

LOCAL PLAN SCHEDULE OF REPRESENTATIONS – REGULATION 18

- Summary: This report provides a precis of the responses received from the Regulation 18 consultation and explains the process for considering the responses as part of the finalisation of the Local Plan.
- Conclusions: The feedback submitted as part of the regulation 18 consultation should be used to inform and assist in the preparation of the final version of the Local Plan.
- Recommendations: **Members note the content of this report and delegate final adjustments of the Schedule of Representations to Planning Policy Manager and publish.**

Cabinet Member(s)	Ward(s) affected
All Members	All Wards
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1. Background

- 1.1 The First Draft North Norfolk Local Plan, the alternative options considered during its preparation, and Interim Sustainability Appraisal reports, together with a wide range of supporting and evidence documents were published and subjected to an eight-week period of public consultation over May and June this year under regulation 18 of The Town and Country Planning (Local Development) (England) 2012 Regulations. As reported to the July LPWP, 900 representations were received from 404 consultees. These responses covered a broad spectrum of policies and proposals with many covering multiple policy areas. Subsequent work has been undertaken to apportion each comment against a policy and or site proposal and a consolidated Schedule of Representations has been produced. The schedules form a dual purpose:
- a) To provide a summary of the comments in order to consider the feedback and main issues raised in the finalisation of the policies and proposals in the final version of the Plan.
 - b) Provide a statement of fact as to the representations received and through further detail in the submission Consultation Statement assist in explaining how any representation made under regulation 18 will be taken into account.
- 1.2 There is no requirement to reply directly to each of the representations individually. It will however be necessary to show at submission of the Plan for

examination how comments made at this stage of the Plan preparation process informed the policies and proposals of the final Plan, both in terms of policy development and the allocation of future development sites. To that aim each schedule along with a summary of issued raised contains initial officer comments as to how the comment will be used to inform future iterations of the Plan.

1.3 The schedule provides a summary and breakdown of each representation categorised as 'objection', 'support' and 'general comment' for each separate policy area/site proposal. The Schedule is split across 5 appendices to this report:

- Appendix A – representations made by individuals;
- Appendix B - representations made by Parish & Town Councils;
- Appendix C – representations made by Organisations and Statutory consultees
- Appendix D – representations made on the alternative options considered.
- Appendix E – representations made in the Interim Sustainability Scoping and Appraisal Reports and Habitats Assessment Report, HRA

1.4 Each complete response in its original format remains available on the consultation portal.

1.5 Collectively the schedule contains 1341 individual representations:

- 595 individual (members of the public) representations
- 86 town and parish council representations from 15¹ councils
- 508 statutory consultees and organisational representations.
- 148 comments on the alternative options document.
- 4 comments on Sustainability Appraisal & Habitats regulation Assessment

1.6 At the time of the consultation a further call for sites was undertaken specifically for the identified small growth villages. Many land promoters and owners took advantage of this further opportunity and submitted a wide range of additional sites.

New Sites:

- 91 sites were proposed through the Call for Sites process
- 39 are new alternative proposals. (ie completely new sites) .
- 52 are existing sites with some or no variation in the site area:
 - 12 existing sites with no change in site area
 - 40 existing sites with a change to the site area

In addition, 21 sites were proposed through the **First Draft Local Plan & Alternatives Considered consultation documents**. These may include duplication of the numbers above as many will have also been submitted through the Call for Sites process - this detail has not yet been cross-referenced

¹ Town & Parish Councils who responded: Bacton & Edingthorpe, Cley, Cromer, High Kelling, Hoveton, Mundesley, North Walsham, Northrepps, Roughton, Runton, Sheringham, Southrepps, Upper Sheringham, Wells –next-the Sea, Weybourne

- 1.7 The approach to the assessment of such additional site suggestions will follow the defined site assessment methodology and accord to the distribution of growth set out in the final version of policy SD3.

2 Next Stages

- 2.1 The Council must now prepare a revised version of the Plan which will be then subject to a further round of public consultation (Regulation 19) prior to being independently examined by a government appointed Inspector.
- 2.2 It is proposed that over the coming months the Working Party will consider issues and associated policies on a topic area basis with the objective of agreeing the content of an amended Plan prior to further consultation. Unlike the last round of public consultation, the next version of the Plan should represent the Council's final view on how to proceed and be the version of the Plan which the Council considers to be a sound basis for independent examination. Comments made during the next round of public consultation are considered directly by an appointed Inspector as part of the Plan examination process rather than by the Planning Authority, with the Inspector assessing the Plan against a number of defined legal and soundness tests.
- 2.3 In considering the representations and determining the preferred approach there is nothing in the Regulations which prevents further rounds of public consultation should this be deemed appropriate and helpful in preparing the final Plan.
- 2.4 As part of this process various aspects of the supporting evidence and the site appraisal and sustainability appraisal processes will also require updating.
- 2.5 The intention is that the specific policy feedback will form part of future policy/ topic based reports and be included for deliberation in the finalisation of policy choices for inclusion in the final version of the Local Plan.
- 2.6 Each report will include the following:
 - A schedule of all the representations made in relation to the issue being considered including an officer summary and recommendation;
 - A covering report focused on the key issues raised, summary of National Policy requirements, reference to key aspects of supporting evidence a discussion of the merits of options which may be available and relevant sustainability assessments.

3 Overarching feedback: Key Policy Issues Raised.

- 3.1 Given the breadth of the Local Plan and the high number of individual representations made, it is very difficult to provide an overall summary. The following highlights are not intended to be comprehensive but they provide a snap shot, or flavour, of the more substantive issues raised. These issues along with the specific feedback for each policy area will be reviewed as part of the finalisation of the plan.

3.2 Vision and Aims

- 3.3 Many comments welcomed the references to the character of the area, but thought it would be helpful to draw out specific references to the natural and historic environment further and provided some useful suggestions. Specifically, Historic England, while supportive of the document wish to see references to more substantial evidence base such as heritage impact assessments and conservation area appraisals, where they advocated a topic paper covering the approach to the historic environment. Other organisations while supportive wished to see further context and stronger statements around climate change, habitat loss & fragmentation and specific references to the protection of European sites, such as Special areas of protection, conservation and Ramsar sites, and other protected areas along with the strengthening of text around coastal change, cliff erosion/stability and adaptation to climate change.
- 3.4 There was a recurring theme throughout the responses from the general public that the Draft Plan was prepared prior to the declaration of a climate change emergency and as such the plan did not go far enough and or emphasis the issue sufficiently. Statutory bodies however recognised the input and content throughout the document around climate change mitigation and adaptation. References to biodiversity net gain were strongly supported and references to habitat creation to achieve this encouraged, in green corridors and enhanced green infrastructure. Others were keen to ensure the contextual information acknowledged the links between economic growth, tourism and management of the environment and how development needs should be met

3.5 **Sustainable Development Policies**

- 3.6 The majority of comments that raised substantive issues focussed around key policies such as the settlement hierarchy SD3, Development in the Countryside SD4, Developer Contributions & Viability SD5, and Flood Risk & surface water Drainage SD10.
- 3.7 Settlement Hierarchy – the distribution of growth- countryside development.
- 3.8 There was no universal agreement in relation to the Distribution of Growth.
- 3.9 Concerns were raised around the requirements to locate town based growth in the AONB with statutory bodies advising of strong supporting evidence to justify choices in the SA and HRA. The principle of broadly focussing growth in and close to the larger settlements was generally supported, however the challenge was to ensure the Plan facilitates appropriate levels of growth in the correct locations and provide appropriate infrastructure. Some developers commented that focussing large scale development in North Walsham and Fakenham could lead to pressures on land supply in the short term and further allocations with a preference in the higher valued areas, instead of reliance on windfall should be made.
- 3.10 Proposals for growth in villages are particularly controversial with arguments both for and against development. The majority of public comments objected to growth in villages and countryside due to inappropriate infrastructure and highlighting climate change. The following PC/TC's objected to being identified as small growth villages: Bacton, High Kelling, Roughton & Southrepps & Weybourne. Reasons given varied but included preference for exception site development, impacts on existing character & infrastructure and as such small scale allocations

run the risk of disproportionate and unsustainable growth. There was general support for the opportunities rural exception policies brought from both public and development industry.

3.11 Organisations that responded however generally put forward support for market housing growth in smaller rural settlements, but for many different reasons. Land owners and promoters supported larger scale growth especially in higher valued areas in order to support rural economies and their development needs and sought the removal of the overall prescriptive and restrictive cap in footnote 21 as well as suggesting a number of further settlements which the council should include in the settlement hierarchy eg Great Ryburgh and some provided reasoning for the exclusion of others including recognising their commercial interests, others however used the opportunity to support the identification of smaller villages as in the policy through expressing support and analysis of service provision and local connections.

3.12 Those promoting estate management sought more flexibility and a policy commitment facilitating appropriate estate growth and the recognition of the role larger estates make to the District.

3.13 Developer contributions

3.14 Other issues raised included concerns around viability in relation to the Councils increased requirement for progressive infrastructure such as electric charging points and the requirement to ensure adequate full fibre to premises was in place prior to occupation. Many developers and land promoters requested clear requirements around obligations at the same time as wanting the Council to incorporate more flexibility in the policies application. Statutory bodies generally welcomed many of the policies and provided some useful suggestions on how to strengthen the policies and add clarity.

3.15 Environment Policies

3.16 Many of the policies were largely supported across the board and were seen as giving strength to the protection and enhancement of the landscape and settlement character. Natural England reiterated their position around requiring an enhanced policy approach around the protection of European sites while others also sought greater provision and incorporation of Green infrastructure, habitat creation and biodiversity net gain into development proposals.

3.17 Housing Policies

3.18 The majority of comments focused on the setting of the Housing target, HOU1 and the Housing Mix HOU2. Many individual commentaries indicated that the general public thought the housing target was too high and raised delivery concerns, lack of infrastructure and impacts on the landscape. Mixed commentary was received from statutory and organisations, with comments ranging from the target should be set as a minimum to comply with the NPPF. Some thought that the target should include a further uplift to address employment growth. Others however acknowledged the council's position brought on through the adoption of the Housing Standard Methodology and recognised the challenges that the preferred option would bring with regard to historical delivery rates.

3.19 Connected to the challenges around the numbers, the Council was also challenged around the reliance on large sites growth, commenting that the

approach provided little to no certainty that the housing target will be delivered and that the council was not identifying enough land for housing to ensure consistent rate of delivery. A solution suggested further consideration to additional deliverable allocations and a wider distribution / numbers of adequate sites, particularly in higher valued and rural areas and or a buffer of sites should also be considered.

3.20 Again the high reliance on windfall, rather than allocations was raised as a concern by some.

3.21 In relation the housing mix, HOU2. The approach seeking to increase housing options across a range of need was generally recognised and welcomed by statutory bodies and some developers (in relation to need). The disproportionate requirement for self-built was questioned. Many developers wanted greater flexibility in housing mix and more certainty in the type and tenure of affordable housing. For the Public the main concern raised was around supplying housing at a price and tenure that addresses local need with the provision for Low Cost Home Ownership reflecting actual levels of income within North Norfolk rather than levels of average income for England as a whole.

3.22 **Employment Policies**

3.23 Overall broad support was offered for the Economic Policies within the Plan. Town and Parish Councils identified potential modifications to the primary shopping areas in Cromer, North Walsham and Sheringham. Statutory Consultees provided the most substantive responses offering minor modifications to ensure further clarity to the direction of the policies. Individual responses argued for more flexibility in regard to the approach to tourism arguing for more rural and coastal development.

4 **Overarching feedback: key sites issued raised**

4.1 In regards to representations on sites, in general Statutory Consultees did not raise any substantive site concerns and provided more general comments around the principle of allocation. Statutory and organisations provided helpful comments around their aims and priorities and provided examples of where policy wording could be strengthened and or help address a specific site issue. Historic England requested that the Council undertake heritage impact assessments in relation to site assessments. NCC Highways and Lead Local Flood Authority (LLFA) initially raised a holding objection around their inability to respond to the technical requirements of site access and highway network during the consultation period. LLFA have subsequently removed their objection and an extension has been agreed with NCC Highways to work through the detailed site specific technical comments.

4.2 Although limited feedback there was general support received from the Town and Parish councils around the allocations with one or two exceptions including DS3, Clifton Park, Cromer.

4.3 A large number of objections were received from members of the public and nearly half were objections to the proposed site allocation at Clifton Park, Cromer. Comments raised a number of issues, including concerns over development on land which is considered to be a critical gap, a wish to retain the town and village boundaries, biodiversity and capacity concern at WRC.

- 4.4 There is general support for the proposed sites in North Walsham and acknowledgment for the need for a link road. Underlying many objections to individual sites, especially in North Walsham, are concerns about whether development is actually needed and how supporting infrastructure will be provided in a timely fashion.
- 4.5 Some developers however raised concern over the reliance on large growth in the lower values areas such as North Walsham and this could hamper the Council in the short term through restrictions on land supply. Respondents were concerned about the level of market housing which could be built on the sites in Wells-next-the-sea, and that it would not reflect their needs.
- 4.6 Members of the public raised concerns over the potential impact of development on the character of the countryside and on the character of settlements, especially in the coastal towns and villages. Also concerned about how large scale housing growth might undermine the character of the District.
- 4.7 Concern over major development within the AONB and some comments raised potential environmental issues for site DS8 Barons Close, Fakenham. General concerns over the lack of employment opportunities available and the additional pressure development could have on services including doctors and schools. Inadequate vehicular access, flooding and drainage, amenity impacts on adjacent home owners and impacts on wildlife and the tourism are recurring themes.

4.8 Alternative Options Considered

- 4.9 In regard to policies, representations took the opportunity to re-affirm support for the Council's preferred policy options or to raise objection to specific alternatives. A limited number of responses against alternative policies suggests broad overall support for the direction of the preferred policies within the First Draft Local Plan.
- 4.10 In regard to sites, representations took the opportunity to provide additional information, request that sites be re-assessed for alternative uses or be re-assessed as smaller sites. The only alternative site to raise substantive support was W11, a mixed use site put forward in Wells. These comments were not directly objecting to the Council's assessment but largely requesting that the site size is reduced and the site is re-assessed on this basis.

4.11 Sustainability reports and Habitats regulation assessment

- 4.12 Where comments were received on the interim SA and HRA reports they were supportive of the approach and assessments to date.

5 Recommendation

- **Members note the content of this report and delegate final adjustments of the schedule of representations to Planning Policy Manager and publish.**

6 Legal Implications and Risks

- 6.1 The statutory process requires records of consultation feedback and demonstration of how this has/will have informed plan making. The schedules will be included as part of the submission documentation along with further commentary demonstrating how the representation at regulation 18 have been taken into account in line with Regulation 22.

7 Financial Implications and Risks

- 7.1 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

Appendix A – representations made by individuals;

Appendix B - representations made by Parish & Town Councils;

Appendix C – representations made by - Organisations and Statutory consultees

Appendix D – representations made on the alternative options considered.

Appendix E – Representations made in the Interim Sustainability Scoping & Appraisal Reports and Habitats Assessment Reports, HRA