

Planning Committee

05 March 2021

Agenda item number 16

Consultation Responses

Report by Planning Policy Officer

Summary

This report informs the Committee of the officer's proposed response to planning policy consultations received recently, and invites members' comments and guidance.

Recommendation

To note the report and endorse the nature of the proposed response.

1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. The Committee's comments, guidance and endorsement are invited.

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Date of report: 22 February 2021

Appendix 1 – Planning Policy consultations received

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Organisation: Greater Norwich Authorities

Document: www.gnlp.org.uk

Due date: 15 March 2021

Status: Regulation 19 – pre-submission

Proposed level: Planning Committee Endorsed

Notes

This stage of consultation is prior to the Greater Norwich Authorities submitting the Local Plan for examination by an independent Planning Inspector.

This is the Publication draft version of the Greater Norwich Local Plan (GNLP), also called the Regulation 19 Pre-Submission Draft Plan. There are two parts to the plan, the first is the Publication draft GNLP Strategy which contains the planning strategy for growth in Greater Norwich from 2018 to 2038 and the second is the Publication draft GNLP Sites document which contains allocation policies for the sites to deliver the strategy. The plan is supported by a Sustainability Appraisal and other background evidence. The GNLP will supersede the current Joint Core Strategy for Greater Norwich and the Site Allocation Plans in each of the three districts.

Members will recall that Mike Burrell from the Greater Norwich Local Plan Team presented to February Planning Committee on the subject of this version of the Greater Norwich Local Plan.

Proposed response

Summary for Members

Whilst the consultation notice says “the publication period allows for any concerns to be formally raised as a ‘representation’ regarding the soundness or legal compliance of the GN Local Plan”, following discussions with members of the Greater Norwich Local Plan Team, our approach will be to make the comments and seek changes as additional modifications. We will therefore not raise soundness issues with the Local Plan. This is because, in relation to this particular Local Plan, the changes we are seeking will add clarity and context and ensure better consistency – they are not necessarily fundamental changes that affect a policy, although we consider them still important comments. We consider that these changes could be made as additional modifications, rather than main modifications (which tend to be changes that are more significant and fundamental to a plan). We have asked for confirmation about this approach. As the examination progresses, we will monitor it to see how our comments are taken forward.

Start of proposed response

Thank you for consulting the Broads Authority. We have a number of comments and observations. We do not think they are soundness issues, but the changes are needed, in our opinion, to make the plan better, clearer and more consistent. We believe they can be

addressed as additional modifications. As such, we have not completed the form as we are not raising soundness objections. If you can please confirm or advise on your approach to addressing our comments that would be welcomed. Perhaps we need to come up with a statement of common ground when the examination is underway?

Comments on Strategy document

Main points

The following points are quite important, but are not soundness issues. They do not affect the soundness of the Local Plan. They can however be easily added to the Local Plan to provide context, especially given the stance in the Plan that the sites in East Norwich are seen as one, including the part in the Broads. Other comments would aid clarity. These comments could be addressed as additional modifications.

- Policy 3
 - The Built and Historic Environment – first bullet point – it states developers should be ‘undertaking a heritage impact assessment if significant impacts might arise’ – government guidance states that this is required for any application that affects any heritage asset or their setting – including locally identified heritage assets. Is the wording therefore needed and if so does it need re-wording?
 - Policy 3 second bullet point – ‘public benefits’ might be better wording than ‘benefits’. Should this be re-worded to put the emphasis on avoiding harm to Heritage assets?
 - Policy 3 - The Built and Historic Environment – last sentence states ‘importance of the heritage asset’, for the sake of consistency of terminology would ‘significance of the heritage asset’, as per the NPPF, be better?
 - Policy 3 – Natural Environment – first para – it states ‘ancient trees and woodland’ should be protected. Could this be broadened out to include other trees which contribute greatly to our settlements and green spaces?
- The map on page 100 needs to show the part of the utilities site in the Broads. The preceding text talks about looking at the area as a whole, yet misses the bit of the Utilities Site that is in the Broads.
- Policy 7.1, page 105, there needs to be some acknowledgement in this policy, even if it is a footnote, to say that part of the Utilities site is in the Broads and that the entire area is being considered together, regardless of local planning authority administration boundaries.
- Para 205 – *‘The strategic approach to heritage is first to consider the potential location of development, for example does the location itself “fit” well in relation to adjoining settlements’*. We are not entirely clear what this means. Does it mean that new development should relate well to its historic context?

- Para 205 - goes on to state that development should avoid intruding into important views of historic assets. Historic England guidance on the Setting of Historic assets ([The Setting of Heritage Assets \(historicengland.org.uk\)](https://www.historicengland.org.uk)) and numerous appeal decisions make clear that the setting of a heritage asset is much greater than views and it is the setting of heritage assets that need to be considered not specific views.
- Para 205 - Also 'historic assets' is used – should the term be heritage assets to ensure it correlates with the terminology defined in the NPPF?
- Para 207 – should this state 'public benefits' not just benefits?
- Para 207 – This paragraph recognises that in certain circumstances a balance will need to be struck between development and protection and this recognition is useful. It might be helpful if this section was weighted more towards protection of the historic environment, taking a precautionary approach. The NPPF states that substantial harm to grade II listed HAs should be exceptional and to SAMs or grade II* / grade I HAS should be wholly exceptional (para 194). Equally para 195 of the NPPF states applications should be *refused* where a proposal will lead to substantial harm unless there are substantial public benefits that outweigh that loss or *all* of 4 tests can be met.

The reason for the following is not explained and is different to the NPPF. Depending on what is meant, it could affect the setting of the Broads. We would welcome some explanation around the wording used and also its justification.

- Policy 7.4, page 117 seems to imply that rural exception sites or entry level exception sites can be 'well related' to settlement boundaries. The NPPF says that such sites should be adjacent. Why is this approach being changed? It does not seem to be explained anywhere in the document. What is well related as well? How far from a settlement boundary can a development be? Depending on what is meant, this could affect the setting of the Broads and we may strengthen the status of our comment later in the examination process. Perhaps of relevance are the changes to the NPPF that are proposed to the current paragraph 172, proposed paragraph 175: 'The scale and extent of development within these designated areas should be limited, while any development within their settings should be sensitively located and designed to avoid adverse impacts on the designated landscapes'.

The following points are not soundness issues, but the plan could easily be amended to include them. It seems logical to address these comments as additional modifications. They provide clarity and context and further useful information.

- Policy 2, bullet 5 – would welcome, perhaps in a footnote, reference to the landscape character assessment for the Broads, so it is clear that our LCA might be of relevance as well.
- Policy 7.1, page 106, last bullet point – you might want to have a footnote that refers to the local plan for the Broads and our policies on navigation.

Minor comments

Minor points for you to consider. These could aid clarity. They could be additional modifications.

- 10.3 – should this also refer to off shore wind's on-shore infrastructure?

Typo and grammatical errors

Typos and grammatical errors for you to consider

- Page 105: Development of sites allocated in the East Norwich strategic regeneration area identified on the Key Diagram and defined on map 9 including Carrow Works, the Deal Ground and the Utilities Site will create a highly sustainable mixed-use gateway quarter accommodating substantial housing growth and optimising economic benefits. Development across the sites will provide in the region of 4,000 additional homes in the plan period and significant new employment opportunities for around 6,000 jobs. East Norwich also has the potential to act as a long-term catalyst for regeneration of the wider area, potentially including the following sites if they become available:
- Page 106: • creating an inclusive, resilient and safe community in which people of all ages have good access to high quality homes that meet housing needs, the provision of area-wide economic and social infrastructure and services, including (but not limited to) the creation of new employment opportunities, a new local centre, and a new primary school should need to be established'.

Comments on the sites document

The following points are quite important, but are not soundness issues. They do not affect the soundness of the Local Plan. They can however be easily added to the Local Plan to provide context. Other comments would aid clarity. These comments could be addressed as additional modifications.

- Throughout the various parts - as this is a planning document, no need to say 'National Park'. Just say 'the Broads'. There are many occurrences, so perhaps search for the term.
- It would be useful if all of the site allocation plans had street names on – the required standard for most planning applications is at least two street names.
- We note there is no mention of dark skies or limiting light pollution in the policies. The Broads has intrinsically dark skies, as can be seen at this map. We therefore recommend that wording could be added.

Norwich sites

The following comments are factual, observations, seek clarity, seek consistency or are typographical or grammatical. They are not soundness issues, but the comments could be addressed as additional modifications.

Observation:

As a matter of consistency. We note that para 2.198 says this 'Given the site's highly

accessible location and the intention to provide new public transport links it is considered suitable to include car-free housing. In any event car parking levels should be kept low'. We note that other sites may say that the site is considered suitable for car free housing, but the wording in those instances does not go on to talk about the last part – car parking levels should be kept low. You may want to check to see if this wording is needed for other allocations.

0360/3053/R10

Main points

- Map page 15, this needs to show the part of the utilities site that is in the Broads. This does not affect the soundness of the Local Plan. It could, however, be easily added to the Local Plan to provide context, especially given the stance in the Plan that the sites in East Norwich are seen as one, including the part in the Broads.
- We request that wording like that at 2.134 is included in the supporting text for CC4b. '2.134 The site lies adjacent to the River Wensum. It is recommended that developers engage in early discussions with the Environment Agency and the Broads Authority'. Considering what is written at 2.134 and considering the similarities in the location of the site, it seems logical to be consistent and include the Broads Authority as suggested.

Minor points

- Page 12, point 6 of policy. Typographical/grammatical error: 'heritage assets affected by the proposal on and off site including key views from and into the site'.
- Page 12, point 8 of policy – something to consider. You may wish consider biodiversity on this brownfield land that may establish or has been established over the years. Open mosaic habitat of intrinsic biodiversity value is a NERC Act habitat. Brownfield sites are listed as a Priority Habitat in Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act), as 'open mosaic habitat on previously developed land'. For more information go here www.buglife.org.uk/sites/default/files/Identifying%20open%20mosaic%20habitat.pdf and here jncc.defra.gov.uk/pdf/UKBAP_BAPHabitats-40-OMH-2010.pdf

0068

Main points

- As part of point 1, refer to the scheme making the most of its riverside location, as is stated in other policies. This is a matter of consistency. 0401 and GNLPO409AR for example have good wording in point 1 that can be used. It is not clear why this wording is in most, if not all other river side policies and not this one. This may simply be a drafting error. This would make the plan consistent.
- 2.30 – support the fact that early engagement with us is recommended, but not clear why the only reason is flood risk. Or does that part of the sentence only refer to AWS?

It may need clarifying that in general, given its location, early engagement with the Broads Authority is recommended, rather than just saying to do with flood risk.

Minor points

- Typographical/grammatical error: 'Missing full stop:(or if developed for student accommodation, a minimum of 125 student bedrooms). A small element of commercial, office, and/or educational use at ground floor level may also be acceptable'.

0401

Main point

- We request that wording like that at 2.134 is included in the supporting text for CC4b. '2.134 The site lies adjacent to the River Wensum. It is recommended that developers engage in early discussions with the Environment Agency and the Broads Authority'. Considering what is written at 2.134 and considering the similarities in the location of the site, it seems logical to be consistent and include the Broads Authority as suggested.

Minor point

- Typographical/grammatical error: 2.51: 'The site is likely to accommodate at least 100 homes, or if the site is developed to include student accommodation (at least 250 bedrooms)'. Suggest removing brackets as the sentence is not really reading well or right as drafted.

Cc4b

Main point

- We request that wording like that at 2.134 is included in the supporting text for CC4b. '2.134 The site lies adjacent to the River Wensum. It is recommended that developers engage in early discussions with the Environment Agency and the Broads Authority'. Considering what is written at 2.134 and considering the similarities in the location of the site, it seems logical to be consistent and include the Broads Authority as suggested.

Minor point

- Typographical/grammatical error: 2.121: 'Development of site CC4a should explore continued use/re-provision of the existing community garden facility'.

Cc7

Main point:

- 2.131: the trees seem to be in the Conservation Area and so have some protection. You might want to refer to that.

CC16

Main point

- 2.203 – we request that this is worded like 2.134 as follows: ‘2.134 The site lies adjacent to the River Wensum. It is recommended that developers engage in early discussions with the Environment Agency and the Broads Authority’. At the moment, what is worded only refers to the EA. Considering what is written at 2.134 and considering the similarities in the location of the site, it seems logical to be consistent and include the Broads Authority as suggested.

Minor point

- Does not mention about making most of riverside location in supporting text like other policies. The actual policy does. You may wish to add something to the supporting text to be consistent.

Urban fringe

The following comment is factual. It is not a soundness issue, but it seems logical to address these comments as additional modifications.

Factual update

- Para 3.75 – last sentence, amend as follows ‘the Church of St Andrew **and its ruins**’ – as both the church and ruins are listed.

Key service centres

The following comment seeks to improve context. It is not a soundness issue, but it seems logical to address these comments as additional modifications.

Main point:

- GNLP0378R/GNLP2139R, GNLP0312 and para 5.42 – please also mention dark skies of the Broads. The Broads has intrinsically dark skies. You mention the setting of the Broads, which is welcomed, but please add reference to protecting the dark skies of the Broads.

Broadland villages

The following comments are factual, observations, seek clarity, seek consistency. They are not soundness issues, but it seems logical to address these comments as additional modifications.

Main points:

- Cantley map, page 15 – show the Broads for consistency and to show the context.
- Horstead and Coltishall map, page 25 – show the Broads for consistency and to show the context.
- GNLP1001 – please also mention dark skies of the Broads. The Broads has intrinsically dark skies. You mention the setting of the Broads, which is welcomed, but please add reference to protecting the dark skies of the Broads.

- Coltishall, Horstead and Belaugh – should the Conservation Areas that covers parts of all three of these villages be mentioned in the text?
- Salhouse – again should the Conservation Area be mentioned – potential for limited impact on the wider setting of the CA at the site allocated in Salhouse.