

# Planning Policy & Built Heritage Working Party

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31 January 2019

A meeting of **Planning Policy & Built Heritage Working Party** will be held in the **Council Chamber** at the Council Offices, Holt Road, Cromer on **Monday 11 February 2019 at 10.00 am.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours.

Members of the public who wish to ask a question or speak on an agenda item are requested to notify the committee clerk 24 hours in advance of the meeting and arrive at least 15 minutes before the start of the meeting. This is to allow time for the Chairman to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained [here](#) or from Democratic Services, Tel: 01263 516010, Email: [democraticservices@north-norfolk.gov.uk](mailto:democraticservices@north-norfolk.gov.uk)

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

**Emma Denny**  
**Democratic Services Manager**

To: Mrs S Arnold, Ms V Gay, Mrs A Green, Mrs P Grove-Jones, Mr N Pearce, Mr J Punchard, Ms M Prior, Mr R Reynolds, Mr S Shaw, Mr R Shepherd, Mrs V Uprichard, Mr D Young

All other Members of the Council for information.  
Members of the Management Team, appropriate Officers, Press and Public

**If you have any special requirements in order to attend this meeting, please  
let us know in advance**

If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

## AGENDA

### 1. APOLOGIES FOR ABSENCE

To receive apologies for absence, if any.

### 2. PUBLIC QUESTIONS

### 3. MINUTES

(TO FOLLOW)

To approve as a correct record the Minutes of a meeting of the Working Party held on 14 January 2019.

### 4. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

### 5. DECLARATIONS OF INTEREST

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest.

### 6. UPDATE ON MATTERS FROM THE PREVIOUS MEETING

#### 7. Planning Policy - Monitoring Report 2016-18

Page 5

Summary: This report provides an overview of the main development trends in the District in the period 2016-2018 and measures performance against adopted Core Strategy policy and corporate objectives and seeks authority to publish the Annual Monitoring report.

Recommendations: For Information only.

Cabinet Member(s)	Ward(s) affected ALL
Contact Officer, telephone number and email: Rakesh Dholiwar, 01263 516161 <a href="mailto:Rakesh.Dholiwar@north-norfolk.gov.uk">Rakesh.Dholiwar@north-norfolk.gov.uk</a>	

#### 8. NORTH NORFOLK DESIGN GUIDE - SUPPLEMENTARY PLANNING DOCUMENT FOR INCLUSION ALONGSIDE THE EMERGING FIRST DRAFT LOCAL PLAN (CONSULTATION VERSION)

Page 8

(Appendix 1 – page 14)

Summary: This report seeks approval for the draft North Norfolk Design Guide (SPD) to be included alongside the First Draft Plan (Reg.18) which will be subject to public consultation next year. The report provides further information on the design guide and gives Members the opportunity to view the guide in its draft format. This report also seeks approval for the draft design policies to be included within the emerging Local Plan.

Recommendations:

1. **Members consider the contents of this report and confirm the provisional preferred policy approaches to be included within the First Draft Local Plan for consultation.**
2. **The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**
3. **That the guide be subject to a minimum six-week public consultation period alongside the emerging Local Plan.**

Cabinet Members(s)	Ward(s) Affected
All Members	All Wards
Contact Officer(s), telephone number and email: Paul Rhymes, Conservation and Design Officer, 01263 516367, <a href="mailto:paul.rhymes@north-norfolk.gov.uk">paul.rhymes@north-norfolk.gov.uk</a> James Mann. Senior Planning Policy Officer, 01263 516404, <a href="mailto:james.mann@north-norfolk.gov.uk">james.mann@north-norfolk.gov.uk</a>	

**9. FIRST DRAFT LOCAL PLAN (PART 1) CONSULTATION:  
COMMUNICATIONS & ENGAGEMENT PLAN**

Page 18

(Appendix A – page 27; Appendix B – 29; Appendix C – page 30)

Summary: This report seeks to agree the consultation arrangements for First Draft Local Plan (Part 1).

Recommendations: **That the Working Party agree the Communications & Engagement Plan as the basis for conducting public consultation on the First Draft Local Plan (Part 1), Supplementary Planning Documents (SPDs), and supporting documents.**

**To delegate final decisions as to which promotional tasks and events are carried out to the Planning Policy Manager.**

<b>Cabinet Member(s)</b>	<b>Ward(s) affected</b>
All Members	All Wards
<b>Contact Officer, telephone number and email:</b>  Iain Withington, Planning Policy Team Leader <a href="mailto:iain.withington@north-norfolk.gov.uk">iain.withington@north-norfolk.gov.uk</a> Chris Brown, Project Support Officer <a href="mailto:chris.brown@north-norfolk.gov.uk">chris.brown@north-norfolk.gov.uk</a> (01263 516318)	

**10. EXCLUSION OF PRESS AND PUBLIC**

To pass the following resolution (if necessary):

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A (as amended) to the Act.”

**11. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA**

**Planning Policy - Monitoring Report 2016-18**

Summary: This report provides an overview of the main development trends in the District in the period 2016-2018 and measures performance against adopted Core Strategy policy and corporate objectives and seeks authority to publish the Annual Monitoring report.

Recommendations: For Information only.

Cabinet Member(s)	Ward(s) affected ALL
Contact Officer, telephone number and email: Rakesh Dholiwar, 01263 516161 <a href="mailto:Rakesh.Dholiwar@north-norfolk.gov.uk">Rakesh.Dholiwar@north-norfolk.gov.uk</a>	

**1. Introduction**

- 1.1 The Council is required to prepare and publish a Monitoring Report to check the performance of existing policies. The report has two key purposes (as stated in the Planning and Compulsory Purchase Act 2004):
  - a. To report on the progress made in preparing Development Plan documents as measured against the Council’s published timetable in the Local Development Scheme.
  - b. To report on key indicators in relation to the rates and types of development so that trends can be monitored and the effectiveness of policies reviewed.
- 1.2 The full report will be published shortly and will be available on the Councils website. The information contained within the report covers the period 1<sup>st</sup> April 2016 - 31<sup>st</sup> March 2018. All information relating to housing and employment permissions and completions is monitored by the policy team is verified through site visits or records held by departments within the Council.
- 1.3 The Monitoring Report uses the strategic themes set out within the adopted Core Strategy and Development Control Policies DPD to report on the performance of policies. This includes the following strategic themes:
  - Housing,
  - Employment,
  - Local Plan progress
- 1.4 A framework of relevant indicators will now be developed to monitor the new Local Plan once adopted. Monitoring will then be undertaken, covering the new policies to determine whether they have met the intended purpose. For

the last few monitoring periods only the core indicators have been monitored which have been focussed around the growth objectives including:

- Increase the number of new homes built (granted planning permission and built)
- Increase the number of affordable homes (granted PP and Built)
- Increase the number of new businesses and support the existing
- Promote premier visitor destination

1.5 In most case indicators are presented at a district wide level where available, figures for parishes/wards are included. Each report includes past performance to allow for comparison. Sometimes this is not possible, as the collection of data has ceased for reasons: that the information is no longer useful or that the value of collecting it has diminished.

1.6 A brief summary of the headline information included within the Monitoring Report is reproduced in the following paragraphs

## **2 HEADLINE RESULTS**

2.1 The number of dwelling completions during the last year 2017/18 was 546, the highest number of completions over the last few years. This was significantly higher than the target of 420 dwellings per year that will be required to achieve overall target of 10,080. With over 40% coming from allocated sites. There is a number of site allocations and larger sites with planning permission which are likely to come forward throughout the rest of the plan period, this means that the deliverable land supply is above the NPPF requirement at **5.02** years. The high completion rate during last year is not expected to be achieved for 2018/19, but this could be achieved in following years as permissions granted over the last 2 years, comes to fruition

2.2 The Authority continues to grant high numbers of planning permissions for houses being granted planning permission, with 572 last year and 1005 in 2016/17. On the larger allocated sites there is good reason to be optimistic in future years' completion rates with development continuing on sites at Cromer, North Walsham and Fakenham, with developer interest on most of the remaining allocated sites.

2.3 Reported house prices have increased across all types of housing in the district with an average of 7% from 2016 to 2017 (£205,053 to £218,942). Values for all house types have risen year on year since 2013.

## Employment and Retail

- 2.4 There are approximately 233.04 ha of designated employment land in the District. At 31 March 2018 there are 43.76ha of Employment Land with planning permission and under construction or completion, status not yet determined.

**Table A – Summary of key indicators**

Indicator	2016/2017	2017/2018
Total Dwellings Granted Planning Permission (includes affordable units)	1005	572
Affordable units Completed	83	90
Total dwellings Completed	442	546
Years deliverable land supply	6.57	5.02
% development on previously developed land	62%	20%
Hectares of employment land designated	n/a	233.04 ha

### 3 - Recommendation

This report is for information only.

**NORTH NORFOLK DESIGN GUIDE - SUPPLEMENTARY PLANNING DOCUMENT FOR INCLUSION ALONGSIDE THE EMERGING FIRST DRAFT LOCAL PLAN (CONSULTATION VERSION)**

Summary: This report seeks approval for the draft North Norfolk Design Guide (SPD) to be included alongside the First Draft Plan (Reg.18) which will be subject to public consultation next year. The report provides further information on the design guide and gives Members the opportunity to view the guide in its draft format. This report also seeks approval for the draft design policies to be included within the emerging Local Plan.

- Recommendations:
- 1. Members consider the contents of this report and confirm the provisional preferred policy approaches to be included within the First Draft Local Plan for consultation.**
  - 2. The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**
  - 3. That the guide be subject to a minimum six-week public consultation period alongside the emerging Local Plan**

Cabinet Members(s)	Ward(s) Affected
All Members	All Wards
<p>Contact Officer(s), telephone number and email:</p> <p>Paul Rhymes, Conservation and Design Officer, 01263 516367, <a href="mailto:paul.rhymes@north-norfolk.gov.uk">paul.rhymes@north-norfolk.gov.uk</a></p> <p>James Mann. Senior Planning Policy Officer, 01263 516404, <a href="mailto:james.mann@north-norfolk.gov.uk">james.mann@north-norfolk.gov.uk</a></p>	



## 1. Introduction

- 1.1 This report presents an update on the review of the North Norfolk Design Guide setting out the next stages in the documents production and details the design policies within the emerging Local Plan. The Working Party was updated on the creation and the overarching aims and objectives of the Design Guide at the 21 May 2018 meeting.
- 1.2 Since this meeting, the draft design guide has emerged as a working draft and is programmed for public consultation in early 2019. At the same time the emerging local plan has been progressing towards Regulation 18 consultation. Two overarching design policies have been drafted in order to provide the hooks to the Design Guide, providing more weight through the decision making process. These policies have been produced in accordance with the National Planning Policy Framework (NPPF).

## 2. National Policy Context

- 2.1 The value of good design is well recognised in national policy. Chapter 12 of the NPPF sets out the approach to 'Achieving well-designed places'. Some of the key themes from Chapter 12 are as follows:
  - Good design is a key aspect of sustainable development that creates better places in which to live and work and helps development acceptable to communities;
  - Plan policies should set out a clear design vision and expectations to ensure that applicants have as much certainty as possible about what is likely to be acceptable;
  - Design policies should be developed with local communities so they reflect local aspirations and are grounded in an understanding and evaluation of each area's defining characteristics.
- 2.2 Paragraph 130 of the NPPF states that "*permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents*".

## 3. Design Policies within the Local Plan

- 3.1 The emerging Local Plan contains two policies in regards to overarching design policies: High Quality Design and the Protection of Amenity. The overarching purpose of these design policies is to ensure consistency with the National Planning Policy Framework and to give weight to the guidance set out within the North Norfolk Design Guide. The full text of the policies can be found in the Appendix to this report.

## **Design Policy 1: High Quality Design**

3.2 'High Quality Design' seeks to set out the overarching design principles to which all development within the District will need to comply with. The policy provides the hooks for the guidance within the design guide to be given weight in the decision making process. Some of the key aspects of the policy are as follows:

- **Comply with the North Norfolk Design Guide or justify a departure from the guidance.** The current policy simply asks that development proposals 'have regard to the North Norfolk Design Guide'. In line with the importance of design in the national policy agenda it is considered appropriate to strengthen the wording of this to ensure that any departure from the guidance must be justified.
- **Headings** that mirror sections within the North Norfolk Design Guide to provide a simple, easy to follow, hook between the wording of the policy and the guidance.
- **Further links to other policies within the plan.** As with any application all the policies within the plan must be read as a whole. However, it is important with design to note that specific policies will provide further detail and must also be complied with.
- **Increased reference to adaptability and energy efficiency.** In order to reflect the ageing population of the district and the global issue of climate change, greater importance of these issues must be given at the design stage.

## **Design Policy 2: Protection of Amenity**

3.3 'Protection of Amenity' seeks to maintain, protect and promote the amenity of the District's communities in order to ensure that all new development and existing residents benefit from a good standard of amenity. The policy is considered to provide further hooks for the guidance within the design guide to be given weight in the decision making process. There are eight criteria within the policy focusing on the following:

- Provision and protection of useable and secluded private amenity space
- Overlooking
- Overbearing
- Overshadowing and the loss of sunlight
- Forms of nuisance and pollution (noise, air, light etc.)

## **4. Background to the North Norfolk Design Guide**

4.1 The North Norfolk Design Guide was one of the first local authority guides to be produced in the country, with its first edition dating back to 1974. Over the last 44 years, the guide has seen various reviews and incarnations which adapt to changing trends, policy and best practice. This latest version is no exception and incorporates some emerging trends particularly regarding major developments, contemporary design, health and wellbeing and green infrastructure.

- 4.2 The design guide plays a key role in straddling the divide between national policy and regional context and continues to be successful in helping to shape development which responds to North Norfolk's unique environment.
- 4.3 The overarching aim of the guide is to offer advice and support to anyone involved or interested in the design or alteration of the built environment in North Norfolk. This primary objective of raising the quality of design remains as relevant as ever and feeds into the Corporate Plan objective 'A Better Place to Be' (Environment), conservation and landscape.
- 4.4 The guide renews this collective commitment to best practice from all stakeholders. Whether you're a homeowner, developer, housebuilder or built environment professional; the guide challenges the way we consider high quality design and its many benefits.

## **5. What's Changed?**

- 5.1 The existing guide was published in 2008 and since this time there has been significant changes in national policy and guidance through the release and subsequent revision of the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (PPG). It is therefore vital that the guide reacts to these changes in policy and continues to shape development in a way which complies with national and local policy objectives.
- 5.2 The Council continues to balance significant development pressure through the Local Plan process including the allocation of larger sites for residential development and mixed use development. The design guide needs to react to this growth by offering more guidance in relation to placemaking and residential design standards. This ties in closely with the Corporate Plan objective 'A Better Place to Live' (Housing) and 'A Better Place for (Economic Development).
- 5.3 The Local Plan also includes new Development Management policies on Design, Sustainable Development, Amenity, Technical Standards amongst others which need to be backed by guidance and practical means of implementation. The design guide performs this role of supporting Local Plan policies and will be closely linked to the policy objectives within the new plan.
- 5.4 The revised design guide will be based on the principle of 'comply or justify'. In general terms, this means all new development is expected to comply with the principles as set out within the guidance. Where a proposal departs from any of these principles, a thorough explanation will need to be provided to ensure this departure is reasoned and fully justified.

5.5 The design guide review offers the opportunity to provide this important guidance through new forms of media; but more importantly to ensure guidance is more accessible and inclusive. The new web platform gives users the opportunity to search for specific information and chances to create a more interactive and engaging experience through presentation.

**6. What happens next?**

6.1 Following the consultation exercise, the Council will consider all representations and where necessary amend the document in line with the comments made. A statement will be published, setting out a summary of the main issues raised in the consultation and how these issues have been addressed in the SPD. It is anticipated that the guide will be approved and adopted as an SPD next year. In the meantime, the consultation document will form part of the evidence base to inform policies and proposals in the emerging local plan and when dealing with planning applications.

**6.2 Timetable**

Milestone	Date
Creation of Draft DG	Sep 2018
Internal Consultation	Dec 2018
External Consultation	Jan - Feb 2019
Review and Amend	May - Jul 2019
Final Adoption	Aug 2019

**7. Recommendations:**

1. **Members consider the contents of this report and confirm the provisional preferred policy approaches to be included within the First Draft Local Plan for consultation.**
2. **The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**

3. **That the guide be subject to a minimum six-week public consultation period alongside the emerging Local Plan**

## **8. Legal Implications and Risks**

- 8.1 The Council must produce a Local Plan which complies with various regulatory and legal requirements and in determining its preferred policy approaches they must be justified and underpinned by evidence. The Design Guide ensure these policies are underpinned by evidence and practical means of implementation.

## **9. Financial Implications and Risks**

- 7.1 Failure to undertake plan preparation in accordance with the regulations 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.

Attached

Policy options – Appendix 1

## Appendix 1 – Draft Design Policies

### Approach to Design

#### Design Policy 1: High Quality Design

##### **Policy xx High Quality Design**

All development proposals should seek to make efficient use of land, but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. All development proposals should respond to current best practice and demonstrate that they are in general conformity with the design principles set out in established urban design guidance, any subsequently produced design Supplementary Planning Document adopted by the Council or other design guidance endorsed by the Council and/or through neighbourhood planning.

The Council will expect proposals for all development and other works to comply with the North Norfolk Design Guide, and successor documents, or provide justification for a departure from the guidance demonstrating a high quality of design that:

##### **Quality of the Public Realm**

1. Contributes positively to the public realm and public spaces; creating high quality, sustainably designed places and spaces that maximise uses and activities;

##### **Landscape and Green Infrastructure**

2. retains existing important landscaping and natural features, in accordance with Policy x , and includes landscape enhancement schemes that are compatible with the Landscape Character Assessment and ecological network mapping;
3. provides opportunities to enhance the green infrastructure network across the District in accordance with policy x

##### **Movement and Connectivity**

4. maximises connectivity, creating a movement hierarchy which is legible, permeable and well connected;
5. incorporates footpaths, cycle paths, green links and networks to the surrounding area, respecting important approach routes;

##### **Character**

6. preserves or, where possible, enhances the special character of the historic environment in accordance with Policy X and, where up-to-date, Conservation Area Appraisals;
7. integrates, to a high degree of compatibility with the surrounding area, in terms of:

layout, form, style, massing, scale and density, ensuring that development makes efficient use of land while respecting the distinctive local character;

**Safety**

- 8. reduces opportunities for crime, terrorism and antisocial behaviour, creating safe, secure and accessible environments;

**Amenity**

- 9. provides appropriate private amenity space, and, where appropriate, includes facilities for refuse, recycling and servicing, whilst respecting residential amenity of both new dwellings and nearby occupiers in accordance with Policy X;

**Adaptability and Efficiency**

- 10. ensures that development is designed in accordance with the Council's Optional Technical Housing Standards as set out in Policy x;
- 11. incorporates sustainable construction principles contained within policy X
- 12. maximises the opportunities for the use of Sustainable Drainage Systems (SuDS) as detailed within Policy X;

**Public Art**

- 13. incorporates public art into schemes; and

**Parking**

- 14. provides adequate parking provision that is discreet and accessible in line with Policy X.

Preferred Option	Why it is Preferred
<p>Introduce a North Norfolk specific design policy setting out local design standards.</p>	<p>The Council's preferred approach is a North Norfolk specific design policy setting out high quality local design standards that all proposals should have regard to. Further to this, and In line with Paragraph 130 of the NPPF, the Council is currently producing a Design Guide Supplementary Planning Document (SPD). A specific North Norfolk Design Policy allows for reference to be made to the Design Guide. The result of this will be that the Council can ensure that new development is of a high quality design, achieving many of the essential wider aims and objectives under</p>

	the umbrella of achieving sustainable development.
<b>Alternative Option</b>	<b>Why it is not Preferred</b>
Have no policy within the Local Plan	This option would not allow the Council to deliver development that is of a high quality design in line with the NPPF and its vision and expectations. Furthermore, having no policy within the plan reduces the ability to refer to the emerging North Norfolk Design Guide SPD. The result of not having a policy within the plan will lead to the potential that development of poor quality design with no regard to local design standards, character and local community aspirations.

### **Design Policy 2: Protection of Amenity**

#### **Policy xx Protection of Amenity**

For all new development, consideration will need to be given to general amenity impact issues, especially living conditions. Development will not be permitted which causes unacceptable effects on the residential amenity of neighbouring occupants, or does not provide for adequate levels of amenity for future occupants. In assessing the impact of development on the living conditions of occupants, regard will be had to the North Norfolk Design Guide and the following considerations:

1. The provision of adequate areas of useable and secluded private amenity space for the occupiers of proposed dwellings, in keeping with the character of the immediate surrounding area;
2. the protection of adequate areas of useable and secluded private amenity space for the occupiers of existing dwellings, in keeping with the character of the immediate surrounding area;
3. overlooking of windows of habitable rooms and private amenity space;
4. overbearing impact/visual dominance;
5. overshadowing of private amenity space;
6. loss of daylight and/or sunlight to existing windows of habitable rooms;
7. odour, noise, vibration or other forms of nuisance such as artificial light pollution, insects and vermin; and
8. other forms of pollution (including, but not limited to: contaminated land, dust, air and light pollution).



<b>Preferred Option</b>	<b>Why it is Preferred</b>
Introduce a new policy to protect amenity for all residents in the District.	The preferred approach seeks to ensure that all residents benefit from a high standard of amenity. This approach will lead to development having greater respect for amenity of existing residents and residents of new development, with positive impacts upon quality of life and well-being.
<b>Alternative Option</b>	<b>Why it is not Preferred</b>
Do not have a policy on the protection of amenity.	This option would not allow the Council to apply high standards in regards to the amenity of residents. This could lead to developments of poor quality design, leading to poorer living conditions for residents of the District, with negative impacts on the quality of life and well-being.

**FIRST DRAFT LOCAL PLAN (PART 1) CONSULTATION:  
COMMUNICATIONS & ENGAGEMENT PLAN**

Summary: This report seeks to agree the consultation arrangements for First Draft Local Plan (Part 1).

Recommendations: **That the Working Party agree the Communications & Engagement Plan as the basis for conducting public consultation on the First Draft Local Plan (Part 1), Supplementary Planning Documents (SPDs), and supporting documents.**

**To delegate final decisions as to which promotional tasks and events are carried out to the Planning Policy Manager.**

Cabinet Member(s)	Ward(s) affected
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<p><b>Contact Officer, telephone number and email:</b></p> <p>Iain Withington, Planning Policy Team Leader  <a href="mailto:iain.withington@north-norfolk.gov.uk">iain.withington@north-norfolk.gov.uk</a>            Chris Brown, Project Support Officer  <a href="mailto:chris.brown@north-norfolk.gov.uk">chris.brown@north-norfolk.gov.uk</a> (01263 516318)</p>	

**1. Introduction**

- 1.1 This report presents a draft programme of community engagement for the First Draft Local Plan (Part 1) Consultation. The programme includes tandem consultations on a new North Norfolk Design Guide, Draft Landscape Character Assessment and Draft Landscape Sensitivity Assessment which are proposed to be adopted as Supplementary Planning Documents (SPDs).
- 1.2 The report details what has already been undertaken, what we are required to do in the plan making regulations, and what we propose to do in order that those with an interest in the Local Plan have the opportunity to engage in this important stage of the process and are suitably informed.
- 1.3 In October 2018 a Rapid Review of the Local Plan was conducted by Overview & Scrutiny Committee. The purpose was to identify and mitigate any perceived risks to the delivery of the Local Plan. One of the recommendations was to produce a Communications & Engagement Plan detailing the consultation that would be carried out with communities.

## 2. Background

- 2.1 The way in which Local Plans are to be prepared is specified in regulations. There are two specific regulatory stages of public consultation referred to as Regulation 18 and Regulation 19. The Local Plan Review was initiated in May 2015. A number of consultation events took place at the time as part of the launch, including an 8-week Regulation 18<sup>1</sup> consultation entitled 'Subjects of the Local Plan'. The principle purpose of this consultation was to *notify* specific consultees of the Council's intention to prepare a Local Plan and to invite representations as to which subjects the Local Plan should address. This was a high level consultation which did not at that stage include any details of proposed policies.

### Regulation 18: First Draft Local Plan (Part 1) – the current stage

- 2.2 A period of formal public consultation is now proposed to seek feedback from the community and statutory consultees regarding the emerging content of the First Draft Local Plan (Part 1). This will present drafts of the proposed policies, provisional preferred development sites in the larger towns and four selected villages (Mundesley, Ludham, Briston and Blakeney) together with details of all the alternatives considered. As well as the Draft Plan and alternative options the Council will publish a large number of supporting documents including a comprehensive library of evidence and a number of background papers explaining various aspects of the plan. As outlined above views will also be sought on a new Design Guide and Landscape Character Assessments which are referred to in the draft policies and which will ultimately be adopted by the Council as formal Supplementary Planning Documents (SPDs).
- 2.3 A further consultation on the First Draft Local Plan (Part 2) is expected to take place later in 2019. This second section of the Local Plan will include further proposed allocations in identified smaller villages as resolved at the Planning Policy & Built Heritage Working Party meeting of 15 October 2018. It may also offer the opportunity to consult further on any updated approaches to the strategic policies brought about by the Part 1 consultation.

## 3. What we are required to do?

### National Legislation, Policy & Guidance

- 3.1 The Local Plan consultation is informed by an adopted Statement of Community Involvement (SCI). This lays down the ground rules for public engagement both when preparing Local Plans and dealing with planning applications and is informed by national policy and legislative processes. The latest and most up to date SCI was adopted by Cabinet on 5 January 2016. **This is the adopted document that guides officers, members of the public and the Planning Inspectorate** around the level of engagement the council will undertake. **The engagement programme outlined in this report is designed to meet and exceed the objectives of the SCI and to ensure we obtain as much constructive feedback from the community as is possible within staff and financial resource constraints.**

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<sup>1</sup> Regulation 18 - The Town and Country Planning (Local Planning) (England) Regulations 2012

3.2 Key documentation that guides Local Plan production is:

- Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended)
- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

3.3 The Local Planning Regulations require the Council to notify relevant consultees of the intention to prepare a Local Plan and to invite representations as to which subjects the Local Plan should address. This regulation has already been met and the Council is not required under these regulations to undertake any further period of public consultation until just prior to the final Plan being submitted for examination.

3.4 However, paragraph 16 of the NPPF sets out that '*Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators, and statutory consultees*'. It is not considered that the Council can rely solely on the previous consultation as a way of meeting the requirements of the NPPF in this respect. The proposals for engagement in this report are aimed at bolstering the Council's position in relation to shaping the Plan by '*early, proportionate and effective engagement*'.

#### 4. What have we done already?

4.1 The process to prepare a Local Plan is a long and complex one. A significant amount of engagement has already taken place during the evidence gathering stages of Plan preparation. This includes regular working party meetings, open to all Members and the general public, specific Town and Parish Workshops, site assessment familiarisation trips, where invitations were extended to the relevant town and parish councils and open invitations to speak at regular town and parish AGM's / meetings. More recently in November officers undertook two targeted town and parish briefings on the emerging Local Plan and consultation arrangements. Throughout the process Officers have been in continual discussions with site owners, responded to queries from members of the public and organisations, liaised with agents, developers, service providers and other Norfolk authorities and internal colleagues and engaged in cross boundary co-operation through the Duty to Co-operate.

4.2 Specific engagement exercises already completed as part of the Local Plan process are shown at **Appendix A**. Full details of the engagement carried out as part of the Local Plan process and how it has been taken into account will be published in a 'Consultation Statement' as part of this consultation and at all future stages.

#### 5. Communication & Engagement Plan - First Draft Plan (Part 1) Consultation

5.1 The proposed approach to consultation and engagement is divided into three areas:

- a) promotion before and during the consultation period
- b) document production and availability
- c) local consultation events

**a) promotion before and during the consultation period**

5.2 The consultation will be promoted by officers and the Council’s communication team through a variety of methods including media releases, social media, the use of newsletters, posters and events in person. The details are outlined in the following table:

**Table 1 - Proposed Consultation Arrangements: Promotion**

Promotion Task (Intended)	Involving	Proposed implementation
<b>Launch Events</b>	<ul style="list-style-type: none"> <li>Members Briefing – All Members offered the opportunity of a briefing to explain the highlights of the Local Plan and the consultation arrangements.</li> </ul>	March date TBC
<b>Local Plan Newsletter (Task 1)</b>	<ul style="list-style-type: none"> <li>All on Consultee Database (including all Parish &amp; Town Councils and All Members) advising of public drop-in events.</li> </ul>	March mail out
<b>Council Tax mail out</b>	<ul style="list-style-type: none"> <li>Consultation Newsletter summarising key issues in LP and how to be involved letter to accompany Council Tax &amp; Business Rates annual billing mail out</li> </ul>	Mid - end March
<b>Targeted Letters</b>	<p>The Consultation Database contains details of those individuals and interested parties that have registered to receive direct updates such as developers and agents (currently 1750 individuals and organisations). It also includes organisations representing a range of those considered harder to engage and all of the and statutory bodies.</p> <p>Targeted letters / statutory notices with relevant information will be send advising of the start , duration and how to be involved in the consultation .</p>	Start of consultation
<p><b>News Release</b> Comms Team to issue 2 x news releases prior to and during the consultation</p>	<ul style="list-style-type: none"> <li>EDP, North Norfolk News, Fakenham &amp; Wells Times, Fakenham Sun</li> <li>Radio Norfolk, Heart, North Norfolk Radio, KLFM</li> <li>Look East, Anglia News, That’s TV Norfolk</li> <li>Just Cromer, Just Holt, Just North Walsham, Just Sheringham, Just Wroxham &amp; Coltishall, North Norfolk Post, Cromer Times, NW Times, Holt Chronicle, Sheringham Independent, Norfolk On My Mind</li> <li>Town &amp; Country News</li> </ul>	<p>1) Mid-March 2) 2 weeks prior to close of consultation</p>
<p><b>Paid Advertising</b> Sponsored Ads Comms Team</p>	<ul style="list-style-type: none"> <li>Facebook / Instagram (may be seen by a younger audience + local organisations)</li> </ul>	March / April
<p><b>Consultation Notice / Poster</b> Distributed to P&amp;TCs + Members for placement in the locality and announcements at public meetings</p>	<ul style="list-style-type: none"> <li>Parish notice boards / parish meetings</li> </ul>	Mid-March 1st week of consultation

<b>Social Media</b> NNDC posts throughout the consultation period	<ul style="list-style-type: none"> <li>• Facebook / Instagram</li> <li>• Twitter</li> </ul>	March / April
Other information outlets to be utilised	<ul style="list-style-type: none"> <li>• NNDC Home Page (see <b>Appendix B</b>)</li> <li>• Staff Intranet</li> <li>• Members Bulletin</li> <li>• NNDC Local Plan Web Page</li> <li>• NNDC News Page</li> <li>• NNDC 'Council Consultations' web page</li> </ul>	Throughout consultation

### Newsletter

- 5.3 A Newsletter will be distributed prior to the consultation start date including information such as where documents can be accessed and how comments can be submitted. The Newsletter is an effective way of informing our existing audience (consultee database) and is available to the public via our website. The Newsletter can easily be shared via social media and taken away at drop-in events.
- 5.4 An opportunity is available to issue the Newsletter in tandem with the annual Council Tax & Business Rates mail-out (to be issued week of 11 March). This approach would target 54,000 residential and 7,000 commercial premises in North Norfolk.
- 5.5 Members have advised that they wish to utilise the option of notifying all residents and commercial premises. A consequence of this action could result in considerably higher numbers of representations being submitted, including increased repetition of comments already made. This could have an impact on staff resource which would need to be addressed. Conversely, this option would provide valuable assurance that the community has been reached and notified and would strengthen the Council's evidence of effective engagement at the examination stage.

### b) Document production

- 5.6 The consultation includes a number of statutory documents and further background papers and supporting evidence, as detailed in **Appendix C**. It is not practical or cost effective to print hard copies of all material. The consultation documents are written and published using a bespoke online publishing software and Consultation Portal. In-line with this, modern working practice, efficiency and as advised in the National Planning Policy Framework, consultation responses will be encouraged through the online portal. All electronic documents will be available on the council's website. A number of hard copy documents however will be produced of the main statutory consultation documents.
- 5.7 Objective Keystone is the document creation and engagement software used to create the Local Plan and supporting documents. This powerful tool allows us to publish documents to a Consultation Portal where responses can be submitted and following the consultation responses can be analysed in accordance with each policy / issue.
- 5.8 The details of physical consultation materials are outlined in the table below:

**Table 2 - Proposed Consultation Materials**

Document	Details
<b>Main Consultation Documents</b> (Appendix C)	Copies of main consultation documents will be printed and made available at Council consultation points and at events.
<b>Newsletter</b>	Primarily distributed by email / online. Copies will be printed and distributed to: <ul style="list-style-type: none"> <li>• Members</li> <li>• Libraries (including Mobile Libraries where in service)</li> <li>• Council Offices</li> <li>• Drop-in Events (including for public to take away on request)</li> </ul>
<b>Event Displays</b>	Design and creation of exhibition material for consultation drop-in events. To include headline information about the Part 1 plan, town and site specific information including proposed allocations, and details of how to get involved.
<b>Comments Form</b>	Those wishing to make comments will be directed to the online method. Copies of paper representation forms will be available on request at Council offices, libraries and at drop-in events.

**c) Consultation Events**

5.9 The main vehicle for engaging the public will be via a series of public drop-in exhibitions. The exhibitions aim to be informal and provide the public with:

- A static display giving a brief overview of the Local Plan process, plan English information on the key aspects being addressed in this consultation, details of site specific information relating to the locality, and how to respond.
- Access to senior policy planners at each event to answer questions and offer guidance. Additional help may be sought from other planning staff as required.
- Hard copies of summary documents and Newsletter to take away.
- Comment form

5.10 It is not recommended that representations are made at consultation events to officers.

5.11 Feedback from previous events clearly indicates a preference for evening meetings and therefore it is suggested that all events are aligned to include evening slots as well as normal working hours.

**Table 3 - Proposed Drop-in Events** (all to be held in second and third week of consultation period)

<b>Drop-In Events</b>		
Blakeney	Village Hall, Langham Road	Date TBC 2.30 - 7pm
Briston & Melton Constable	TBC	Date TBC 2.30 - 7pm
Cromer	Parish Hall	Date TBC 2.30 - 7pm
Fakenham	Community Centre, Oak Street	Date TBC 2.30- 7pm
Holt	Community Centre, Kerridge Way	Date TBC 2.30 - 7pm
Hoveton	Broadland Youth & Community Centre, Stalham Road	Date TBC 2.30- 7 pm
Ludham	TBC	Date TBC 2.30- 7pm
Mundesley	Coronation Hall, Cromer Road	Date TBC 2.30- 7pm
North Walsham	Community Centre, New Road	Date TBC 12 - 8pm
Sheringham	Community Centre, Holway Road	Date TBC 2.30 – 7pm
Stalham	Town Hall, High Street	Date TBC 2.30 – 7pm
Wells next the Sea	The Maltings, Staithe Street	Date TBC 2.30 – 7pm

## **6 Other Considerations**

### **Consultation Period**

- 6.1 It is proposed that the consultation period lasts for six weeks. Officers are currently working to a commencement date of 29th March. A six-week period would see the consultation end early May.
- 6.2 The Local Government elections are held on the 2<sup>nd</sup> May 2019. The Policy Team has obtained electoral and legal advice on this matter which concluded that no legal or procedural issues prevent part of the consultation period overlapping the period for Purdah.

## **7. Making Representations & GDPR**

- 7.1 The introduction of the General Data Protection Regulation (GDPR) in May 2018 established a clear expectation that a valid lawful basis is demonstrated in order to process personal data. In regards to submitting representations this means any data that identifies an individual, for example name and address data, email, or potentially the content of their representation. This includes the identification of individuals representing organisations.



- 7.2 Personal data processed by the Council through the submission of representations is considered to meet the lawful basis of:
- (e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- 7.3 Where specific consent is obtained:
- (a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.
- 7.4 Any data processed should be necessary, meaning that if the Council can reasonably achieve the same purpose without the processing, then there is no lawful basis.
- 7.5 The Representations Form will include a relevant data protection and privacy policy statement setting out how personal data will be processed.

## 8 Recommendation

- **That the Working Party agree the Communications & Engagement Plan as the basis for conducting public consultation on the First Draft Local Plan (Part 1), Supplementary Planning Documents (SPDs), and supporting documents.**
- **To delegate final decisions as to which promotional tasks and events are carried out to the Planning Policy Manager.**

## 9 Legal Implications and Risks

- 9.1 The Local Planning Regulations do not require consultation at this stage of the Local Plan process (the consultation in relation to SPDs is a requirement). However, a meaningful and well promoted early engagement plan strengthens the Council's ability to demonstrate compliance with the NPPF and any other related conformity tests at the examination stage. The Council is keen to hear views from the public and business sectors in order to help shape a robust Final Local Plan for independent examination.
- 9.2 A recent presentation by the Consultation Institute highlighted examples where Local Planning Authorities (LPA's) have been ruled against in High Court Appeals. The Institute's main message was that following the Regulations is not always enough and there are High Court case law examples where LPA's have been found to have not consulted adequately. The key points are that in undertaking consultation the Council should demonstrably:
- Be open to influence (evidenced by post-consultation reports including officer comments)
  - Give sufficient information (evidenced by implementing a communications and engagement programme and through the content of consultation documents)
  - Give sufficient time (evidenced by meeting the regulations and SCI minimum time requirements)
  - Demonstrate conscious consideration (evidenced by post-consultation reports including officer comments)

- Must demonstrate alternatives to a proposal (evidenced by the 'Alternatives Considered' document).

9.3 The above considerations are based on the 'Gunning Principles' which apply to all UK public consultations and this communications and engagement plan is designed to help mitigate the risks of Local Plan delay due to a failure in the above points.

9.4 Once the promotional tasks in this plan have been initiated there is a risk of reputational damage should the Council delay or abandon the consultation.

## **10 Financial Implications and Risks**

10.1 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.

## Appendix A

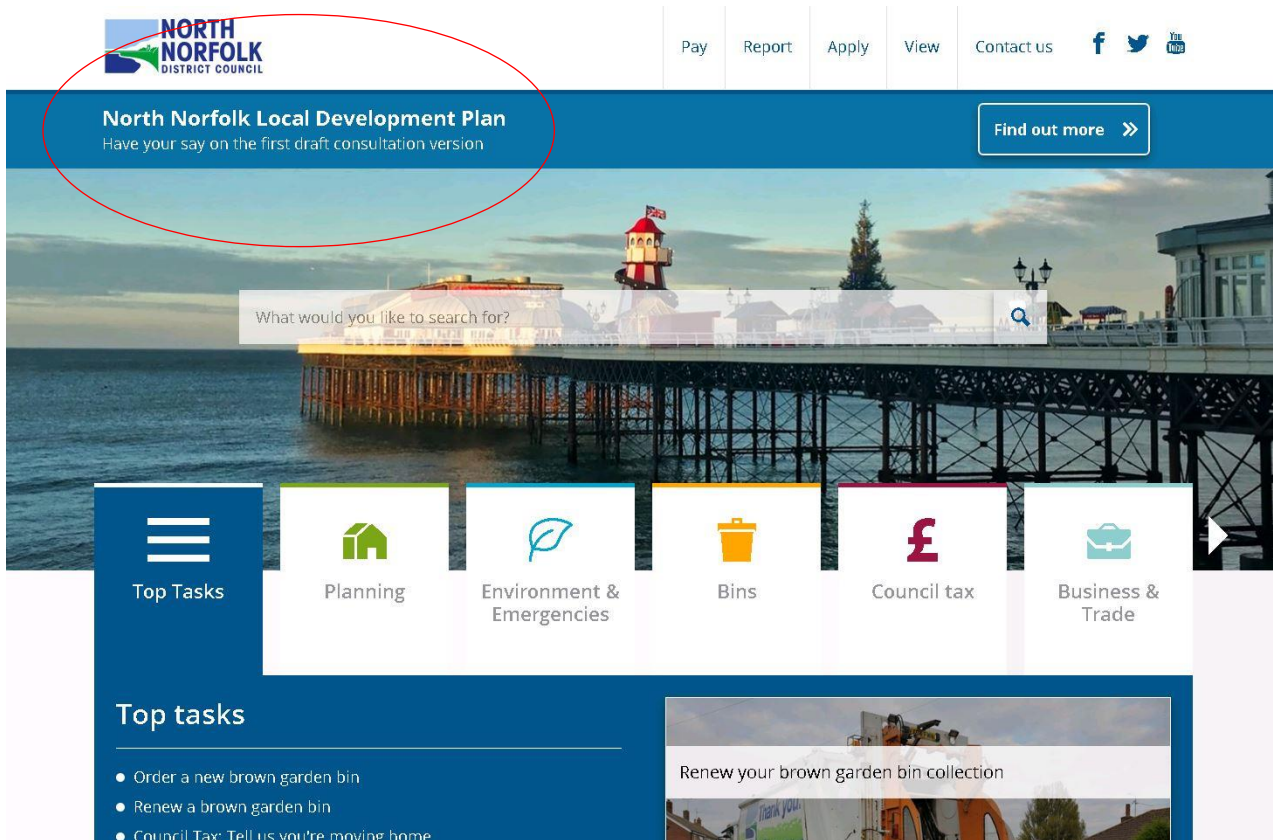
### Engagement Undertaken During Local Plan Review

Consultation / Engagement Exercise	When?	Purpose	Who attended / was consulted?
Local Plan Launch Events x 2	Sept 2015	Launch of Local Plan and to highlight consultation on Regulation 18 and SCI.	Parish & Town Councils
Regulation 18 Consultation	7 Aug - 9 Oct	To notify specific and general consultees of our intention to prepare a Local Plan and to invite representations as to which subjects the Local Plan should address.	Public
Draft Statement of Community Involvement Consultation	7 Aug - 9 Oct	To receive comments on the Draft Statement of Community Involvement.	Public
Newsletter 1	7 Aug	To notify of the Local Plan Launch Events and Regulation 18 and Draft SCI consultations.	Consultee Database + Publically available
<b>2016</b>			
Call for Sites Consultation	16 Jan to 31 May	To receive site proposals for consideration through the Local Plan.	Public
Newsletter 2	16 Jan	To notify the wider public of the opportunity to submit site proposals for consideration through the Local Plan.	Consultee Database + Publically available
HELAA Methodology Consultation	21 Mar – 3 May	To receive comments on the proposed HELAA methodology which will be used by all LPAs in Norfolk when preparing their Housing & Economic Land Availability Assessments. NNDC hosted the consultation.	Various Agents, Developers, Landowners, Individuals, Parish & Town Councils + Statutory Consultees
Town Workshops x 8	May / June	To raise awareness of the Local Plan review in the main settlements, discuss early scenarios around the location and quantity of future development, to identify issues and opportunities, and a vision for those areas, and to enable general discussion.	Town Councils + Hoveton Parish Council
Newsletter 3	9 Sept	To provide a local plan recap, detail the site assessment process and evidence required to support the Plan, and, to provide information on the Sustainability Appraisal and Scoping Report.	Consultee Database + Publically available
Green Build Local Plan Exhibition	10-11 Sept	To provide a visual display of current information on the Local Plan, to raise the profile, and to answer questions from the public. Further distribution of Local Plan Newsletter.	Public
Draft Sustainability Appraisal Scoping Report Consultation	10 Oct- 21 Nov	To receive comments on the Draft Sustainability Appraisal Scoping Report	Public
<b>2017</b>			
Local Green Space	4 July – 11	To seek nominations by Parish & Town	Parish & Town

Consultation	Aug	Councils for Local Green Space designation.	Councils
Site Promoter Letter 1 - Further Evidence	20 July – 29 Sept	To invite submissions of further evidence in support of sites proposed for development through the Local Plan.	Agents, Developers, Landowners
Newsletter 4	6 Sept	To update on potential development sites, evidence gathering, SHMA, review of Open Space & Local Green Space, Neighbourhood Planning update, and, Norfolk Strategic Framework consultation.	Consultee Database + Publically available
Green Build Local Plan Exhibition	9-10 Sept	To provide a visual display of current information on the Local Plan, to raise the profile, and to answer questions from the public. Further distribution of Local Plan Newsletter.	Public
Site Promoter Letter 2	3 Nov	To provide an update on the site assessment process, the likely scale of and location of sites, and that the next opportunity to submit sites will be through the First Draft Local Plan consultation.	Agents, Developers, Landowners
<b>2018</b>			
Protecting Our Green Spaces Letter	21 June	To update and thank Parish & Town Councils for nominating proposed Local Green Spaces and to summarise the published Amenity Green Space Topic Paper and next steps regarding the policy approach for Open Spaces.	Parish & Town Councils
Newsletter 5	22 June	To update on revised LP timeline, strategic direction of the Plan, housing target, preferred residential sites, national policy changes, evidence base update including SFRA, consultation on the Corpusty & Saxthorpe Neighbourhood Plan, brownfield land register + five year housing land supply position.	Consultee Database + Publically available
Green Build Local Plan Exhibition	8-9 Sept	To provide a visual display of current information on the Local Plan, to raise the profile, and to answer questions from the public.	Public
Local Plan Viability Workshop	29 Aug	To provide the opportunity for representatives of the development industry to review and input into the emerging findings of the Local Plan Viability Study.	Agents, Developers, Landowners, Housing Associations
Parish & Town Council Events x 2	Oct / Nov	To provide a briefing on the emerging Local Plan content including housing strategy, distribution of growth, affordability, development viability, housing construction standards and to exhibit emerging development sites. The events included a drop-in clinic with officers prior to the briefing and a Q&A session afterwards.	Parish & Town Councils

# Appendix B

## NNDC Website Mock-up for Local Plan Consultation



## **Appendix C**

### List of Consultation Documents

#### **Main Consultation documents**

- First Draft Local Plan Part 1
- First Draft Local Plan Part 1 - Alternatives Considered
- Interim Sustainability Appraisal, including interim SA Scope
- Interim Habitats Regulation Assessment + HRA Scoping Report
- Draft Landscape Character Assessment SPD
- Draft Landscape Sensitivity Assessment (Renewable Energy) SPD
- Draft North Norfolk Design Guide SPD
- Consultation Statement

#### **Background Papers**

- Approach to the setting of the Housing Target
- Housing Background Paper: Distribution of Growth
- Approach to Employment
- Infrastructure Position Statement
- Interim Green Infrastructure Strategy
- Site Assessment Methodology
- Optional Technical Standards

#### **Evidence Studies**

- Plan Wide Viability Study
- Retail and Main Town Centre Study
- Strategic Flood Risk Assessment
- Norfolk Strategic Planning Framework
- Amenity Green Space Study
- Business growth and investment Opportunities Study
- Strategic Housing Market Assessment
- Housing and Economic Land Availability Assessment, Part 1 & 2
- Visitor Impact on European Protected Sites
- Norfolk Caravans and Houseboats Accommodation Need Assessment