

North Norfolk Local Plan Examination: Matter 1 Agenda

Tuesday 23 January at 10 am

1. Introduction to the hearings from the Inspector

2. Introduction from the Council

Matter 1: Duty to co-operate, habitats regulation assessment, plan period & other legal requirements

Issue: Whether the Council has complied with the duty to co-operate and other legal requirements, and whether the plan period is consistent with national policy.

3. Duty to Co-operate

Overall, has the Council engaged constructively, actively and on an on-going basis with the relevant bodies in maximising the effectiveness of the NNLP in relation to the strategic matters? Has the duty to co-operate thus been met?

The main concern raised relates to the strategic traffic effects of growth at North Walsham.

Prior to submission of the plan, did the Council engage constructively, actively and on an on-going basis with Norfolk County Council and Broadland District Council regarding the transport effects of the proposed growth of North Walsham, and in particular the potential effect on the radial routes into Norwich? What is the evidence for this engagement and what were its results (as at the time of submission, because the duty to co-operate must have been met prior to submission and cannot be rectified afterwards).

The Inspector wishes to understand the timescale over which the North Walsham proposal emerged, the timing of the transportation assessments relating to it and the liaison with NCC and BDC over those studies, **up to 11 May 2023 when the plan was submitted**.

The traffic and transportation effects themselves will be discussed on Tuesday 13 February.

Are there any other strategic matters dealt with by the plan which raise duty to co-operate concerns? If so, which and why?

4. Habitats Regulation Assessment

Does the Habitats Regulations Assessment (with the August 2023 addendum) identify the likely significant effects of the plan on the various European nature conservation sites and carry out the necessary appropriate assessment? In relation to each impact pathway and each affected site, are suitable and effective mitigation measures put forward, what are these and how will they be secured? Which policies of the plan secure the necessary mitigation and are further modifications required? Does English Nature agree with the HRA findings?

In relation to **recreation effects**, does Policy ENV5 and the Norfolk Green Infrastructure and Recreational Avoidance and Mitigation Strategy (GIRAMS) ensure the necessary mitigation and is this strategy effective? Is the money being spent as planned, is the effectiveness of GIRAMS being reviewed and might the tariffs increase?

In relation to **nutrient neutrality**, does Policy CC13 (as proposed to be modified) ensure the necessary mitigation and will this be effective? On the basis of current legislation, what practical effect will this have on the implementation of the plan and the cost of development? Which settlements down to small growth village level are in the affected catchments? What progress is being made to develop mitigation solutions and when might the embargo on small developments in the affected areas be lifted?

Water Quality – Issues affecting Horning/Hoveton/Fakenham/Ludham/Stalham

Any other effects which might affect implementation of the plan.

Any particular effects on the timing and/or viability of development on individual sites will be discussed under Matter 5.

5. Plan Period

With adoption hopefully sometime during 2024, does the plan look ahead for a minimum 15-year period from adoption? (NPPF paragraph 22). If not, should the plan period be extended to 2039 or 2040? If so, should the base date of the plan be moved forward to 2019 or 2020 to give a 20 year plan period or should some other base date be chosen to align with the housing need calculation that is used? There will be further discussion of the latter point under Matter 3.

The implications of any extended plan period will be discussed under other matters on other days.

6. Other Questions where few if any concerns raised:

- i) Compliance with the 2004 Planning and Compulsory Purchase Act and the relevant regulations.
- ii) Compliance with the Council's Statement of Community Involvement.
- iii) Compliance with the Council's Local Development Scheme.
- iv) Adequacy of the assessment of likely environmental, social and economic effects of the plan in the Sustainability Appraisal. Adequacy of appraisal of reasonable alternatives for the spatial strategy of the plan and the distribution of housing and employment land,
- v) Inclusion of policies designed to ensure that the development and use of land in North Norfolk contributes to the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the 2004 Act.
- vi) Compliance with the Public Sector Equalities Duty.
- vii) Adding an Appendix 6 to the plan to make explicit which policies are strategic policies. Using the list in in Background Paper 12 to satisfy this requirement.