

Report to Sustainable development panel
25 June 2014
Report of Head of planning service
Subject Local and strategic planning update

Item

6

Purpose

This report updates members on the latest stages in local plan production, the public examination of the Site Allocations and Development Management Policies plans leading to the Inspector's consultation on modifications to the plan. It also updates members of progress on strategic planning issues, including addressing the Duty to Cooperate and implementing the adopted Joint Core Strategy in Broadland and South Norfolk.

Recommendation

That members note the content of this report.

Corporate and service priorities

The report helps to meet the corporate priority "A prosperous city" and the service plan priorities to deliver the Local Plan for Norwich and decent housing for all.

Financial implications

There are no direct financial consequences for the council.

Ward/s: All wards

Cabinet member: Councillor Stonard – Environment and transport

Contact officers

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Background documents

None

Report

Norwich local plan update

1. The examination hearings for the Development management (DM) policies plan and Site allocations plan took place during the last week of February 2014 and the first week of March 2014.
2. There were relatively few objections to the plans overall. In the great majority of cases those objections that were made were addressed through discussions with the objectors prior to and at the examination.
3. Subsequent to the examination the council proposed a number of main modifications to the plan to reflect discussions at the examination.
4. On 4 April 2014 the council received a letter from the Inspector endorsing its proposed main modifications, subject to additional changes proposed by the Inspector. The Inspector's proposed changes take account of examination evidence.
5. Detailed wording of the proposed changes to policies and accompanying text also takes account of further discussions between officers and objectors entered into at the instruction of the Inspector.
6. The Inspector's proposed changes for consultation are provided without prejudice to the content of his final report.
7. The following are the key amendments the Inspector has proposed for the Site Allocations Plan:

Site	Change to plan	Reasons and comments given
CC11 Land at Garden Street	Amend to allow temporary option for the provision of a primary school	<ul style="list-style-type: none">• Reasonable to allow the County Council a period of 4 years from adoption of this Plan to undertake an assessment of alternative sites, establish whether a primary school is required on the site, and submit a planning application.• Given the identified need for public car parking in the area, it is reasonable and legitimate for the City Council to require the school development, as with the mixed use scheme, to make provision for replacement public car parking in the vicinity of the site through direct provision or a commuted sum to extend existing car parks.
R10	Endorse policy	Norfolk County Council's revised wording is

The Deal Ground, Trowse	with amendments to take account of adjoining uses	preferred as it highlights the need to ensure that the layout and design of the development pays careful regard to the operation of surrounding land uses.
R45 Land west of Bluebell Road, Bartram Mowers Ltd	Include as a housing scheme for over 55s, which may include assisted-living, extra care housing.	<ul style="list-style-type: none"> • Meets identified local and city-wide need for this type of accommodation; • Allows creation of publicly accessible open space in the Yare Valley and provides opportunities for enhancing biodiversity; • Given sensitive location, development to be limited to the previously developed land on the north-western part of the site and the field to the south-east; • Vital that the layout, height and appearance of the buildings, and the associated open areas and landscaping, are sensitively designed to minimise the impact of the development on the character of the Yare Valley and important views; • An agreed masterplan will guide development.

8. Main modifications proposed by the council in agreement with the landowner and the Inspector to both the Site Allocations and the DM policies plan allow for site R32, the Paddocks, Holt Road, to be developed for general employment. Such development could come forward if an evidence based masterplanning process to be completed within two years of the adoption of the plans shows that the site is not needed for airport uses.
9. The key amendments the Inspector has proposed for the DM policies plan concern firstly the policy for gypsies and travellers (DM14). The council proposed a modification which would trigger the need for a short focussed local plan to identify sites for gypsies and travellers if the total need to 2026 cannot be met through the current grant application process. The Inspector's proposed change requires a target date for completion of the short focussed plan within 2 years of adoption of the DM policies plan.
10. Secondly the Inspector's proposed amendments to policy DM5 for flood risk add to those proposed by the council. Based on new evidence from the Norwich Urban Area Surface Water Management Plan, the council has proposed a main modification to redefine and extend the "Critical Drainage Areas" as "Critical Drainage Catchments" covering the whole catchment areas of former streams in the city. DM5 requires planning applications in these catchments to be accompanied by a flood risk assessment and for developments to be designed with an additional focus on sustainable drainage to reduce flood risk. The Inspector's proposed amendment widens the coverage of the policy by requiring applications for householder extensions in the catchments to include flood mitigation measures such as green roofs.

11. Further detail on the Inspector's proposed amendments and comments is available at:
<http://www.norwich.gov.uk/Planning/Pages/DMAAndSAPoliciesPlans.aspx> (see links under 4 April 2014).

The next steps

12. Norwich City Council will carry out a public consultation on the proposed main modifications to the plan and the accompanying sustainability appraisal (SA). At the time of writing, this consultation is scheduled to start June 19th and will last for 6 weeks until 31st July. Any changes to this timetable will be reported to members at the panel meeting.
13. A draft response from Norwich City Council to the consultation will be reported to the Sustainable Development Panel on July 23rd. This will enable the panel to consider the response to the consultation before it is submitted.
14. Subsequent to the consultation, the Inspector will take account of responses and SA findings to produce his final report which is expected in early September. Under the current planning regulations, the council can either accept the inspector's report with amendments and adopt on that basis, or not adopt the plan.
15. The council is nearing the end of a long period of local plan preparation. Significant progress has been made recently during the examination process towards adoption. It is important that the plans are adopted as soon as possible to provide an up-to-date framework for planning decision making in Norwich so that planned growth can be managed sustainably.

Strategic issues

Addressing the Duty to cooperate

16. On May 15th 2014, Norwich City Council and South Norfolk Councils received similar letters from the Inspectors into their plans requesting the councils' views on the implications of recent legal cases on local plans in Solihull and Wokingham. The issue raised related to the need for local authorities to cooperate to ensure that their local plans fully meet their objectively assessed needs for housing.
17. Having taken legal advice, Norwich City Council responded to this letter on 10th June. The response stated that overall housing totals for the area to 2026, which were considered as part of the examination into the amendments to the Joint Core Strategy (JCS) adopted in January 2014, remain appropriate. This response also took account new population projections released in May 2014. South Norfolk are planning to respond to their letter shortly.

18. To address the duty to cooperate in the longer term, a Norfolk wide Duty to Cooperate Member Forum was set up in January 2014, attended by the relevant portfolio holders from each district.
19. Strategic documents and evidence studies are in production to support the work of the forum. These documents do not set policy, but rather seek to clarify the current policy situation county wide and provide updated evidence to support future policy development and coordination:
- a) **Schedule of issues relating to the ‘Duty to Co-operate’ between Norfolk authorities and other relevant bodies:** This is a live document which will be updated regularly to ensure effective co-operation for local plan making and implementation. The purpose of this schedule is to:
 - identify the planning issues that cross administrative boundaries (ie. affecting more than one local planning authority in Norfolk and wider adjoining authorities if appropriate);
 - set out the processes for addressing such issues e.g. through joint evidence studies;
 - set out the processes for recording outcomes, monitoring and reporting.
 - b) **Norfolk Compendium of Local Plans.** This “spatial framework” sets out the current strategic context for Norfolk, providing a summary of the growth strategies in each district from their local plans, with a particular focus on homes and jobs growth, but also covering other strategic issues such as green infrastructure and transport.
 - c) **Strategic Housing Market Assessment (SHMA)** – as reported to the SD Panel in January 2014, the SHMA will provide part of the evidence base to inform decisions about the level of housing provision that may be appropriate looking forward to 2036. Early work on the assessment has shown that the functional Norwich housing market area extends considerably beyond the greater Norwich area, and we are now working with Broadland, South Norfolk, North Norfolk and Breckland on evidence production.
20. These documents and subsequent evidence emerging from their production will be key in determining the future strategic approach to plan making in the Greater Norwich area and beyond as required, and whether the JCS is eventually replaced by a further joint plan or a series of co-ordinated local plans.

Implementing the Joint Core Strategy

21. Broadland and South Norfolk councils are both progressing their local plans to enable implementation of the JCS.

Broadland

22. Broadland District Council consulted on the regulation 19 versions of their Development Management Policies (DM policies) and Site Allocations Plans in April and May 2014. Norwich City Council responded to the consultation on May 30th 2014.
23. This is the final consultation prior to submission of Broadland's plans to the Secretary of State for examination in public. Once adopted, these documents will form part of the Broadland Local Plan.
24. Whilst the DM policies plan covers the whole of Broadland, the Site Allocations Plan does not cover the Growth Triangle to the north east of Norwich, which is the subject of a separate Area Action Plan. The Growth Triangle Area Action Plan is less advanced than these local plan documents, with detailed policies yet to be consulted on.
25. Overall, Norwich City Council's consultation response supports Broadland's commitment to bringing forward a suite of local policies and allocations to complement and support the growth planned for the area through the adopted JCS.
26. However, there are three areas on which Norwich City Council has made objections on the grounds of soundness as it is considered that the proposed policies or allocations are not compliant with the National Planning Policy Framework (NPPF) and/or adopted policy in the JCS:
- the allocation of a site at Fir Covert Road, Taverham for retail development. This allocation proposes significant retail development, including a new supermarket and other retail units selling "comparison goods" (i.e. goods normally sold in the city centre), which would create an out-of-centre retail destination which has the potential to harm both the city centre and other existing centres in the Norwich urban area. Based on clear evidence, and debated at the examination into the JCS, adopted JCS policy 19 states that there is no need for additional out-of-centre retail development in Greater Norwich.
 - the lack of a consistent approach with South Norfolk and Norwich in regard to thresholds for sequential or impact assessments in emerging Policy R1 for retail in the Broadland DM policies plan. These tests are an important means of protecting existing retail centres. JCS policy 19 states that 'coordinated development management policies for the

three districts will include consideration of a lower threshold for impact assessments than the national threshold'.

- the quantum of office development that could result from the proposed employment allocation north of Norwich International Airport. The objection seeks clarification on the amount of office development permitted elsewhere in Broadland, on how this allocation would comply with JCS requirements, and on the definition of “airport related development” in the policy. The priority for Norwich City Council, as supported by national and JCS policy, is to prevent any detrimental impact on existing and planned new offices within the city centre. Whilst additional office development is required in the Broadland district, it should not exceed the levels set in the JCS.

27. The full consultation response is available at:

<http://www.norwich.gov.uk/Planning/Documents/BDCReg19LocalPlanComments30052014.pdf>

28. Following the consultation period, Broadland District Council can deal with Norwich's objections by recommending modifications to the regulation 19 plan to the Inspector at the examination in public. If the proposed modifications address Norwich City Council's concerns, then we can withdraw our objections. If, however, Norwich City Council takes the view that the modifications do not adequately address the concerns, they will become a matter for debate at the examination in public into the plan. Dependent on the outcome of that debate, there may be subsequent modifications proposed by the Inspector to the plan in order to address the objections.

South Norfolk

29. South Norfolk submitted their Wymondham Area Action Plan (WAAP), Site Specific Allocations & Policies Document (SSAPD) and Development Management Policies Document (DMPD) to the Secretary of State on 17 April 2014.

30. The SD Panel considered a report on the Norwich response to the regulation 19 consultation on these documents on November 2013. The Norwich consultation response was generally supportive of the South Norfolk plans as they implement the JCS by providing a focus for housing within the Norwich Policy Area (NPA) and employment opportunities, particularly at the Norwich Research Park, as supported by the City Deal. Whilst the city council welcomed the emphasis on green infrastructure in the plans, it questioned the overall density of some sites as too low to provide for effective public transport or access to services.

31. On 2 June 2014, South Norfolk received a letter from the Inspector into their plans flagging up some further issues beyond the objectively assessed need

issue referred to in paragraph 16 above about which he is seeking clarification. The letter also asks the council if it wishes to propose any main modifications to its plans.

32. These issues include:

- a request for clarification on Duty to Cooperate issues, particularly with regard to the cumulative effect of the proposed sites on the setting of Norwich, school places and road infrastructure and junction capacity;
- the justification for a plan period of less than 15 years as required by the NPPF and the need for a commitment in the plan to an early review;
- a request from the Inspector for a concise paper on housing supply targets and distribution, including for Wymondham;
- further information on South Norfolk's approach to addressing shortfalls in the 5 year housing land supply;
- sustainability appraisal of the choice of sites in the NPA;
- whether employment and retail evidence is up-to-date;
- whether the submitted documents should provide sites for gipsy and traveller rather than taking the council's favoured approach of producing a dedicated Travellers Site Document.

33. South Norfolk Council is currently considering its response to the Inspector's letter.