

Local Plan: Project update- Time line

Summary: This report provides a short update around the Local Plan time line.

Recommendations: **That the revised time line for the Local Development Scheme is Published.**

Cabinet Member(s)	Ward(s) affected
All Members	All Wards
Contact Officer;	
Iain Withington Planning Policy team leader / Acting Policy Manager 01263 516034, Iain.Withington@north-norfolk.gov.uk	

1. Introduction

1.1 The emerging North Norfolk Local Plan has been subject to public consultation at regulation 18 stage during May and June 2019. This report is one of a number of reports that seeks to finalise the draft Local Plan policy approach in relation to consideration of the consultation responses and the finalisation of the supporting evidence. At the end of the process a revised Draft Local Plan incorporating justified modifications will be produced for the authority in order to consult at Regulation 19 Draft Plan publication stage ahead of subsequent submission for examination. At such a stage the Plan will be subject to consideration by an independent inspector against a number of legal tests and soundness tests to determine if it is legally compliant, justified, effective, and has been positively prepared. A binding report will be produced which will determine if the Draft Plan is sound, with or without further modifications, following which the Plan can be formally adopted by the Council.

1.2 This report focusses on the revised indicative project time line which has been reviewed with Planning Manager and the Planning Portfolio holder following the detailed review of requirements by officers and the production of and a comprehensive schedule of work across the planning policy team. The work programme has been informed in part by the Schedule of Responses presented to Members in December 2019, but also by the statutory requirements of Plan making and the decision making framework of the Council, legislative changes and predicted legislative changes, emerging evidence and partnership work and team resource. The result is the production of a new project time

line which is required to be published as part of the Local Development Scheme, LDS update.

- 1.3 In order to maintain this programme it will be a particularly busy and challenging period for officers and members. Given the intricate nature of policy writing and interrelations between policy areas in order to make timely progress across the wide-ranging and complex issues that the Local Plan covers in an efficient way, there remains a requirement to ensure the Plan is progressed in a timely, progressive and co-ordinated way with decision made in a timely manner.
- 1.4 A Local Development Scheme, LDS, must be prepared under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). An LDS is essentially a project plan which identifies the Development Plan Documents which when prepared will make up the Development Plan for the area. It must be kept up-to-date and be made publically available. This enables public and stakeholders to find out about planning policies in their area, the status of those policies and the details and timescales for the production of all relevant documents.
- 1.5 The LDS was published in August 2015 and an updated time table last published in March 2018. The revised time line now proposed takes into account the expected schedule of work now envisaged in order to finalise the Plan in relation to the current available resource and members requirement to bring forward a comprehensive development brief for North Walsham ahead of regulation 19 consultation and submission of the Plan.

2. Local Plan Evidence

- 2.1 A large part of the new Local Plan evidence has been prepared and published and can be found in the published [Document Library](#) on the Council's web site. There remains however, the requirement to ensure this is kept up to date and produced in a timely and sequential way to inform decisions. As such it will require careful programme management around project procurement, and partnership work in order to avoid delays and overall impacts on the time line. Situations can also arise where there is the requirement for additional supporting evidence. Where this arises it will inevitably impact on the indicative time line.
- 2.2 The following provides an indicative list of current evidence streams:

Evidence Document	Content
Coastal Background paper	Paper examining the land use issues and policy approached around coastal erosion and adaptation
Boundary Review	For both employment designations and small growth villages
Heritage Impact Assessments	Detailed review of heritage in relation

	to site appraisal
Open Space Study	Study that reviews open space requirements and informs on site policy requirements
Employment Study Update	Study that reviews employment requirements
Green Infrastructure & Recreation Avoidance and Mitigation Strategy	Study assessing whether growth, in terms of overall housing requirements and specific site allocations would have any likely effects on Habitats Sites. The Habitat regulation Assessment, HRA has identified potential impacts and such the council is required as a determinant of Soundness to ensure appropriate mitigation is in place.
Green Infrastructure	Updated and consolidated background evidence to inform GI policies and site allocations.
Final Sustainability report	Review and update of the regulation 18 Interim SA in order to inform the final suit of policies
Final HRA	Review and update of the interim HRA at regulation 18 stage in order to reflect the final suit of policies
Final Viability report	Update of Plan wide viability which supports deliverability of the “policy ask” such as the level of affordable housing and mix that can be supported across the district.
Consultation Statement	Report showing how feedback has been taken into account in the finalisation of the policies, in line with legislative requirements
Various background and topic paper updates	Updates and consolidation of site assessments for individual settlements, updates of the various regulation 18 background papers, covering the setting of the Housing Target, Distribution of Growth, approach to employment, Green Infrastructure, site selection, Housing construction standards settlement distribution ,
Infrastructure Delivery Plan	Report outlining the infrastructure requirements & planned investments
North Walsham Highways Evidence Study	Key piece of evidence to the delivery of the Western Extension as it will provide the initial ‘in principle’ signal that the development can function in highway terms.

3 Duty to co operate

- 3.1 Working together via a Members Forum the Norfolk Authorities have collectively agreed a Norfolk Strategic Planning Framework. This document contains a county wide vision and objectives for future development and around 30 separate agreements which will inform various aspects of Local Plan preparation. The forum has now commenced work on reviewing the framework and undertaking various other work streams which are best considered at a county wide level. A revised agreement document is expected over the summer of this year. This is likely to be informed by further work agreeing combined approaches in relation to green infrastructure provision and managing visitor pressures on designated wildlife sites and the approach to older person, where work is ongoing to establish the overall need and type of requirements across Norfolk. Work is also expected on a revised and updated Strategic Housing Market assessment, SHMA, though this work will need to be informed by proposed changes in methodology indicated by the Government but yet to be published, as such no timetable has been agreed. Work is also ongoing in relation to improving working relationships with key private and public sector infrastructure providers including water, health and broadband.
- 3.2 Brief High level milestones for the NSPF version 3 are set out below:

NSPF V3	
Review of Economics Section	Complete
Completion of GI RAMS Report	June 2020
Completion of Elderly Study	June 2020
Completion of Climate Change work	August 2020
Completion of Health/Heathy Living work	August 2020
Transport Agreement?	August 2020
Telecoms Review?	August 2020
Drafting complete and Member forum to review NSPF V3	September 2020
Public Consultation?	October/November 2020
RAMS implementation	January 2021
Endorsement	March 2021

4 Site Appraisal

- 4.1 Work has commenced on the identification of the final suit of sites to be included in the Local Plan. These sites will be presented to Members over the coming months with a view of identifying sufficient sites in accordance with the settlement hierarchy and distribution to meet identified needs.

5 Policy writing

- 5.1 following the site appraisal work resource capacity will be released to focus on reviewing consultation feedback and appropriate evidence to finalise the policy areas, such the suit of policies that cover climate change and the environment, Economy including tourism and to review the housing delivery, phasing and targets. This will be followed by bringing the plan documents together including the final HRA, SA report and consultation statement.

6 Legislative Change

- 6.1 The Secretary of State for Housing, Communities and Local Government made a statement in the House of Commons 12 March 2020 on Planning for the Future. It was accompanied by a policy paper giving further detail on the Government's latest proposals. A "bold and ambitious white paper" will be published in the spring giving further details of changes to the planning system. Amongst others indication was given that:

- There carrot-and-stick measures to ensure land for housing is brought forward. **A deadline of December 2023 is introduced for local authorities to have an up to date plan, with intervention powers threatened thereafter.** The housing delivery test threshold will be raised to 75% in November 2020, and the New Homes Bonus is to be reformed to "reward" local authorities who are performing well.
- There is a renewed focus on design. The NPPF will be revised to strengthen policy on "good design and place making.
- Policy on flood risk may be tightened up. The Government will "assess whether current protections in the NPPF are enough", in light of the widespread serious flooding caused by winter storms this year.
- There is further money to be released through Housing Infrastructure Fund as part of the recent budget where £1.1billion was announced to fund specific key infrastructure projects

6 Conclusion / Recommendations

- 6.1 **That the revised time line for Local Development Scheme is published. Details Appendix 1.**

7 Legal Implications and Risks

- 7.1 Producing a Local Plan document within a set timetable is not without risk. A number of risks to delivery against the milestones have been identified and are set out below. As far as is practicable these risks have been taken into account in producing the timetable. However, it is recognised that there are risks that may present significant challenges to the timely progression of the Local Plan including further significant

changes to the planning system at national level as indicated above or a significant piece of case-law that indicates that a particular approach should be followed or further member steer.

- 1) Staff Resource: in common with many rural planning authorities the planning policy team is relatively small. Staff turnover, the lack of qualified and experienced planning officers and the need for staff to increasingly specialise along with the difficulty in recruiting faced by the authority all pose medium and long term risk to the timetable. The recent loss of staff and long term illness is increasing impacting on staff ability to prioritise Local Plan work ahead of other policy requirements such as annual monitoring, national statistics, policy and appeal consults. Longer term recruitment issues have the potential to impact on workloads. Short term solutions through contract work may help however the nature of the work requires significant local knowledge as well as a high degree of experience.
- 2) Further changes to National Planning Policy could give rise to a need to review or amend the timetable. Particular regard will need to be had to any changes to the planning practice guidance and the forthcoming white paper. In addition there are changes to the methodology in establishing population projects and the government has indicated that it will publish a revised standard methodology for establishing housing need. It is also evident from a number of recent examinations of Local Plans that there are two particular issues impacting upon the progress of plans including:
 - The need to demonstrate a robust approach to Objectively Assessed Need (OAN) for housing and economic development requirements; and
 - Ensuring that the Duty to Co-operate (DTC) is demonstrated in producing the Local Plan.

The Council is working in partnership with neighbouring local authorities (Breckland DC, Broadland DC, Norwich CC, Great Yarmouth BC, Kings Lyne & West Norfolk and South Norfolk DC and the Broads Authority) on a number of joint projects. Work is also about to commence on progressing an updated SHMA and the Council will need to take account of its findings in its draft Local Plan. There will need to be a timely delivery of the final agreed studies amongst the partnership and within the council processes to ensure that Local Plan is delivered to its revised and anticipated timetable.

The approach to Duty to co-operate, DTC in Norfolk has been formulated by way of a countywide officer/member group that considers key strategic issues that may impact on the formulation of local plans produced by the various local authorities. Ensuring the duty to co-operate is discharged through the preparation of the

Local Plan. This officer group is under strain from staff resource with local authority's priorities impacting on the time available to contribute across the Region. As such there is a medium and long term risk to the timetable if work cannot be resourced effectively.

- 3) The Local Plan requires a significant input in terms of evidence to support the policies and proposals that will feature in the document. Whilst careful programme management is in place to deal with the outputs from the various evidence base studies, issues can arise where there are delays in the delivery of key evidence base outputs, or situations arise where there is an additional requirement for supporting evidence, which are outside the control of officers. Where this may impact upon the timetable for the Local Plan, measures will be put in place to minimise the risks. If delays cannot be avoided, this will be discussed with the Planning Manager and Portfolio Holder in the first instance to consider pragmatic solutions to ensure timely delivery of the Local Plan.
- 4) Habitat Regulation Assessment. Planning documents which may affect European sites are required to undergo an assessment to ensure that they do not result in adverse effect on those sites. The proximity of many settlements across North Norfolk to such sites has the potential to limit the available options. A risk in relation to recreational pressure has already been identified and a strategic solution is being developed across Norfolk in conjunction with Natural England. To date the Plan has been informed by an interim HRA, the final Plan however will need to undergo a further HRA. Any risks identified at this late stage may be significant showstoppers. In this scenario, the Council would be required to demonstrate how the plan could avoid or mitigate any adverse effects and would likely require further study and evidence.
- 5) Covid 19. The work program and timetable follows a review prior to the emergency measures introduced following the declaration of the pandemic. The ability to maintain progress not only depends on the working arrangements introduced by the council but on timely decisions and the continued prioritisation of the planning service.

8 Financial Implications and Risks

- 8.1 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 1 Revised Timetable: LDS timeline v3.1