

## REPORT TO CABINET

<b>Open/Exempt</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide	YES/NO	
	Discretionary/	Need to be recommendations to Council	YES/NO	
	Operational	Is it a Key Decision	YES/NO	
Lead Member: Cllr R Blunt E-mail: <i>Cllr</i>		Other Cabinet Members consulted: All		
		Other Members consulted: None directly		
Lead Officer: Alan Gomm E-mail: alan.gomm@west-norfolk.gov.uk Direct Dial: 01553 616237		Other Officers consulted: Management Team		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening	Risk Management Implications YES/NO

Date of meeting: 13 March 2018

### NORFOLK STRATEGIC PLANNING FRAMEWORK

#### Summary

The Norfolk Strategic Planning Framework (NSPF) is an expression of the Borough Council's commitments under the 'Duty to Cooperate'. Whilst not a formal policy document (it does form part of the statutory Development Plan), it is the intention that each of the Councils in Norfolk support the framework and in so doing agree to prepare Local Plans having regard to it. This provides Local Plan Inspectors with, amongst other mechanisms, a clear demonstration of active and ongoing engagement in the discussion of strategic planning issues under the Duty at political as well as officer level.

#### Recommendation

That Cabinet considers the document and endorses the framework as part of the Council's ongoing Duty to Cooperate activity

#### Reason for Decision

It is recommended that Cabinet endorse the document to provide the Council with further demonstration of a continued and active engagement in strategic planning activity under the Localism Act's Duty to Cooperate.

### 1. Background

1.1 The Localism Act 2011 introduced the concept of the 'Duty to Co-operate'. When preparing Development Plan documents (Local Plans) local authorities are subject to a legal duty to co-operate. This duty is designed to ensure that each Local Plan takes account of strategic land use planning considerations which may have cross boundary implications. The County Council is a specific

and active participant in the Duty. Regulations do not prescribe how the duty is to be discharged but it is necessary at Local Plan examinations to show that co-operation has been effective and on-going throughout the process. Whilst there is a duty to co-operate, there is no duty to agree. The duty is confined to the consideration of strategically important cross boundary issues.

1.2 A Members Forum comprising representation from Elected Members with strategic planning responsibilities from all Norfolk authorities was established in 2013 in response to the introduction of the Duty to Co-operate when preparing Development Plans. The forum has met on a roughly quarterly basis under Terms of Reference which define its role as to:

- discuss strategic planning issues that affect local planning authorities;
- understand the viewpoints of other authorities;
- consider and comment upon relevant supporting evidence base to support local plans (as appropriate); and,
- consider the need for joint or coordinated working on particular topics or evidence.

1.3 At a Forum meeting in January 2015 it was recommended to the partner authorities that the Forum steers the preparation of a non-statutory strategic framework to inform the preparation of Local Plans. The Norfolk Strategic Planning Framework (NSPF) has subsequently been prepared and subject to a period of public consultation.

1.4 The NSPF is not a formal policy document and it does not comprise part of the statutory Development Plan. The document does not contain policies; rather, it is an expression of the Council's commitments under the Duty to Cooperate setting out broad principles that will help guide Local Authorities Local Plans as they commence their preparation. The intention is that each of the participating Councils support the framework and in so doing agree to prepare Local Plans which will assist with the delivery of the frameworks objectives. This provides Local Plan Inspectors with, amongst other mechanisms, a clear demonstration of active and ongoing engagement in the discussion of strategic planning issues under the Duty at political as well as officer level. This is in response to some Local Plans being found unsound due to lack of demonstration of cross boundary political engagement under the Duty to Cooperate.

### **Contents of the Framework**

1.5 A copy of the draft Norfolk Strategic Planning Framework is available at:

<https://norfolk.citizenspace.com/consultation/norfolk-strategic-framework/results/20171220-norfolk-strategic-framework-final.pdf>

The document draws on and summarises a shared evidence base which has been, or is being, prepared jointly by the Norfolk Authorities to inform both preparation of the framework and the subsequent Local Plans. The framework contains a high level 'vision' for the County, as well as a number of broad objectives that all authorities should seek to deliver through their Local Plans. Underpinning the vision are a number of shared Objectives and formal

Agreements which collectively are intended to set the framework for local plan production. The agreements are summarised as follows:

- Agreements 1-3 – The Norfolk planning authorities will plan to a common plan period extending to at least 2036 and in producing Local Plans they will seek to contribute towards the shared vision and objectives as outlined in the Framework.
- Agreement 4 - The Norfolk authorities agree to prepare and maintain a consistent evidence base in relation to housing needs in three separate housing market areas. This will include the joint commissioning of Strategic Housing Market Assessments when updates are required.
- Agreements 5, 6 and 7 – The Broads Authority and all other planning authorities outside of the greater Norwich Authorities (Norwich City, South Norfolk, and Broadland) will continue to prepare separate Local Plans unless the evidence suggests that joint Local Plan production is justified. The Greater Norwich Local Plan will be produced by the other three authorities.
- Agreement 8 – The focus for economic investment in the county will be what are called the ‘Tier One’ Employment sites.
- Agreement 9 - Local Plans will be prepared having regard to various cross boundary infrastructure issues.
- Agreements 10 -16 – Each authority’s Local Plan will aim to address all housing needs (OAN); that housing need in the Broads will be addressed by the adjacent authorities if the Broads Plan does not meet need; that Norwich, South Norfolk and Broadland will address the housing requirement arising from the City Deal within their areas; each authority will quantify and plan for the delivery of specialist types of accommodation for gypsies, students and the elderly together with the identified need for affordable homes; that housing capacity will be assessed using a common methodology; and finally further measures will be taken to improve delivery rates of new housing development.
- Agreements 17-18 – Authorities will seek to pursue high water efficiency standards and liaise closely with the water companies.
- Agreement 19 – To produce guidance to help the roll out of 5G telecommunications infrastructure.
- Agreement 20 – Authorities endorse the ‘Planning for Health Protocol’ which establishes processes for more joined up working between health and planning when preparing plans and determining planning applications.
- Agreement 21 – Authorities will work closely with the Council to ensure a supply and funding of school places.
- Agreement 22 – That the planning authorities will work together to produce a County wide Green Infrastructure (GI) strategy.

- Agreement 23 –That the planning authorities and other signatories to the Framework will continue to support and resource joint planning activity.

1.6 The framework advocates an economic growth strategy with a focus on the delivery of a higher number and better quality of jobs supported by a higher rate of housing delivery than has occurred in recent years.

1.7 The agreements have been drawn from sources or initiatives that the Borough and partner authorities are already participants in, such as relationships with LEPs and A47 Alliance. A number of the agreements relate to the range of mechanisms through which Local Plans are prepared across the County, but importantly, the agreement reflects the Council's commitment to reviewing the current two part Local Plan, and preparing a single Local Plan, and affirms that there is no request to redistribute any growth targets to or from West Norfolk.

1.8 All Authorities are being asked to commit to preparing new Local Plans which will extend to 2036 to provide a consistency of approach. It should be noted that a significant proportion of the required growth over this period will already be accounted for in existing planning permissions and adopted Development Plan Documents, some of which already extend to 2026 and beyond.

#### 1.9 Implications for King's Lynn and West Norfolk

- The Borough has been represented on the Member Forum from its outset, and has actively engaged in the preparation of the framework.
- Our Local Plan Review will be prepared having regard to the provisions of the NSF.
- It is considered that the emerging Plan review will align to the agreements and objectives and its content does not have adverse implications for the Local Plan. The Council's Local Plan is being prepared with an end date of 2036, meeting draft Agreement 1.
- Our Plan will address our Housing Market Area, a key evidence requirement which is reflected in the framework. The Local Plan seeks to allocate land to meet objectively identified housing and employment needs in West Norfolk, and the NSF reflects this position.
- The Borough needs to demonstrate through the Framework that it has been actively and continually engaged in the consideration of Strategic Planning matters under the Duty to Cooperate. The Framework is an important part of our ongoing engagement.

#### Process to date

1.10 As the framework is not a formal policy document and it does not comprise part of the statutory development plan its preparation is not subject to the regulatory framework applicable to the preparation of development plans and public consultation is not a prescribed stage. Nevertheless, the Forum considered that given the frameworks intended influence on the subsequent preparation of Local Plans it should be subject to a period of public consultation prior to its approval.

1.11 A six week period of public consultation took place from 1st August to 22nd September 2017 and involved all those parties typically involved in Local Plan preparation. This included the statutory bodies, town and parish councils, developers and land owning interest and the wider public throughout Norfolk.

1.12 The consultation was carried out on behalf of all Norfolk authorities by Norfolk County Council.

1.13 A revised version of the framework that took on board consultation feedback was then considered by the Member Forum in December 2017. The Framework was endorsed by representatives from all of the Norfolk authorities at that meeting.

1.14 As the Forum is not itself a decision making body, it was recommended that the NSPF be considered for endorsement by individual authorities from January 2018, subject to individual authorities reporting processes.

## **2. Options Considered**

2.1 There are two options available to members, as follows:

Option 1 - That Cabinet endorses the document as part of the Council's ongoing commitment to the Duty to Co-operate.

Option 2 – The Cabinet notes the contents of the framework but does not endorse the document.

2.2 The benefits of endorsing option 1 are further demonstration of the Council's ongoing commitment to the Duty to Co-operate. Option 2 would confuse the situation.

## **3. Policy Implications**

3.1 The recent Government consultation held in Autumn 2017 'Planning for the Right Homes in the Right Places' contained a number of proposed changes to the planning system in respect of strengthening the Duty to Co-operate. In particular, the proposed introduction of formal 'Statements of Common Ground' on Strategic Planning Matters is of direct relevance to the NSPF.

3.2 The NSPF effectively provides a first iteration of a Statement of Common Ground type document that the recent consultation set out, and covers the strategic planning issues that the consultation envisaged. Whilst the Government's proposals will be the subject of further changes through a revised National Planning Policy Framework (NPPF) expected in Spring 2018, and accompanying Planning Guidance, the NSPF is well placed to transition into a Statement of Common ground document as necessary.

## **4. Financial Implications**

4.1 None directly arising from the report.

## **5. Personnel Implications**

5.1 None directly arising from the report.

## **6. Statutory Considerations**

6.1 There are no direct legal implications arising from this report, however, the fulfilling the Localism Act's Duty to Co-operate is a legal test against which Local Plans are examined.

## **7. Equality Impact Assessment (EIA)**

7.1 Pre-screening report template attached.

## **8. Risk Management Implications**

8.1 The risk of not having such a Framework is that our ability to show we have met the Duty to Co-operate will be compromised.

## **9. Declarations of Interest / Dispensations Granted**

9.1 None.

## **10. Background Papers**

(Definition : Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

### **Norfolk Strategic Planning Framework**

<https://norfolk.citizenspace.com/consultation/norfolk-strategic-framework/results/20171220-norfolk-strategic-framework-final.pdf>



## Pre-Screening Equality Impact Assessment

Name of policy/service/function	Planning Policy				
Is this a new or existing policy/ service/function?	New/ Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The NSPF is co-ordinating planning policy / Local Plan production across the county in line with the Duty to Co-operate.				
<b>Question</b>	<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
<b>Question</b>	<b>Answer</b>	<b>Comments</b>			
<b>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</b>	Yes / No				
<b>3. Could this policy/service be perceived as impacting on communities differently?</b>	Yes/ No				
<b>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</b>	Yes/ No				
<p><b>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</b> If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes/ No	<b>Actions:</b> N/A			
		<b>Actions agreed by EWG member:</b> Claire Dorgan.....			
<b>Assessment completed by:</b> <b>Name</b>	Alan Gomm				
<b>Job title Planning Policy Manager</b>	Date 19/02/18				

**Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.**