

Local Plan for the Broads - adoption
Report by Planning Policy Officer

Purpose: The Examination of the Local Plan for the Broads is nearly over. This report summarises the process to date and highlights the main changes that were made to the Local Plan following the public Hearings and which were recently the subject of consultation, plus any further changes made following that consultation. The Inspector's Report had not been received at the time of writing so it will be reported orally.

Recommendation:

That the Broads Local Plan be endorsed and referred to full Authority for adoption.

1. Introduction

- 1.1. This report outlines for Members the process to date, explains the examination of the Local Plan and highlights the main changes.
- 1.2. By the time of the Planning Committee meeting, the Inspector's Report will have been received and its contents will be reported orally at the meeting.
- 1.3. The Inspector's draft report has been reported to Navigation Committee on 11 April and their comments will also be reported orally to Planning Committee.

2. The Local Plan process to date

- 2.1. The first stage of the Local Plan production process included the production of a timeline for producing the Local Plan (called the **Local Development Scheme**¹ or LDS), a review and update to the **Statement of Community Involvement**² (SCI) and consultation on the **Sustainability Appraisal (SA) Scoping Report**.³
- 2.2. The next stage of the Local Plan was the **Issues and Options**³ consultation. This consultation stage ran for 8 weeks from 15 February to 8 April 2016. This included issues that the Local Plan could address as well as setting out

¹ LDS: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/1011468/Broads-Local-Plan-LDS-August-2017.pdf

² SCI: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/576609/Final-Adopted-Statement-of-Community-Involvement-November-2014.pdf

³ See this webpage for previous stages of the Local Plan process: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/previous-stages>

options for ways to address that particular issue. The responses to the Issues and Options consultation informed the Preferred Options version of the Local Plan.

- 2.3. The next stage of the Local Plan was the **Preferred Options**³ consultation. This consultation stage ran for 9 weeks from 5 December 2016 to 3 February 2017. This version of the Local Plan included draft policies and supporting text. The comments received informed the Publication version of the Local Plan.
- 2.4. The **Publication**³ version of the Local Plan included the final versions of the policies and supporting text. This was subject to consultation. This consultation stage ran for 8 weeks from 9 November 2017 to 5 January 2018. The Publication Local Plan, supporting documents and consultation responses were **submitted** to the Planning Inspector in March 2018.
- 2.5. The **Examination**⁴ of the Local Plan (discussed in more detail in section 3 of this report) took place between March 2018 and March 2019 and **public hearings** were held in June and September 2018. There was a consultation on the **proposed modifications**⁵ to the Local Plan and this was held between January and March 2019. The responses to this consultation were sent to the Inspector who then produced her **report** (see section 4 of this report).

3. The Examination (including Modifications Consultation)⁴

- 3.1. The Examination process included the following stages:
 - i) The Authority appointed a Programme Officer to act as the main contact point for all interested parties, including the Broads Authority itself.
 - ii) The Inspector asked the Authority and interested stakeholders, a series of questions to help her understanding of the Local Plan.
 - iii) Hearings were held in public in June and September 2018, attended by those wishing to partake in discussions on various aspects of the Local Plan.
 - iv) As a result of the hearings, the Inspector asked the Authority to complete a number of tasks to provide further explanation into parts of the Local Plan as well as to further justify particular parts of the Local Plan.
 - v) The Inspector highlighted areas of the Plan that required Main Modifications to ensure the final plan was sound. The Authority identified some additional modifications and changes to the Policies Maps to reflect factual matters or to improve the way in which the Local Plan reads, but which did not fundamentally affect the policies.
 - vi) All these changes were assessed through the Sustainability Appraisal process as well as being subject to Habitats Regulation Assessment. These concluded that the changes were acceptable in respect of those assessments.

⁴ The various examination documents can be found here: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/examination-of-the-local-plan-for-the-broads-2018>

- vii) A marked version of the Local Plan was then published for a seven week consultation from 28 January to 15 March 2019. Responses were collated and sent to the Inspector.

4. The Inspector's Report

- 4.1. At the time of writing this report, the Inspector's Report had not been received. The Inspector's Report should have been received by the date of the meeting and the contents will be reported orally to Planning Committee.

5. Main changes to the Local Plan

- 5.1. The following lists the main changes to the Local Plan as a result of the consultation responses received at the Publication stage (ie the version that was the subject of the public Hearings) as well as a result of the Examination process. Any changes as a result of the consultation on the Modifications Local Plan (ie the version incorporating the changes recommended following the public Hearings) will be reported at the meeting.
 - a) There is a new Major Development policy (DM1) to reflect the approach of the NPPF (2018) that Major Development might not be appropriate in National Parks or the Broads.
 - b) The Plan was updated generally to future proof in line with the 2018 NPPF although the Local Plan has been examined under the 2012 NPPF.
 - c) In the Employment policies section, the reference to A1 (shops) is removed because, on reflection, this was considered too permissive.
 - d) Policy DM28: Development on waterside sites in employment or commercial use, including boatyards, has been re-written/re-ordered to make the policy clearer. No major changes to the intention of the policy.
 - e) Policy DM33: Moorings, mooring basins and marinas. The approach to the requirements for contribution of visitor moorings aspect of this policy has been clarified.
 - f) Housing section: General improvements to reflect fact as well as clarification of what the housing target for the Local Plan is.
 - g) Policy MODDM34: Affordable housing. The main change reflects the new NPPF (2018) as well as clarifying the off-site contribution aspect and the fact that North Norfolk District is a designated rural area so can set affordable housing contributions at a lower threshold than the NPPF allows.
 - h) Policy MODDM37: New residential moorings. This policy has had the most significant changes. First of all, there are changes to allow residential moorings in principle in Norwich (rather than just in marinas and boatyards) subject to other aspects of the policy. This change means that the wording of other parts of the policy then needed clarifying. The development boundary aspect is expanded to allow residential moorings in marinas and boatyards that are within walking distance of at least three out of a list of key services. These changes potentially enable more areas to be policy compliant for residential moorings. All residential moorings arising from this policy or allocations now have a requirement to produce a management plan.

- i) Policy MODDM43: Design. There was a drafting error and now the policy is correct (as well as not referring to an old standard relating to design). It did refer to a requirement for 5% of units on schemes of 20 or more requiring accessibly and adaptable design, but it should have been 20% of schemes of 5 or more and this has been corrected.
- j) Policy MODDM51: Retail development in the Broads. This is a new policy and is required to be a general retail policy for such land uses in the Broads.
- k) Policy MODBEC1: Former Loaves and Fishes, Beccles. The policy is amended to be more flexible by stating acceptable uses.
- l) Brundall policies: some of these policies said that residential moorings, in principle, are acceptable in this area. However, because of the highways' constraints due to the narrow road and level crossing, Norfolk County Council would not support residential moorings here and therefore reference has been removed.
- m) Policy MODHOR9: Horning Residential Moorings (Ropes Hill). A new allocation for around 6 residential moorings.
- n) Policy MODOUL3: Oulton Broad District Shopping Centre. This policy has been changed to be consistent with Waveney Council's version to ensure consistency and to reflect the fact that Waveney's examination advanced more quickly than the Broads Authority's.
- o) Policy PUBSOL2 is removed as the property has permission for a house.
- p) Policy MODSOM1: Somerleyton Marina Residential Moorings. New allocation for around 10 residential moorings.
- q) Policy MODSSA47: Road schemes on the Acle Straight (A47T). Policy rewritten to address Norfolk County Council's concerns, but the overall approach has not changed.
- r) Appendices: the housing and residential moorings trajectory has been updated to better reflect monitoring and potential delivery dates of allocations and extant permissions.
- s) Appendices: there is the inclusion of a list of Parishes in the Broads as well as a map.
- t) Appendices: these make reference to parking standards and open space standards of our Districts.

6. Supporting documents

- 6.1. The Sustainability Appraisal (SA) was revised to reflect and assess the modifications to the Local Plan. Similarly, the Habitats Regulations Assessment (HRA) was also revised to assess the modifications to the Local Plan.
- 6.2. Any changes as a result of the Inspector's Report will also be assessed using the SA and HRA process.

7. Adoption of the Local Plan

- 7.1. If the Inspector's Report concludes the Local Plan is sound, the intention is for the Local Plan to be presented to the Authority for adoption at the meeting on 17 May 2019.

8. Next Steps

- 8.1. Following Planning Committee, the Local Plan for the Broads will be taken to the Authority for Final Adoption. From that point, the policies in the Core Strategy, Development Management DPD and Sites Specifics Local Plan as well as the saved policy from the 1997 Local Plan will be superseded and no longer valid when determining planning applications.
- 8.2. Once the Authority agrees to adopt the Local Plan, there are some regulatory process requirements that need to be completed, such as informing stakeholders of the adoption and placing notices in the press. The Authority is aware of the steps required and these will be undertaken in an appropriate and timely manner.
- 8.3. It is important to note that any person who is aggrieved by the adoption of the Local Plan for the Broads may make an application to the High Court under Section 113 of the Planning & Compulsory Purchase Act 2004, on the grounds that the document is not within the appropriate power and/or a procedural requirement has not been complied with. Any such application must be made promptly and no later than 6 weeks after the date on which the Local Plan for the Broads is adopted.

9. Financial

- 9.1. The Authority is yet to receive the final invoice for the costs of the Planning Inspector, but anticipates the cost to be in the region of £60,000. This cost has been budgeted for.
- 9.2. The Local Plan for the Broads will need to be printed and made available at the usual libraries and Council Offices around the Broads. This is likely to cost around £4,000. The printing cost will be met from the Planning Policy budget.
- 9.3. A press advert will be required to advertise the adoption of the Local Plan and it is estimated that this could cost in the region of £500.

10. Conclusion

- 10.1 Subject to the Inspector's Report concluding that the Local Plan is sound, it is recommended that the Broads Local Plan be endorsed and referred to full Authority for adoption.

Background papers: None

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Appendices: None