

BRECKLAND DISTRICT COUNCIL

Report of: Councillor Gordon Bambridge, Executive Member for Growth

To: Cabinet – 6th February 2018

(Author: Phil Mileham - Strategic Planning Manager)

Subject: Norfolk Strategic Framework

Purpose: To endorse the Norfolk Strategic Framework (NSF)

Recommendation(s):

- 1) That Cabinet considers the document and endorses the framework as part of the Council's ongoing Duty to Cooperate Activity

1.0 BACKGROUND

1.1 The Localism Act 2011 introduced the concept of the 'Duty to Cooperate'. 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. 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;
- to understand the viewpoints of other authorities;
- to consider and comment upon relevant supporting evidence base to support local plans (as appropriate); and,
- to 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 Framework (NSF) has subsequently been prepared and subject to a period of public consultation.

Status of the Framework

1.4 The Norfolk Strategic Framework 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 framework is included at Appendix A of this report. 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** – That 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** - That 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** – That 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** – That the focus for economic investment in the county will be what are called the 'Tier One' Employment sites.
- **Agreement 9** - That Local Plans will be prepared having regard to various cross boundary infrastructure issues.
- **Agreements 10 -16** – That each authorities 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** – That the 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** – That the 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** – That the 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 Council and partner authorities are already participants in, such as the Cambridge-Norwich Technology Corridor and the Central Norfolk Strategic Housing Market Assessment. A number of the agreements relate to the range of mechanisms through which Local Plans are prepared across the County, but importantly, the agreements reflect the Council's commitment to preparing a single Local Plan and affirms that there is no request to redistribute any growth targets to or from Breckland. The Framework confirms that there are mechanisms in place to allow any appropriate distribution to take place elsewhere, such as within the Greater Norwich Area (comprise of Broadland, Norwich City and South Norfolk Councils) and provision for joint planning to facilitate this.
 - 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.

Implications for Breckland

- 1.9 It should be noted that Breckland has been represented on the Member Forum from its outset, and has actively engaged in the preparation of the framework. As the Council's new Local Plan has now been submitted for Examination in Public, the Local Plan had been prepared having regard to the draft framework, its emerging agreements and objectives. It is considered that the Council's Local Plan is in alignment with the agreements and objectives and its content does not have adverse implications for the Local Plan. The Council's Local Plan has been prepared with an end date of 2036, meeting draft agreement 1. Furthermore, the Local Plan has also been prepared having regard to the Central Norfolk Strategic Housing Market Assessment, a key evidence document which is reflected in the framework. The Local Plan seeks to allocate land to meet objectively identified housing and employment needs in Breckland, and the NSF reflects this position.
- 1.10 The Council has also been working with partner authorities using a consistent methodology for assessing available housing land. In doing so, this provides a consistent and robust evidence base for the Council's own Local Plan as well as forming the basis for any discussions amongst particular authorities in respect of accommodating any unmet housing need, should this arise.
- 1.11 Breckland is the first authority in the County to submit a new single Local Plan. The framework will be available to provide additional demonstration to the Local Plan Inspector that the Council has been actively and continually engaged in the consideration of Strategic Planning matters under the Duty to Cooperate. As such, the framework is considered to be positive expression of the ongoing engagement that has been undertaken under the duty to cooperate.

Process to date

- 1.12 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.
- 1.13 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.
- 1.14 The consultation was carried out on behalf of all Norfolk authorities by Norfolk County Council.
- 1.15 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.
- 1.16 As the Forum is not itself a decision making body, it recommended that the NSF be considered for endorsement by individual authorities from January 2018, subject to individual authorities reporting processes.

Future steps

- 1.17 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 Cooperate. In particular, the proposed introduction of formal 'Statements of Common Ground' on Strategic Planning Matters is of direct relevance to the NSF.
- 1.18 The NSF 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 NSF is well placed to transition into a Statement of Common ground document as necessary.

2.0 OPTIONS

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

- 2.2.1 Option 1 - That Cabinet endorses the document as part of the Council's ongoing commitment to the Duty to Cooperate.
- 2.2.2 Option 2 – The Cabinet notes the contents of the framework but does not endorse the document.

3.0 REASONS FOR RECOMMENDATION(S)

- 3.1 It is recommended that Cabinet endorse option 1. Endorsing option 1 will provide the Council with further demonstration of a continued and active engagement in Strategic Planning activity under the Localism Act's Duty to Cooperate.

4.0 **EXPECTED BENEFITS**

4.1 The benefits of endorsing option 1 are further demonstration of the Council's ongoing commitment to the Duty to Cooperate.

5.0 **IMPLICATIONS**

5.1 In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.2 **Constitution & Legal**

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

5.3 **Corporate Priorities**

5.4.1 This report aligns with the following corporate priorities:

- Supporting Breckland to develop and thrive
- Developing the local economy to be vibrant with continued growth
- Enabling stronger, more independent communities

5.8 **Stakeholders / Consultation / Timescales**

5.8.1 The NSF has been subject to a period of public consultation, as indicated from paragraphs 1.12 above.

6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 The Norfolk Strategic Framework does not directly impact on particular Wards, but documents strategic issues and agreements for Local Plan preparation.

7.0 **ACRONYMS**

7.1 NSF – Norfolk Strategic Framework

7.2 CNSHMA – Central Norfolk Strategic Housing Market Assessment

Background papers:- [See The Committee Report Guide for guidance on how to complete this section](#)

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Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix A Norfolk Strategic Framework