

Local Plan Strategic Policies

Summary: Following due consideration of the representations made at Regulation 18 stage of Local Plan preparation this report seeks Member endorsement to move to the next stages of Plan production incorporating Regulation 19 - 22. (In relation to strategic policies).

Recommendations:

- 1. That Working Party agree the strategic policies section of the Local Plan as the basis for undertaking the consultation and submission in line with Regulation 19 - 22.**
- 2. To delegate minor amendments in the finalisation of the proposed submission version to the Planning Policy Manager and Team Leader.**

Cabinet Member(s)	Ward(s) affected
Cllr J Toye	All Wards
Contact Officer, telephone number and email: Iain Withington, Planning Policy Team Leader, 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 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), (the Regulations) during May and June 2019 and each policy section has since undergone review and detailed scrutiny through working party discussions with the aim of producing a revised Draft Local Plan incorporating justified modifications in order for the authority to consult at Regulation 19 Draft Plan publication stage, ahead of subsequent submission for examination. Policy approaches agreed at working party have, at each stage, been endorsed by subsequent Cabinet meetings. This report is the final report bringing together the strategic policies and contextual front end of the emerging Local Plan into one consolidated document, ahead of public consultation under regulations 19-22 of the Regulations.
- 1.2 Regulation 19 of the Regulations represents the Publication Stage of the Draft Local Plan and is also known as the Proposed Submission Version. It is the stage of Plan production following which, the LPA can give "weight" to the emerging policies as a material consideration in the determination of planning applications, in line with para 48 of the NPPF. Weight is determined around the degree of unresolved objections, the degree of consistency with the NPPF and the stage of preparation.
- 1.3 Regulation 19 consultation offers a further opportunity for statutory and general consultees to make representation to the Local Planning Authority, LPA on the proposed emerging submission version of the Plan. Under regulation 22 copies

of all representations received at this stage, along with a summary of the key issues and relevant supporting documents, are required to be forwarded to the Secretary of State as part of any future 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.

- 1.4 **The purpose** of this report follows on from the detailed scrutiny of Regulation 18 consultation feedback, changes to national policy and updated evidence and the subsequent refinement of the policy approaches, in order to seek working party endorsement of the front end of the Plan, which incorporates the Plans contextual information and strategic policies for the purposes of Regulation 19 – 22 of the Regulations. The remaining section of the Plan covering the town and village profiles which incorporate the final site allocations will be subject to a further and separate report. Both sections are currently envisaged to be required prior to Regulation 19 consultation.

2. The Plan

- 2.1 The draft document as [Appendix 1](#) represents the Councils approach to delivering climate resilient sustainable growth through land use planning. Once adopted, it will form the basis of the strategic policies for the determination of planning applications up to 2036. The document includes all the refinements, policy choices and alignments to the wider climate change ambitions as have discussed at working party and through further delegated discussions as appropriate. The language in the policies and text is specific and deliberate to ensure appropriate linkages between policies, alignment to national policy and ensure consideration of the Plan as a whole along with the intended interpretation. The Plan itself is linked to the Sustainability Appraisal, Consultation Statement and other supporting documents, through the specific wording used and as such, sit behind and provide the support and justification of its production. The Consultation Statement details specifically how the authority has taken the feedback from regulation 18 into account, as previously presented and discussed at working parties between March 2020 and August 2021.
- 2.2 In response to the wide ranging comments relating to the need to address climate resilience through sustainable development, Members desire to ensure the principles of climate change, environmental considerations and the inclusion of revised corporate priorities and the Environmental Charter, the Plan has been amended to enable upfront considerations of climate change principles, rather than the previous layout which embedded the approach throughout the document. Consequently, the document has been restructured with policies from across the Plan being consolidated in a new section focusing on delivering climate resilient sustainable growth. However, action and consideration of matters relating to climate change remain integral parts of many policies and as such, the Plan needs to be taken as a whole. Local Plan Figure 4, reproduced in **Appendix 2** of this report, outlines the most relevant policies and how they relate to the climate change principles, as set out in the Local Plan and the guiding principles of delivering climate resilient sustainable growth through Policy CC1. A number of policies or aspects of policies have been merged in order to provide clarity and reduce repetition and in some

cases, additional policies have been added where necessary. How the structure has changed from Regulation 18 to Regulation 19 is detailed in **Appendix 3**.

- 2.3 The front end of the plan which, includes the Spatial Portrait, Vision and the Aims & Objectives, has been rewritten with a more focused purpose of identifying and substantiating the key challenges facing the District in enabling growth, providing housing and jobs, whilst conserving and enhancing the landscape and natural environment – all in the context of moving towards net zero and increasing our resilience to climate change. New sections have been added into the Spatial Portrait around carbon emissions, the key challenges around the Plan's role in facilitating and managing the mitigation and adaptation to climate change through land use policies, in order to seek a step change across the district to a more sustainable future through a shared responsibility and model shift in practices.
- 2.4 The Plan sets out the strategic policies across six specific strategic and interrelated policy sections including: The delivery of climate resilient sustainable growth, the spatial strategy, delivering well connected, healthy communities, the environment, housing and the economy. The previous sustainable development section has been replaced with a focused section, which provides a consolidation of policies and that puts emphasis on the delivery of climate resilient sustainable growth. The section consolidates the key policies and considerations from across the Plan into one upfront chapter and sets out the guiding principles that development proposals should address in order to ensure that new development positively contributes to mitigating and adapting to climate change and addresses the challenges most relevant to North Norfolk.
- 2.5 The section incorporates policies that were previously detailed throughout the document and also new policies, such as the requirement for biodiversity net gain. As a result, a new section covering the distribution of development has been created, which clearly focuses on the delivery of the sufficient housing of the right type that addresses the needs identified through national evidence and reflects local priorities. A third new section; Delivering well connected, healthy places, consolidates policies and approaches around community facilities, health, services, and infrastructure requirements, which were previously in the sustainable development section. As such, it allows the Plan to place emphasis on key policy requirements highlighted by Members around the delivery of and support for services, open space, broadband, and the timely delivery of necessary infrastructure through specific developer contributions and which link back specifically to a number of the key strategic aims and objectives that were set for the Local Plan.
- 2.6 Section 6 then focuses on the built and natural environment, setting out policies that cover the strategic approach to the Norfolk Coast Area of Outstanding Beauty and the Broads, how development proposals are to reflect the defining and distinctive qualities of the landscape character areas, protect and enhance biodiversity geodiversity and the historic environment. Remaining policies in the section set out the principles of high quality design, amending considerations and the approach to addressing the effects of growth through individual or in-combination effects on the integrity of European sites from recreational disturbance.

- 2.7 Section 7, covering Housing, is repurposed to complement the housing distribution policies and collectively they enable the delivery of a wide range of both market and affordable homes in sizes, tenures and types to match the identified existing and future needs. The minimum space standards and requirement for accessible and adaptable homes remains in this section. These policies incorporate the aim to increase the overall percentage of appropriate housing across the District that allows people to remain in their own homes and communities through all the stages of life in a cost effective way, complementing the wider health strategy.
- 2.8 The final strategic policy section covers the economy and sets out the guiding principles around employment opportunities required to deliver sustainable growth. Policies in this section cover employment allocations, the approach to employment in designated and undesignated areas and include specific policies on retail and main town centres and the tourist economy. The section, although updated, remains largely in the same order as at regulation 18.
- 2.9 The Plan at this stage remains draft ahead of Regulation 19 consultation and a small number of highlighted areas will need to be finalised prior to consultation. These are mainly required in order to ensure alignment with the site allocation section which is in the final stages of completion. Once the site proposals are completed the remaining housing and employment figures can be updated and the policies aligned with the site proposals and the trajectory updated. In addition, the draft policies are undergoing assessment through the final iteration of Habitat Regulation Assessment and along with the final viability evidence, policy wording may need to be amended to reflect and accord with their conclusions. A monitoring framework will also be included which will set out how the Plan will be monitored and reported on through the Annual Monitoring Report, AMR.
- 2.10 It is proposed that these and other minor modifications through fact checking, and proof reading are continued to be co-ordinated and delegated to the policy team leader. It is not expected that the final iterations of the viability evidence and HRA will change the substance of policies. However, if this is the case, a report will be brought back to working party if necessary.

3 Recommendations

- 3.1 That Working Party agree the Local Plan in as far as the strategic policies section as the basis for undertaking the consultation and submission in line with Regulation 19 – 22.**

To delegate minor amendments in the finalisation of the proposed submission version to the Planning Policy Manager and Team Leader.

4. Legal Implications and Risks

- 4.1 The Council must produce a Local Plan which complies with various regulatory and legal requirements and in determining its policy approaches must be justified and underpinned by up to date and proportionate evidence, be informed by appropriate sustainability appraisals and take account of and demonstrate how public feedback, national policy & guidance have been used to inform the production through the application of a consistent methodology.

- 4.2 The statutory process requires plan production to accord to the statutory requirements as set out in The Town and Country Planning (Local Planning), (England) Regulations 2012 (as amended). Failure to undertake plan preparation in accordance with the regulations and NPPF is likely to render the plan 'unsound' at examination and result in the need to return to earlier stages. Substantial additional costs would be incurred.
- 4.3 There remains a residual risk of planning reform which, could undermine the production of the Plan to date through the proposed white paper along with further changes to the National Planning Policy Framework, either through incremental changes or substantive changes leading to wholesale replacement. Early consultation reduces the risks associated with changes in government policy and puts the authority in a stronger position to take advantage of any subsequent transitional arrangements should they be introduced. If the Council has not reached the previously required Regulation 19 stage there remains an increased risk of early Plan review and substantial costs along with increased pressure and challenge on the continued use of existing adopted policies.

5. Financial Implications and Risks

- 5.1 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.
- 5.2 Failure to reach the required stage of plan production ahead of any transitional arrangements introduced through planning reform would introduce substantial delay and costs into the production of a revised Local Plan.

Appendices

- Appendix 1 – [DRAFT - Proposed Submission, Publication Stage Regulation 19 version Local Plan \(version 4.4\)](#)
- Appendix 2 – Copy Local Plan fig 4: How climate change is addressed by the Local Plan
- Appendix 3 – Plan Structure