

## LOCAL PLAN SITE ALLOCATIONS

**Summary:** Following consideration of the representations made at Regulation 18 stage of Local Plan preparation this report seeks Member endorsement of revised Site Allocation policies to allow the Plan to progress to the next stages of Plan production incorporating Regulation 19 public consultation.

**Recommendations:** **1. That Working Party agree the revised Site Allocation Policies for Regulation 19 Public Consultation.**

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

Cabinet Member(s)                      Ward(s) affected  
Cllr J Toye                                      All Wards

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### 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) during May and June 2019. Each of the proposed Site Allocations 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. At the last Working Party meeting, Members endorsed the final selection of development sites (Cromer) enabling the completion of the Site Allocations section of the Plan.
- 1.2 Regulation 19 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 and site allocations as a material consideration in the determination of planning applications. Weight is determined around the degree of unresolved objections, the degree of consistency with the NPPF and the stage of plan preparation. The policies and proposals included in the Plan at this stage should be those that the Authority intends to submit for examination and which it would be content to adopt.

- 1.3 Regulation 19 consultation offers a further opportunity for statutory and general consultees to make representation to the examining Inspector on the proposed submission version of the Plan.

## **2. The Site Allocations**

- 2.1 The proposed Site Allocations are a critically important component of the Plan, they include proposals to deliver around half of the required growth in the District and address one of the central soundness tests that the Plan should be positively prepared and address all likely future housing and other development needs.
- 2.2 Over the last year, the Authority has considered the representations which were made at the previous consultation stage. This has resulted in the draft Plan being modified. Changes to sites include the identification of an alternative site at Cromer (enlarged Norwich Road site to replace Clifton Park), the addition of a new site at Fakenham following the resolution of previous highway issues (Shell Garage site), and a wholesale review of the specific policy requirements which would be attached to each of the sites. The proposals for North Walsham West have also been enlarged and the specific policy requirements redrafted following the separate public consultation which was undertaken in relation to the content of a proposed Development Brief for the site (see separate report on this Agenda).
- 2.3 Additionally, all of the draft policies have been subject to review which has included:
  - Adjustment of the approximate housing numbers that each site is expected to deliver making allowance for other uses required to be accommodated and in particular including a minimum quantum of on-site open space. This has generally resulted in some small reductions in expected housing delivery on a small number of sites but not to the extent that the Plan will fail to deliver it's overall target.
  - The inclusion of a phasing requirement in each policy where mixed uses are proposed to require that all uses on the site, including those where elderly persons care accommodation is required, are delivered in a timely and comprehensive fashion. This is intended to make sure that development is not delivered in a piecemeal fashion.
  - Addition of any specific requirements arising from the completion of Habitat Regulation Assessment and Heritage Impact Assessments. These areas may require further minor modification to reflect the conclusions of a final Habitat Regulation Assessment before the Plan is published.
  - Inclusion of a standard requirement to contribute towards a strategy to mitigate the impacts on designated wildlife sites arising from increased visitor pressures. This is a legal requirement under the Habitat Regulations and is an approach that is being adopted by all Authorities in Norfolk as part of the Duty to Co-operate.

- A general update of policy wording so that it is clear to applicants and those making decisions what is required in order to secure planning permission.

The updated policies for approval are attached as **Appendix 1**.

### **3. Next stages**

- 3.1 The Working Party has previously agreed the final topic based policies of the Plan and the Authority is now reaching the position to move to Regulation 19 consultation, following which the Plan can be submitted for examination. The timetable and process of consultation is subject to a separate report.
- 3.2 A further report will be prepared following the Reg 19 consultation seeking authority to submit the Plan for examination. At this stage the Authority is able to invite the examining Inspector to consider a schedule of any desirable minor modifications.

### **4 Recommendations**

- 1. That Working Party agree the appended Site Allocation Policies for the purposes Regulation 19 Public Consultation**
- 2. To delegate minor amendments in the finalisation of the proposed submission version to the Planning Policy Manager and Team Leader**

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

- 5.1 The Council must produce a Local Plan which complies with various regulatory and legal requirements and in determining its policy approaches must be justified and underpinned by up to date and proportionate evidence, be informed by appropriate sustainability appraisals and take account of and demonstrate how public feedback, national policy & guidance have been used to inform the production through the application of a consistent methodology.
- 5.2 The statutory process requires plan production to accord to the statutory requirements as set out in The Town and Country Planning (Local Planning), (England) Regulations 2012 (as amended). Failure to undertake plan preparation in accordance with the regulations and NPPF is likely to render the plan 'unsound' at examination and result in the need to return to earlier stages. Substantial additional costs would be incurred.
- 5.3 There remains a residual risk of planning reform which, could undermine the production of the Plan to date through 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.

### **6. Financial Implications and Risks**

- 6.1 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.
- 6.2 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 modified policies for approval.