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Matter 9: Delivering Climate Resilient Sustainable Growth (CC Policies) ESCO Developments Ltd, Flagship Housing Developments Ltd and Lovell Partnerships Ltd



**NORTH NORFOLK
LOCAL PLAN
EXAMINATION
HEARING STATEMENT
– MATTER 9**

Quality Assurance

Site name:	North Norfolk Local Plan Examination
Client name:	ESCO Developments Ltd, Flagship Housing Developments Ltd and Lovell Partnerships Ltd
Type of report:	Hearing Statement – Matter 9
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Signed	
Date	3 January 2024
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Signed	
Date	3 January 2024



1.0 Introduction

- 1.1 This Hearing Statement has been prepared by Bidwells LLP on behalf of ESCO Developments Ltd, Flagship Housing Developments Ltd and Lovell Partnerships Ltd (hereafter 'ESCO', 'Flagship', 'Lovell' or collectively, 'the Consortium') in support of representations made to the North Norfolk Local Plan. By way of background, the Consortium are promoting land North West of North Walsham (Site NW62/A) for residential-led development of approximately 1,800 dwellings, 7ha of employment land, community facilities and associated infrastructure.

- 1.2 This Statement provides the Consortium's response to Matter 9 (Delivering Climate Resilient Sustainable Growth – CC Policies) Questions 9.1 and 9.8 of the Inspectors' Matters Issues and Questions, November 2023 [Document EH0003].

2.0 Matter 9

Question 9.1: Are the CC policies positively prepared, justified, effective and consistent with national policy? Are any main modifications necessary, and if so what should these be?

- 2.1 While the Consortium considers that the CC policies have been positively prepared, some aspects of the policies are not considered to be justified, effective or consistent with national policy.
- 2.2 For example, whilst the Consortium supports Policy CC12 and its ambition to retain existing trees and deliver new trees as part of development proposals, to ensure compliance with paragraph 35(c) of the NPPF the requirement for replacement planting to be of 'comparable biomass' and of a 'comparable size' should be removed from the policy. The process of calculating/quantifying biomass can prove ambiguous and may be subject to change during the plan period, and site constraints may determine that replacement planting of a comparable size proves undeliverable. Retaining these elements within the policy risks making the policy ineffective, so they should be erased to ensure compliance with paragraph 35(c) of the NPPF.

Question 9.8: Does Policy CC8 provide appropriate guidance for the provision of electric vehicle charging points in new development? Are the proposed standards justified, how do they relate to the building regulations and what are the implications for the cost of development? Is the text in 3.8.3 and 3.8.7 justified in requiring compliance with any future County Council electric vehicle parking standards when these are not currently known?

- 2.3 The Consortium submitted representations at Regulation 19 stage of the Plan challenging the soundness of this approach. Part 2 of the policy, as written, requires one active charging point to be provided per dwelling, in the form of an external charging point on a driveway or a wall-mounted internal charging point in a garage. The policy also requires, where off-plot or communal parking is provided, a minimum of 50% of spaces to provide active chargepoints with the remainder as passive.
- 2.4 The Consortium supports the transition towards increased use of electric vehicles, and wishes to support the provision of electric vehicle charging infrastructure within developments, with chargers provided to garages and on-plot driveways (defined as 'associated spaces' by Part S of the Building Regulations). However, the requirement for off-plot or communal charging provision to the level specified within the draft policy raises concerns, as the technical, legal and practical implications of running electric cables over or under land outside of the control of the user of the parking space has the potential to provide significant deliverability issues.
- 2.5 The Local Plan Evidence Base does not include analysis to understand whether off-plot electric vehicle charging provision at the level identified in the draft policy is justified or deliverable in accordance with Paragraph 35(b) of the NPPF. To ensure compliance with this aspect of the Framework, Policy CC8 should be amended to ensure that development is not constrained by potentially undeliverable off-plot electric car charging provision, and to align with mandatory standards introduced by an update to Part S of the Building Regulations from June 2022. Furthermore, this policy should not be seeking to duplicate the requirements of other legislation such as Building Regulations, which will continue to be updated and exceed these policy requirements over the plan period.

2.6 To achieve this, the following wording refinement to Part 2 of the policy is suggested:

2. Proposals for residential development (excluding use class C1 hotels and C2/C2A residential institutions) where private driveways and garages are provided, will provide 1 active(1) charging point per unit, in the form of an external charging point on a driveway or a wall-mounted internal charging point in a garage. Where off-plot or communal parking is provided, active and passive chargepoints will be provided where practical and feasible.. ~~a minimum of 50% of spaces will provide active(1) chargepoints and the remainder will be passive(2). The spaces should be made available to all residents in accordance with a management agreement.~~



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