maintenance of trees on and off site, including street trees. Recognised as an example of best practice nationally, the Trees and Development SPD is proposed for early review, although it is now proposed to take the form of an advice note rather than formal SPD. Additional advice will be included on requirements for green design, landscape analysis and biodiversity.
- ***Heritage Interpretation (updated advice note replacing existing SPD)***. The city council's existing heritage interpretation SPD was adopted in December 2006. It supplements saved policy TVA8 of the adopted City of Norwich Replacement Local Plan which requires interpretation to be provided on all development sites where there is significant heritage interest. The current SPD describes the application of the policy, gives guidance on how heritage interest should be assessed, sets out procedures to be followed in negotiating heritage interpretation measures in new development schemes and offers advice on the range of measures which may be considered. A review of this guidance – which is not intended to be prepared as formal SPD – is now necessary because the policy basis for requiring heritage interpretation in new development has changed – it will now be implemented through policy DM9 of the DM Policies Plan - and existing SPD will cease to have effect when that plan is adopted. Additionally, the introduction of the Community Infrastructure Levy, potential wider involvement of the voluntary sector and changes in local heritage management arrangements will all need to be reflected in streamlined and updated advice. This LDS proposes a review of the guidance in the medium term.

- **Open Space and Play (updated advice note replacing existing SPD).** The city council's existing Open Space and Play SPD was adopted in June 2006. It supplements saved policies in the City of Norwich Replacement Local Plan relating to open space and play, principally setting out requirements and standards for open space in new development and the charging rates for planning contributions toward playspace provision and maintenance off site. The basis for new open space provision has changed significantly under policy DM8 of the emerging DM Policies DPD and following the introduction of the Community Infrastructure Levy, which will now fund larger scale strategic green infrastructure and open space. Revised SPD will support policy DM8 and set out the circumstances in which site-specific contributions to open space and play space maintenance are required, as well as setting out the appropriate charging rates for these.

Anticipated / potential workstreams

- 5.15 The following paragraphs refer to anticipated or potential workstreams which may form part of the Council's work programme of planning policy documents, although their status and timescales for production have yet to be confirmed. Given this uncertainty, none are included in Chapter 6 or Annex 1 but are included here for completeness. They are likely to form part of revisions to the Local Development Scheme in due course.
- 5.16 The **Northern City Centre Area Action Plan** is nearing the end of its ten year plan period. Although many of the policies applying in the plan area will be superseded by the DM Policies Plan, any site specific proposals which are included in the plan and are not yet implemented by March 2016 will cease to have effect. This Local Development Scheme makes provision for a review of planning policy in the Northern City Centre to commence before 2016. Options could include a new local plan for the Northern City Centre, incorporation of key development sites within a focussed review of the Site Allocations Plan, or production of individual site development briefs or guidelines. During the period of this LDS the council will appraise the various options for review or replacement of the Northern City Centre Area Action Plan but no agreed option can be included in the LDS at this stage.
- 5.17 **Houses in Multiple Occupation options appraisal.** Policy DM13 of the DM Policies Plan contains general criteria for the consideration of proposals for larger houses in multiple occupation (HMOs). However it only applies to HMOs of 7 residents and over established through the conversion of single dwellings. Research carried out in 2010 showed little evidence to justify a more rigorous policy approach since smaller HMOs and other types of HMO conversion were not at that time judged to be causing significant problems. More recently a number of issues have been identified from localised increase in the numbers of HMOs catering variously for students and transient workers and concentrated in certain parts of the city, especially in the Unthank Road and Earlham Road area. The city council will assess options for preparing additional guidance on this issue in the early part of the LDS period.
- 5.18 **Gypsy and Traveller single issue review.** At the time of writing, policy DM14 in the Development Management Policies Plan, which is concerned with meeting the needs of Gypsies, travellers and travelling showpeople, is proposed to be modified by the Local Plan Examination Inspector; this potential change to DM14 will be confirmed (or otherwise) in the Inspector's report which is expected to be received in September

2014. The modification states that, if the Council is unable to meet immediate needs for Gypsy and traveller provision to 2016 through grant applications submitted by the end of 2014, the Council will be required produce a short, focused local plan to identify additional sites to 2026. If required, this local plan will be commenced within one year and completed within two years of the adoption of the Site Allocations plan (ie. between autumn 2015 and autumn 2016). If the need for this local plan is confirmed, it will be incorporated in the next revision of the LDS.

- 5.19 **Targeted review of Development Management Policies Plan.** As referred to in paragraph 5.10, there may be a need for a focused (or targeted) review of selected policies in the Development Management Policies Plan before 2016, dependant on whether recent temporary changes to permitted development rights come to an end as expected in May 2016 or are kept in place. It is likely that this will become clear following the 2015 general election. If a targeted review is required, it is anticipated that it will commence towards the end of 2015.
- 5.20 **Joint Core Strategy review.** As referred to in paragraph 2.4, policy 22 of the adopted JCS allows for the possibility of a short, focused local plan to be produced by the Greater Norwich councils to meet a significant shortfall in housing supply, should that need be identified through monitoring. This issue will be kept under review as part of the Annual Monitoring Report for the JCS. The earliest that the need for such a plan could be confirmed is in late 2016 following production of the second monitoring report following adoption of the JCS.

6. Development plan documents

6.1 Site allocations and site specific policies development plan document (Site allocations plan)

| | |
|---|--|
| What is the purpose of the document? | To help meet objectively assessed development needs within the city over the period to 2026, to ensure that sufficient, suitable and available sites are allocated for housing, employment and other types of development in accordance with strategic objectives and targets in the JCS and to set out detailed policy requirements for each of 73 identified sites where change is proposed or expected. |
| What geographical area does it cover? | The whole of the city of Norwich |
| Is it a Development plan document? | Yes |
| Does this document require a joint approach with other authorities? If so, which authorities? | To some extent, mainly in the context of partnership working between Norwich, Broadland and South Norfolk councils to prepare the JCS, collaboration on which has helped to inform the direction and content of the partner authorities' individual DPDs. Negotiation with Norfolk County Council has been necessary to agree aspects of selected policies. Further details are in the Joint Duty to Cooperate Statement for the Site Allocations Plan and DM Policies Plan. |
| To which other documents must this document conform or be consistent? | The NPPF and other relevant national policy. There is no longer any formal requirement for lower level plans to conform to higher level ones although the plan needs to be broadly consistent with the JCS in order to implement its objectives and strategic policies effectively. |
| Which part(s) of the current adopted local plan (City of Norwich Replacement Local Plan 2004) does it replace? | The Site Allocations and Site Specific Policies DPD and the Development Management Policies DPD will together completely replace the present 2004 local plan when adopted. |

| | |
|--|--|
| <p>Milestones</p> <p>Commencement</p> <p>Call for sites</p> <p>Prepare first draft plan based on suggested sites for inclusion</p> <p>First Regulation 25 consultation (draft with initial list of proposed sites)</p> <p>Second round of Regulation 25 consultation (preferred shortlisted sites)</p> <p>Third round of regulation 25 consultation on additional and amended sites arising from second round</p> <p>Prepare final publication document and detailed site specific policies</p> <p>Regulation 19 Publication and consultation on soundness</p> <p>Regulation 22 Submission</p> <p>Examination hearings</p> <p>Consultation on proposed main modifications</p> <p>Adoption</p> | <p>February 2009</p> <p>February-April 2009</p> <p>May-October 2009</p> <p>November 2009 - February 2010</p> <p>January-March 2011</p> <p>July-September 2011</p> <p>Autumn 2011- Summer 2012</p> <p>August to October 2012</p> <p>April 2013</p> <p>March 2014</p> <p>June-July 2014</p> <p>Autumn 2014</p> |
| <p>How will the document be reviewed?</p> | <p>The JCS <i>Annual monitoring report</i> will comment on the rate of housing development and the rate of bringing allocated sites forward and the next LDS will indicate the need for a review when necessary.</p> |

**6.2 Development management policies development plan document
(DM policies plan)**

| | |
|--|---|
| <p>What is the purpose of the document?</p> | <p>To set out clear local policies, standards and criteria against which all proposals for development and change of use of land and buildings in Norwich will be assessed and to inform decisions on planning applications made in the period to 2026. The DM policies plan also supplements and interprets the wider principles for the delivery of sustainable development set out in the NPPF and reinforces the strategic policies and objectives in the Joint core strategy where further policy guidance is necessary.</p> |
| <p>What geographical area does it cover?</p> | <p>The whole of the city of Norwich</p> |
| <p>Is it a Development plan document?</p> | <p>Yes</p> |
| <p>Does this document require a joint approach with other authorities? If so, which authorities?</p> | <p>To some extent, mainly in the context of partnership working between Norwich, Broadland and South Norfolk councils to prepare the JCS, collaboration on which has helped to inform the direction and content of the partner authorities' individual DPDs. Negotiation with Norfolk County Council has been necessary to agree aspects of selected policies. Further details are in the Joint Duty to Cooperate Statement for the Site Allocations Plan and DM Policies Plan.</p> |
| <p>To which other documents must this document conform or be consistent?</p> | <p>The NPPF and other relevant national policy. There is no longer any explicit requirement for lower level plans to conform to higher level ones although the plan needs to be broadly consistent with the JCS in order to implement its objectives and strategic policies effectively.</p> |
| <p>Which part(s) of the current adopted local plan (City of Norwich Replacement Local Plan 2004) does it replace?</p> | <p>The Site Allocations and Site Specific Policies DPD and the Development Management Policies DPD will together completely replace the present 2004 local plan when adopted.</p> |

| | |
|--|--|
| <p>Milestones</p> <p>Commencement</p> <p>Consultation on scope of SA</p> <p>Prepare initial draft plan for consultation</p> <p>Regulation 25 consultation on draft plan</p> <p>Initial review of plan taking account of Reg 25 consultation response and implications of draft NPPF (July 2011)</p> <p>Further review and independent testing for soundness and consistency with NPPF as published (March 2012)</p> <p>Regulation 19 Publication and consultation on soundness</p> <p>Regulation 22 Submission</p> <p>Examination hearings</p> <p>Consultation on proposed main modifications</p> <p>Adoption</p> | <p>April 2010</p> <p>April – May 2010</p> <p>June to December 2010</p> <p>January to March 2011</p> <p>April to December 2011</p> <p>January to July 2012</p> <p>August to October 2012</p> <p>April 2013</p> <p>February 2014</p> <p>June-July 2014</p> <p>Autumn 2014</p> |
| <p>Review of policies affected by temporary permitted development rights changes expiring in 2016</p> | <p>end 2015 onwards (if confirmed as necessary)</p> |
| <p>How will the document be reviewed?</p> | <p>The monitoring framework for the DM Policies plan includes appropriate local targets and indicators against which selected policies can be monitored. The <i>JCS Annual Monitoring Report</i> will identify any issues arising from the DM policy monitoring process as well as any strategic issues from wider monitoring of the JCS which have implications for local policies. As a result of this</p> |

| | |
|--|---|
| | process, the next LDS will indicate the need for further review when necessary. |
|--|---|

ANNEX 1

LOCAL DEVELOPMENT SCHEME FOR NORWICH, 2014-15
PROGRAMME

| Document | 2014 | | | | | | | | | | | | 2015 | | | Beyond period | | | | | | | | | | | |
|--|------|---|----|---|---|----|----|---|----|----|----|---|------|---|---|---------------|---|---|---|---|---|---|---|---|--|--|--|
| | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D | | | |
| Preparation of Local Development Scheme | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DEVELOPMENT PLAN DOCUMENTS | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Site Allocations Plan | | | EX | | | IM | IM | | IR | | A | | | | | | | | | | | | | | | | |
| Development Management Policies Plan | | | EX | | | IM | IM | | IR | | A | | | | | | | | | | | | | | | | |
| Policies Map (+updates) | | | | | | | | | & | | A | | | | | | | | | | | | | | | | |
| SUPPLEMENTARY PLANNING DOCUMENTS | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Affordable Housing SPD | | | | | * | | | | | 12 | 12 | A | | | | | | | | | | | | | | | |
| Main Town Centre Uses and retail frontages SPD | | | | | * | | | | | 12 | 12 | A | | | | | | | | | | | | | | | |
| INFORMAL ADVICE NOTES | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Heritage Interpretation | | | | | | | | | * | | | R | | | | | | | | | | | | | | | |
| Open Space and Play | | | | | | | | * | | | | R | | | | | | | | | | | | | | | |
| Trees, Landscape and Development | | | * | | | | | | | | | R | | | | | | | | | | | | | | | |

KEY

- Commencement of this LDS period
- Commencement of DPD/SPD production
- Prepare draft plan
- Public Consultation on Draft Plan
- Production of pre-submission document
- DPD draft consultation stage
- DPD Publication (pre-submission) stage
- DPD consultation on proposed main modifications

|

*

18

19

IM

- DPD production
- Submission to Secretary of State (+ Public Consultation)
- Pre-Examination Meeting if required
- Public Examination Hearings
- Inspector's Report
- Adoption
- Adopted document in use
- Policies map revisions

S

M

EX

IR

A

&

- SPD production
- SPD Consultation - draft (Regulation 12)
- SPD adoption
- LDS production/review
- Resolution to bring into effect
- Informal advice note - production/consultation
- Resolution to bring into effect

12

A

R

R

