

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	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: E-mail:		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: E-mail: Direct Dial:		Other Officers consulted:		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				

1 March 2016

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN – PROPOSED MODIFICATIONS

Summary

As part of the Examination process for the SADMP a set of proposed modifications has been identified. The main modifications are considered necessary to ensure that the SADMP is found to be 'sound' by the Inspector. The changes cover various aspects including: the way in which housing numbers are expressed; additional or changed allocations; new policies including plan review, King's Lynn port, and clarifying existing policies. The proposed changes are supported by sustainability and habitats assessments.

Recommendation

That Cabinet recommend to Council that the proposed modifications be agreed.

Reason for Decision

To ensure that the Borough Council is presenting a plan to the Examination that can be found 'sound' by the Inspector.

1. Background

1.1 The Site Allocations and Development Management Policies Plan (SADMP) started its Examination phase in July 2015. The Hearing Sessions finished on 19 November 2015. During the Hearings the Inspector asked various questions and requested information of the Borough Council. These

were outlined in a list of, what the Inspector called, 'homework'. The Inspector asked that these were sent to the participants at those sessions affected for comment. The period for comments closed on 15 January.

1.2 During the Examination sessions there was discussion about potential changes required to the SADMP to make it 'sound'. The Inspector has made comments and suggestions to the Borough Council as to what might need to change. The Borough Council has responded to the letters from the Inspector with suggestions. The Inspector wrote to the Borough Council last summer, and a number of changes were proposed and agreed by Cabinet last September. Following the subsequent sessions Officers have prepared a comprehensive list of both 'main' and 'minor' modifications, and this is attached.

1.3 Any policies / allocations in the SADMP must be subjected to a Sustainability Appraisal (SA) and an assessment under the Habitat Regulations (HRA).

1.4 The proposed modifications and the results of the corresponding assessments are presented in the following appendices:

1. List of modifications to SADMP
 - a) Main modifications (affecting policies and allocations)
 - b) Minor modifications (mainly affecting supporting text and explanatory material)
2. Supporting Sustainability Appraisal for changed policies and allocations.
3. Habitat Regulations Assessment for changed policies / allocations

1.5 The more significant changes arising from the above documents can be summarised as:

- Expressing housing numbers on allocations as '**...at least xxx...**'
- Commitment to an early review of the Plan
- Clarifying infilling in smaller villages and hamlets
- Including the requirement for a mitigation and monitoring charge into policy*
- Including provision for windfall in the housing table to demonstrate flexibility
- King's Lynn port - Specific policy for the area
- West Winch - including land at Gravel Hill, into the allocation for the Growth Area*
- Hunstanton - clarifying the mix of uses on the housing allocation adjacent to the Commercial Park
- Denver – re-instating a previous preferred allocation
- Feltwell – increasing the size of a site (G35.1)
- Tilney St Lawrence – inclusion of a brownfield site as a new allocation
- Wereham – allocation change from original site
- Wighenham St Germain's – inclusion of a new allocation

** Indicates decision previously agreed by Council, 24 September 2015*

1.6 All of the **main** modifications have been assessed through Sustainability Appraisal and Habitats Regulation Assessment; the **minor** modifications are ones which it is considered will not affect how the SADMP impacts overall. The impact of the main modifications on sustainability is shown individually in a series of tables, and an overall conclusion. This updates the SA done for the Submission of the Plan. **CONCLUSION NEEDED FOR HRA**

2. Options Considered

2.1 Options will have been explored during the Hearing Sessions, and the potential modifications proposed are considered to be the most appropriate position. In some cases the Inspector has indicated that the proposed change is necessary to ensure 'soundness' of the Plan.

3. Policy Implications

3.1 The SADMP, in the form ultimately adopted, will be the formal development plan for the Borough. Given that we are still at Examination the revised wordings / allocations are still tentative until the Inspector reports. However the proposed changes generally reinforce the policy stance taken in the Pre-Submission Plan which was agreed by Council in November 2014.

4. Financial Implications

4.1 None directly arising from this report. (It should be noted however that the Habitat Mitigation and Monitoring charge of £50 per house was previously agreed and implemented following the Council meeting in September 2015).

5. Personnel Implications

5.1 None directly arising from this report.

6. Statutory Considerations

6.1 The Borough Council is in a plan preparation process closely controlled by Regulations and protocols. This stage of the process will be subject to a 6 week consultation. The results of which will be passed to the Inspector for his consideration.

7. Equality Impact Assessment (EIA)

(Pre screening report template attached)

8. Risk Management Implications

8.1 The Inspector is considering the 'soundness' of the SADMP, and we need the Plan to be found 'sound'. The emerging modifications as responses to issues arising at the Examination are a way of minimising the risk of a finding of 'unsound'.

9. Declarations of Interest / Dispensations Granted

9.1 None advised as at 27/01/16.

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)

BCKLWN website pages relating to the Examination:

- Statements to individual Hearing sessions
- Inspector notes and letters to the Borough Council
- Follow up work from Inspector
- Borough Council and representor responses to FW requested by Inspector

List of Appendices:

1. List of modifications to SADMP
 - a) Main modifications (affecting policies and allocations)
 - b) Minor modifications (mainly affecting supporting text and explanatory material)
2. Supporting Sustainability Appraisal for changed policies and allocations.
3. Habitat Regulations Assessment for changed policies / allocations

APPENDIX 1

List of modifications to SADMP

- a) Main modifications (affecting policies and allocations)
- b) Minor modifications (mainly affecting supporting text and explanatory material)

TO BE ADDED

DRAFT FOR M TEAM 2 FEB 2016

APPENDIX 2

2. Supporting Sustainability Appraisal for changed policies and allocations.

TO BE ADDED

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APPENDIX 3

3. Habitat Regulations Assessment for changed policies / allocations

TO BE ADDED

DRAFT FOR M TEAM 2 FEB 2016



Pre-Screening Equality Impact Assessment

Name of policy/service/function	Planning Policy				
Is this a new or existing policy/ service/function?	New and Existing				
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	Preparation of a land use policy plan with development management policies and allocations.				
Question	Answer				
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 according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service? Please tick the relevant box for each group. NB. Equality neutral means no negative impact on any group.		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	
	Question	Answer	Comments		
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?	Yes/ No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes/ No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes/ No				
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes/ No	Actions: None			
		Actions agreed by EWG member:			
Assessment completed by: Name Alan Gomm					
Job title LDF Manager	Date 27 / 01 / 16				

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.