

## NORTH NORFOLK LOCAL PLAN SUBMISSION

Summary:	To seek Council authority to submit the North Norfolk Local Plan for independent examination.
Options considered:	To delay submission of the Plan until after the results of a current government consultation on changes to the planning system.
Conclusions:	That the Plan should be submitted for examination without further delay.
Recommendations:	<b>That Full Council resolves to submit the Draft North Norfolk Local Plan to a government appointed Inspector for independent examination.</b>
Reasons for Recommendations:	To ensure that the District has an up to date and sound Local Plan in place against which to make decisions on planning and related applications for development.

### LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

*(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)*

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### 1. Introduction

- 1.1 The current Development Plan (Local Plan) for the District is in two parts, a Core Strategy containing development management policies which provide the statutory basis for determining planning applications, and a Site Allocations Plan which allocates sites for various types of development. Both parts of the Plan were adopted some years ago and although their policies remain largely up-to-date there is a growing need for review and to identify suitable development sites in the District to meet future needs. The absence of an up to date Plan can reduce the effectiveness of local decision making and in some circumstances result in decisions not favoured by the Council or local communities.
- 1.2 Work on a new North Norfolk Local Plan, which will replace both of the existing documents, commenced in 2016 with the aim of producing a new

Plan by around 2020 to cover the period up until 2036. Changes in national policy, the Covid19 pandemic, and more recently issues in relation to new legal requirements under the Habitats Regulations (nutrient neutrality) have delayed Plan production. The draft Plan has been subject to three significant rounds of public consultation to identify key issues, present a range of alternative options, and recently to seek views on the final proposals. Following each consultation the Authority has modified the emerging proposals, most notably to respond to the declaration of a climate change emergency and to ensure that climate change and delivering sustainable growth are at the heart of the Plan.

- 1.3 The emerging Plan has now reached the stage where it is ready for submission to an independent government appointed Inspector for examination. The examiner will consider the Plan against a number of procedural, legal, and soundness tests and issue a binding report confirming if the Plan is suitable for formal adoption. Once adopted the Plan will replace the existing Plans and will be used as a basis for making planning decisions in the District. The examination will focus on the Draft Plan which was subject to the most recent round of public consultation with the Inspector considering all of the 900 or so comments received alongside a schedule of potential further modifications that the Planning Policy and Built Heritage Working Party and Cabinet have agreed in response to the public consultation.
- 1.4 This report provides a short summary of the content of the Plan as endorsed by Cabinet with an emphasis on the key areas where it is proposed to change policies. A full list of policies and their main requirements is included as **Appendix A**. Subject to Full Council agreement the Plan will be submitted for formal examination. This examination process includes hearing sessions at which the Council, developers, town and parish councils, infrastructure providers and the wider public will have the opportunity to explain their support, or objections, to the Plan and seek modifications. The Inspector has extensive powers to suggest further modifications to the Plan but it will ultimately be for the Council to decide if the resulting Plan, following examination, should be adopted.
- 1.5 Government has indicated an intention to change the planning system through revisions to the National Planning Policy Framework (currently the subject of consultation), new provisions in the Levelling Up and Regeneration Bill, and through associated legislative and guidance updates. For Local Plans it is proposed to introduced a significantly streamlined process both in terms of Plan content and required production processes. Government has indicated that any changes will be introduced over a transitional period to allow those Authorities with an advanced Plan already in preparation to continue with submission and adoption of those Plans. The examination process may consider if there is a need for the Plan to be modified further to reflect any new national requirements when they are published. Officers are currently satisfied that any such modifications are unlikely to be significant and should not delay submission of the current Plan.

## 2. Summary Content of Plan

- 2.1 The Local Plan is a statutory requirement and corporate priority with links to multiple Corporate Plan objectives. It has been developed to align with evolving national policy, guidance, legislation, changes to permitted development rights and other changing circumstances. It will provide an effective and up to date basis for future decision-making, will greatly reduce the likelihood of challenge and appeal, and provide clearer working parameters for decision makers and applicants. Critically it will provide a transparent and Plan-led approach towards addressing the future development needs of the District and reduce the likelihood of speculative, unplanned developments, which do not enjoy policy or public support.
- 2.2 The Local Plan sets high-level aims and objectives which respond to local needs and changing circumstances. These aims are derived from the early stages of public consultation and the associated evidence which supports the Plan. They include:
- Managing and adapting to climate change
  - Delivering sufficient homes of the right types in the right places
  - Strengthening the local economy
  - Protecting natural and built heritage
  - Contributing towards health and well-being
- 2.3 These key themes are reflected in 78 separate policies which either apply across the entirety of the District, relate to specific policy area designations such as Employment Areas or Town Centres, or are only applicable to the specific development sites (allocations) identified in the Plan. In preparing the Plan the opportunity has been taken to review many of the existing policy area designations and to update the defined development boundaries of settlements so that these are up-to-date and reflect the changes which have happened since these were previously reviewed when preparing the currently adopted Plan. The revised policy area designations and the individual site allocations are shown on a Policies Map.
- 2.4 The Plan is required to address all likely future development needs in the District as identified in a detailed evidence base which has been prepared as part of Plan preparation including providing for around 12,000 new homes between 2016 and 2036, employment growth, recreation and green spaces, and a range of supporting infrastructure which is necessary to make development acceptable. A key challenge for the Local Plan is to enable the required growth whilst also conserving and enhancing the landscape and natural environment of the District. This must be achieved in the context of moving towards net zero and increasing resilience to climate change.
- 2.5 Following public consultation at the options stage, the Plan has been substantially modified to ensure that climate change policies are given greater attention. It includes new and updated policies on energy efficient construction, water efficiency, net biodiversity gain within developments, and policies to minimise the exposure of developments to flood risk and coastal erosion.
- 2.6 The vast majority of development proposed in the Plan is located in the larger towns so that residents can access a broader range of facilities and services without the need to travel and so that the impacts of development

on open countryside and designated landscapes can be minimised. Smaller amounts of development are proposed in a number of selected villages which either have small site allocations or are subject to a policy which allows for a 6% growth in housing over the Plan period (around 20-30 dwellings in each). This aspect of the Plan is the focus of some objection with some pointing to the relative absence of services in these smaller communities and therefore the need to travel elsewhere.

- 2.7 New housing mix policies are intended to ensure that built development more closely matches future forecast needs with new requirements to deliver specialist elderly persons accommodation, the highest viable proportion of affordable homes, and a lower site size threshold above which affordable homes must be provided. More one and two bedroomed homes, the introduction of national minimum space standards and a greater proportion of wheelchair accessible homes are also proposed.
- 2.8 The preparation of a new Local Plan is not the mechanism for review of environmental designations. For example, the AONB, Conservation Areas, and Listed Buildings are all designated under separate procedures with Conservation Areas in particular being subject to a separate, and on-going, process of periodic review (Conservation Area Appraisal). Policies in the Local Plan ensure that the defining characteristics or special qualities of particular designations are taken account of in decisions. For example, it is a statutory requirement that development proposals in Conservation Areas should either preserve or enhance the character of those areas.
- 2.9 The Plan includes a number of new policies relating to wildlife and environmental issues including new requirements for larger developments to demonstrate a 10% net gain in biodiversity, measures to ensure no new phosphate and nitrate pollution in internationally important rivers and broads, and a new tariff based contributions process to help mitigate the impacts of visitors to designated wildlife sites. When new homes are built the Plan also includes requirements to incorporate homes for wildlife such as bat and bird boxes.
- 2.10 The Plan includes a range of policies on supporting and growing the Local Economy including retail, tourism, re-use of buildings and the delivery of employment land. A new sequential approach towards the identification of employment land allows for employment creating development outside of adopted boundaries where designated sites are not available.

### **Case for submission**

- 2.11 Although the policies in the current Plan have, and continue to provide a sound basis for making planning decisions most of the housing allocations made in it are now largely built out. (with the exception of the large strategic allocation at Fakenham). There is an increasing need to top up the supply of development sites not least to ensure that the Council is able to restore a five-year land supply. Many of the new policies in the Plan will also require enhanced standards to be complied with and early introduction of these is desirable.

- 2.12 Should government introduce proposed changes to the Local Plan system over the coming year the suggested transitional provisions outlined in the current consultation will allow North Norfolk to adopt its current Plan and retain it for a period of five years following which a review would need to commence.

### **3. Corporate Plan Objectives**

- 3.1 Preparation of the Local Plan is central to the delivery of a number of corporate priorities.

### **4. Financial and Resource Implications**

- 4.1 Budgetary provision has been made for the costs associated with examination of the Plan

### **5. Legal Implications and Risks**

- 5.1 The Council must produce a Local Plan which complies with various regulatory and legal requirements and in determining its policy approaches must be justified and underpinned by up to date and proportionate evidence, be informed by appropriate sustainability appraisals and take account of and demonstrate how public feedback, national policy & guidance have been used to inform the production through the application of a consistent methodology.
- 5.2 The statutory process requires plan production to accord to the statutory requirements as set out in The Town and Country Planning (Local Planning), (England) Regulations 2012 (as amended). Failure to undertake Plan preparation in accordance with the regulations and NPPF is likely to render the plan 'unsound' at examination and result in the need to return to earlier stages. Substantial additional costs would be incurred.
- 5.3 There remains a residual risk of planning reform which, could undermine the production of the Plan to date through further changes to the National Planning Policy Framework, either through incremental changes or substantive changes leading to wholesale replacement. Early submission reduces the risks associated with changes in government policy and puts the authority in a stronger position to take advantage of any subsequent transitional arrangements should they be introduced. If production is extended there remains an increased risk of early Plan review, further evidence gathering and substantial time and costs along with increased pressure and challenge on the continued use of existing adopted policies.

### **6. Sustainability**

- 6.1 The Plan is subject to a continuous process of Sustainability Appraisal throughout the preparation process to ensure that its policies and proposals perform well against an extensive range of sustainability indicators.

### **7. Climate / Carbon impact**

- 7.1 Managing the impacts of climate change is a key objective of the Plan which includes a comprehensive set of policies aimed at mitigating risks, adding resilience, and reducing the carbon impacts of new development.

**8. Equality and Diversity**

8.1 Both the preparation process of the Plan and its content have been subject equality and diversity impact assessment.

**9. Conclusion and Recommendations**

**That Full Council resolves to submit the Draft North Norfolk Local Plan to a government appointed Inspector for independent examination.**