



The Planning Inspectorate

Report to Norwich City Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO THE NORWICH DEVELOPMENT MANAGEMENT POLICIES LOCAL PLAN

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Examination hearings held on 25 and 26 February 2014

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Abbreviations Used in this Report

AA	Appropriate Assessment
ACV	Assets of Community Value
CDC	Critical Drainage Catchment
CIL	Community Infrastructure Levy
DMP	Norwich City Council Development Management Policies Local Plan
DtC	Duty to Co-operate
GNDP	Greater Norwich Development Partnership
GPDO	General Permitted Development Order
GTAA	Gypsy and Traveller Accommodation Assessment
JCS	Joint Core Strategy for Broadland, Norwich and South Norfolk
LDS	Local Development Scheme
LNAZ	Late Night Activity Zone
LP	Local Plan
MM	Main Modification
NATS	Norwich Area Transportation Study
NCC	Norwich City Council
NPPF	National Planning Policy Framework
ODPA	Office Development Priority Area
PPG	National Planning Policy Guidance
PPTS	Planning Policy for Traveller Sites
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SAB	Sustainable Drainage Approval Body
SAC	Special Area of Conservation
SAP	Norwich City Council Site Allocations and Site Specific Policies Local Plan
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
SuDS	Sustainable Drainage Systems
YVCA	Yare Valley Character Area

This report is accompanied by 2 Appendices containing the Main Modifications. Appendix 1 contains the Main Modifications to the policies and text of the DMP, whilst Appendix 2 (which includes Annexes A-U) contains the Main Modifications to the Policies Map.

Non-Technical Summary

This report concludes that the Norwich Development Management Policies Local Plan provides an appropriate basis for the planning of the City, providing a number of modifications are made to the plan. Norwich City Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

The Main Modifications can be summarised as follows:

- Policy DM1 (Sustainable development) – include reference to heritage assets;
- Policy DM5 (Flood resilience) – various changes to align policy with national guidance on flood risk and take account of additional evidence;
- Policy DM6 (Natural Environment) - Exclude Bartram Mowers site from Yare Valley Character Area;
- Policy DM8 (Open Space & Recreation) - Exclude Bartram Mowers site from open space designation. Revise policy to acknowledge that significant weight to be given to meeting local needs for school places;
- Policy DM9 (Heritage) – Delete associated Appendix 6 – Local listing;
- Policy DM11 (Environmental Hazards) – revise policy to reflect government guidance on pollution of the water environment;
- Policy DM12 (Housing development) – amend policy to reflect GPDO 2013;
- Policy DM14 (Gypsies, travellers and travelling showpeople) – substantially revise policy to take account of recent evidence and ensure the provision of sites;
- Policy DM16 (Employment) – for clarity include A4 map to identify areas subject to policy;
- Policy DM18 (Main town centre uses) – clarify approach to main town centre uses on employment land and correct and update associated Appendix 4;
- Policy DM19 (Offices) – amend policy to reflect GPDO 2013 and increase emphasis on both viability and monitoring;
- Policy DM20 (Retail frontages) - amend policy to reflect GPDO 2013 and explain the approach to indicative minimum thresholds;
- Policy DM21 (District & Local Centres) – simplify and streamline policy;
- Policy DM22 (Community facilities) - amend policy to reflect GPDO 2013. Acknowledge that significant weight to be given to meeting local needs for school places;
- Policy DM23 (Evening, leisure & late night uses) – recognise the scope of D2 leisure uses and clarify their acceptability within primary retail areas;
- Policy DM25 (Retail parks) – recognise the relative accessibility of retail parks;
- Policy DM27 (Norwich Airport) – bring policy into line with the MMs for the SAP relating to Policy R32;
- Policy DM29 (City centre parking) – recognise that car parks allocated for development in the SAP will not be subject to the restrictions imposed by this policy;
- Policy DM33 (Planning obligations) – align and update policy in line with national guidance;
- Include new comprehensive monitoring framework in Appendix 9;
- Include new glossary of terms in Appendix 10.

Introduction

1. This report contains my assessment of the Norwich Development Management Policies Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The submission plan (April 2013) is not the same as the pre-submission plan (August 2012) as the former includes various proposed changes made by the Council to address issues raised by representors at the pre-submission stage. These proposed changes were not the subject of consultation or sustainability appraisal. To avoid any confusion the examination was conducted on the basis of the wording of the pre-submission plan, having regard to the various proposed changes put forward by the Council and specifically identified in Documents SD6 and SD23.
3. My report deals with the Main Modifications that are needed to make the DMP sound and legally compliant. In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These recommended Main Modifications, together with the associated changes to the Policies Map, are set out in the 2 Appendices.
4. The recommended Main Modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings or the subject of written representations. Following the Hearings, the Council prepared a schedule of proposed Main Modifications and carried out sustainability appraisal and this schedule has been subject to public consultation. I have taken account of the consultation responses on the proposed Main Modifications in coming to my conclusions in this report. As a result I have made a small number of amendments/deletions to the proposed Main Modifications and these are identified in my report and included in the recommended Main Modifications.
5. The Council has also compiled a schedule of Minor Modifications. Although I consider that these changes do not relate to matters of soundness interested parties are advised to view them in order to gain a complete picture of the wording of the emerging plan. The Council may also need to make minor edits, such as re-numbering policies, and factual updates in the final adopted version of the Plan.
6. The national Planning Practice Guidance (PPG) was issued after the hearings sessions. As a result I wrote to all representors to give them an opportunity of supplementing their representations in the light of the contents of the PPG. The responses received have been taken into account in my report.

7. My report on the DMP should be read in conjunction with my report relating to the Norwich Site Allocations and Site Specific Policies Local Plan (SAP) which is issued at the same time.

Assessment of Duty to Co-operate

8. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
9. It is clear from the material submitted, including the Duty to Co-operate document [SD25], that the Council has engaged constructively with relevant bodies prescribed in s110 of the Localism Act 2011, together with other organisations, to ensure that cross boundary issues are properly coordinated and addressed.
10. There has been close collaboration between the Greater Norwich District Councils and the County Council on the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), and its partial review, through the Greater Norwich Development Partnership Planning Sub-Group. Various joint studies dealing with cross-boundary issues in Greater Norwich, including housing, gypsy and travellers, employment, retail, transport, infrastructure, the environment and heritage assets, have been produced. In terms of the wider area the Norfolk Strategic Planning Group, which includes representatives from the County's planning authorities, meets on a regular basis with a view to achieving consensus on core issues.
11. In terms of ongoing compliance a county-wide Duty to Co-operate Members' Forum was established in 2013. The Greater Norwich Development Partnership has now been replaced by the Greater Norwich Growth Board which will carry forward its work.
12. In the light of these findings I conclude that the Duty to Co-operate has been met.

Assessment of Soundness

Preamble

13. The DMP sets out local policies, standards and criteria which will be used to inform the assessment of development proposals and to guide the Council's decisions on planning applications in the period to 2026.
14. The DMP, together with the SAP, and the already adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014) and the Northern City Centre Area Action Plan (2010), will replace the City of Norwich Replacement Local Plan (adopted 2004) and all the planning policies therein.
15. A draft version of the DMP was published in January 2011 (alongside the draft SAP). In the light of comments received and the publication of the NPPF in March 2012 the draft was extensively revised and the pre-submission version was published in August 2012 for a 6 week consultation period. The DMP was submitted to the Secretary of State for Examination on 17 April 2013.

16. The Examination hearings were provisionally arranged to start in September 2013. However I decided, after consulting the Council, to delay the Examination hearings until early in 2014. This was to allow the Examination of the partial review of the JCS to be completed and the Inspector's report issued. This delay in the Examination also gave the Council the opportunity of bolstering its evidence base on a number of issues including the impact of the changes contained the General Permitted Development Order 2013 (GPDO 2013) and the viability of sites.
17. It is evident that the Council has sought to respond positively both to the comments received from the public and stake-holders during the earlier stages of the preparation of the DMP and to the representations received to the Pre-Submission plan. Whenever possible the Council has sought to resolve soundness issues by appropriate changes to policies or text. This approach has continued throughout the Examination with the result that a number of representations have been satisfactorily addressed. Such a process of constructive engagement is a vital ingredient of the local plan system and the Council's endeavours in this regard are to be commended.

Main Issues

18. Taking account of all the representations, written evidence and the discussions that took place at the Examination hearings I have identified a number of main issues upon which the soundness of the Plan depends. These are dealt with below. Representations on the submitted DMP have been considered insofar as they relate to its soundness, but they are not reported on individually.

General Matters

Is the DMP consistent with the overall direction of the JCS and national policy and has it been positively prepared?

19. Regulation 8(4) of The Town and Country Planning (Local Planning)(England) Regulations 2012 specifies that subject to paragraph (5) the policies contained in a local plan must be consistent with the adopted development plan.
20. The JCS for Broadland, Norwich and South Norfolk was adopted in 2011 but was subject to legal challenge. As a result parts of the JCS concerning certain development proposals in the Broadland part of the Norwich Policy Area were remitted to Regulation 19 stage. The part JCS subsequently underwent public examination in 2013 and resultant amendments were adopted on 10 January 2014.
21. The JCS identifies Norwich as a main focus for growth in the East of England for new homes and jobs, leisure, cultural and educational development. The policies in the DMP, together with those in the SAP, seek to ensure the delivery of the growth strategy inherent in the JCS. In line with the JCS the DMP also contains policies that are designed to ensure that the benefits of the ambitious growth agenda are balanced by effective protection of the historic city's urban and natural environment.
22. The DMP directs a significant share of employment growth to the city and aims to retain and expand employment, particularly office-based employment, in the city centre. The DMP also places great importance on protecting and

enhancing the city's retail and leisure offer through beneficial new development, diversification of uses, and growth of the evening economy. For the areas outside the centre the plan aims to develop and protect neighbourhood centres and community facilities, as well as safeguarding employment land and premises to meet local employment needs. It is evident that the DMP policies have been framed to ensure that they are sufficiently flexible to take account of changing circumstances and that due weight is given to viability considerations. I have not identified any inconsistencies between the overall strategy for the city and the detailed development management policies. As a result I find the DMP to be consistent with the overall direction of the JCS.

23. The NPPF emphasises the importance of encouraging sustainable development through enabling economic growth and promoting housing development. Such a positive approach has been followed by the Council for many years and is inherent in the DMP. The Plan seeks to meet the identified needs of the city through a comprehensive set of policies that have sustainable development at their heart. Taking account of all the material before me I have not discerned any gaps in policy coverage. Consequently the DMP sits comfortably with the overall direction of the NPPF and is consistent with it. As the plan is based on a clear strategy that seeks to meet objectively assessed development and infrastructure requirements it has been positively prepared.
24. I conclude, therefore, that the DMP has been positively prepared and is consistent with the overall direction of the JCS and national policy.

Are the policies and proposals in the DMP based on a robust and up-to-date evidence base?

25. The DMP is supported by a comprehensive evidence-base. Most of the material in the evidence base is of fairly recent origin. Where necessary the Council has sought to update the information available by additional work and/or analysis, for instance with regard to viability. Topic papers have been produced for the Examination that updates the evidence base to take account of recent information, including the results of the Annual Monitoring Reports.
26. I conclude, therefore, the policies and proposals in the DMP are based on an robust up-to-date and evidence base.

Has sufficient regard been paid to infrastructure delivery & flood risk?

27. Throughout the preparation of the DMP the Council has carried out detailed consultation and engagement with infrastructure providers/deliverers. The amount of new development proposed in the plan will certainly give rise to a need for new and improved infrastructure. From the material available it is evident that the Council is seeking to identify any required works at an early stage. Appendix 7 of the JCS sets out details of the infrastructure required to support growth, including water, green infrastructure, transport and electricity. The Local Investment Plan and Programme contains updated information on these schemes.
28. The DMP has been informed by both Level 1 and 2 Strategic Flood Risk Assessments (SFRA). This has meant that areas of fluvial flood risk have been identified and detailed consideration has been given to such areas in the city

centre. The DMP policies have taken account of the findings. A Surface Water Plan has identified areas at risk of flooding from heavy rainfall events and informed the definition of the boundaries of Critical Drainage Catchments. The Environment Agency has been closely involved in all this work.

29. I conclude, therefore, that sufficient regard has been paid to infrastructure delivery and flood risk.

Have reasonable alternatives to policies been considered?

30. It is clear from the submitted plan and the supporting evidence that the Council considered reasonable alternatives before finalising the policies in the DMP. Sustainability appraisal informed the process throughout and the public and stakeholders were given the opportunity to comment through several rounds of consultation. Consequently I conclude that the Council has adopted a thorough and systematic approach to policy formulation and that reasonable alternatives to policies have been considered.

Has due regard been taken of viability considerations and are the policies sufficiently flexible to take account of changing market conditions?

31. It is evident that flexibility has been built into policies where appropriate. This will help to encourage the delivery of beneficial development even when market conditions are difficult. Policy DM33: Planning Obligations (as to be modified) makes clear that a flexible approach is to be taken to development proposals, that pays regard to the impact on viability of planning obligations, site specific policy requirements, and CIL.
32. I conclude, therefore, that due regard has been taken to viability considerations and that the policies are sufficiently flexible to take account of changing market conditions.

Are the following development management policies and associated appendices soundly based?

33. A number of the development management policies in the Plan are not specifically referred to in this report. Furthermore where policies are referred to, only particular elements are usually discussed. This is because the report focuses only on those parts of the DMP where there may be soundness issues.

Policy DM1 – Achieving and delivering sustainable development

34. Objective 9 of the JCS and core land-use planning principle 10 of the NPPF recognise the importance of conserving heritage assets. Given this and the exceptional historic character and architectural quality of Norwich it is surprising that Policy DM1 makes no mention of the need to protect and enhance the heritage assets of the city.
35. Proposed Main Modification DM-MM1 sought to address this matter but referred to 'historic assets' in the revised policy rather than 'heritage assets.' In order to ensure that the wording complies with national policy the term 'heritage assets' should be used in the policy. Consequently recommended Main Modification **DM-MM1** is revised accordingly.

36. It is concluded that, subject to the inclusion of Main Modification **DM-MM1**, as revised, Policy DM1 and the supplementary text is soundly based.

Policy DM2 – Amenity

37. It is clearly important to ensure that account is taken of the likely impact of surrounding land uses on future occupiers when assessing development proposals. In particular there is a need to ensure that the continued operation of established authorised uses and activities on adjacent sites is not prejudiced or unreasonably restricted. It is considered that the wording of Policy DM2, specifically criterion b) under 'Future Occupiers' satisfactorily addresses this matter and will help to ensure that adjacent uses of land are compatible. This policy should also be read in conjunction with Policy DM11 – Environmental hazards which indicates that development, particularly housing, should be planned and located so as not to expose residents or occupiers to excessive noise levels from existing uses and activities.

38. It is concluded that Policy DM2 is soundly based.

Policy DM3 – Design principles

39. As the requirement for high quality design is already emphasised in JCS policy 2, implied in Objective 9 of the DMPP and mentioned in the supporting text, it is not considered necessary to include a specific reference within Policy DM3.
40. As regards energy efficiency improvements it is considered it would be unreasonable and unduly onerous to expect applicants to address energy efficiency shortfalls of existing buildings where proposals for extension or refurbishment are relatively modest.
41. It would not be justified to include specific reference to very detailed matters, such as the use of large trees and the provision of nesting sites, within Policy DM3. Such matters are covered in general terms within the policy and their appropriateness will be a matter for determination at application stage, having regard to expert advice. The definition of 'landmark building' does not need to be included within the actual policy given that it is defined in paragraph 3.6 of the supporting text.
42. It is considered that inappropriate residential development within garden areas can be resisted with the various policies within the DMP. Consequently there is no need to have a specific policy relating to the development of garden areas within the plan.
43. It is concluded that Policy DM3 is soundly based.

Policy DM5 – Flooding

44. In order to bring Policy DM5 Flooding into line with national guidance on flood risk, take account of additional evidence, and provide clarity, various changes to the policy wording and the supplementary text are required. These changes are contained in Main Modifications **DM-MM2 & DM-MM3** and in summary relate to:

- the application of the sequential test for flood risk in the case of city

centre uses which fall outside regeneration areas;

- the application of the exception test for flood risk in circumstances where highly vulnerable uses are proposed in flood zone 2;
- taking account of additional evidence identifying larger Critical Drainage Catchments (CDC);
- highlighting the particularly high risk of surface water flood risk within CDCs;
- specifying that, where practical, all development in CDCs should have a positive impact on surface water flood risk; and
- clarifying the relationship between the planning and the SuDS Approving Body (SAB) regimes and ensuring compatibility with emerging SAB drainage policies; and

45. In accordance with national guidance the first paragraph of the policy under 'Sustainable drainage and surface water flooding' should refer to the need where possible to reduce the risk of flooding. I have revised recommended Main Modification **DM-MM3** accordingly.
46. Main Modification **PM-MM13 (Annex Q)** amends the Policies Map to include the larger CDCs.
47. Sufficient safeguards are contained in Policy DM9 to address the impact on buried archaeological deposits from development and associated infrastructure, such as SuDS. As a result there is no need to have a specific reference to this within Policy DM5.
48. Evidence from the SFRA Level 2 confirms that groundwater induced flooding is not a significant risk in Norwich due to the porous nature of the underlying chalk geology. Consequently it is not considered that specific mention of groundwater flooding is required in the policy.
49. It is concluded that, subject to the inclusion of Main Modifications **DM-MM2 & DM-MM3** (as revised) and the changes to the Policies Map contained in Main Modification **PM-MM13**, Policy DM5 is soundly based.

Policy DM6 – Natural Environmental Assets

50. The Wensum Special Area of Conservation (SAC) is already safeguarded as an internationally protected site through national legislation. The NPPF and JCS policy 1 also require such areas to be explicitly protected from harmful impacts. The inclusion of a reference to the SAC in Policy DM6, therefore, is unnecessary. It is noted that a reference to the SAC is contained in the supplementary text.
51. Policy DM6 makes it clear that biodiversity offsetting schemes will only be allowed in exceptional circumstances. The approach is in line with national guidance. The assessment of such schemes will be a matter for the Council drawing upon expert advice. There is no reason to believe that the Council would fail to assess such schemes in a thorough and robust manner and reject

them if necessary. The Council's current effort to produce a systematic methodology to assess such schemes is welcomed.

52. The identification and protection of the Yare Valley Character Area (YVCA) in Policy DM6 is endorsed and supported. The approach is consistent with the guidance in paragraph 114 of the NPPF relating to the creation and safeguarding of networks of biodiversity and green infrastructure. However there is a need to amend the Policies Map to exclude the Bartram Mowers site and the land immediately to the south-east, located to the south-west of Bluebell Road, from the YVCA. This is in the light of one of the recommended Main Modifications in my report on the SAP that identifies this land for housing for the over-55s. It is accepted that this development would cause some harm to the character and appearance on the valley, as well as involve the loss of green space, but there are other factors (i.e. the brownfield nature of a fair proportion of the area, the need for housing for older people both in the local and wider area and the open space/public access and biodiversity benefits that would accrue) that outweigh this harm. Furthermore development is to be allowed only on the basis of considerable mitigation measures. Main Modification **PM-MM 15 (Annex S)** addresses this point.
53. Main Modification **PM-MM1** and the associated **Annex E** adds the woodland area notation to the area of woodland at Rostwold Way. This was omitted from the pre-submission plan.
54. It is concluded that Policy DM6 would not be sound unless the Policies Map is amended in accordance with Main Modifications **PM-MM15** and **PM-MM1**.

Policy DM8 – Open Space

55. Paragraph 72 of the NPPF highlights the importance that should be attached to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are exhorted to give great weight to the need to create, expand or alter schools. To bring Policy DM8 into line with this approach it is necessary to recognise in the policy that significant weight will be given to meeting local needs for school places when assessing the extension, expansion or redevelopment of school buildings and facilities on existing school playing fields. Main Modification **DM-MM4** addresses this concern.
56. Policy DM8 cannot require that any new allotments are statutorily protected under the Allotments Act given the separate legislative regimes.
57. The identification and protection of open space along the Yare Valley in Policy DM8 is endorsed and supported. The approach is consistent with the guidance in paragraph 76 of the NPPF relating to the special protection of green areas of importance to the local community. However there is a need to amend the Policies Map to exclude the land immediately to the south-east of the Bartram Mowers site, located to the south-west of Bluebell Road, from the open space designation. This is in the light of one of the recommended Main Modifications in my report on the SAP that identifies this land, together with the Bartrams Mowers Site for housing for the over-55s. It is accepted that this would involve the loss of green space, as well causing some harm to the character and appearance on the valley but there are other factors (i.e. the brownfield

nature of a fair proportion of the area, the need for housing for older people both in the local and wider area and the open space/ public access and biodiversity benefits that would accrue) that outweigh this harm. Furthermore development is to be allowed only on the basis of considerable mitigation measures. Main Modification **PM-MM 15 (Annex S)** addresses this point.

58. Main Modification **PM-MM2/1 (Annex F)** deletes an area incorrectly designated as open space east of Bignold School on the Policies Map. Main Modifications **PM-MM14/1** and **PM-MM14/2 (Annex R)** amend open space boundaries at Hewett School, Hall Road and City Academy, Earlham Road to take account of recent development.
59. Proposed Main Modification PM-MM2/2, as consulted upon, identifies a sizeable area of land south of the Sainsbury Centre for the Visual Arts at the University of East Anglia as open space and therefore subject to Policy DM8. The Council explains that this Main Modification has been put forward to correct an error in the depiction of this land in the Pre-Submission Version of the Policies Map. In my view insufficient justification has been submitted by the Council as to why this area should be identified as open space. Although the area may have been omitted in error there is still a need with such a significant change to the Plan to explain why the area should now be identified as open space, having particular regard to the methodology for the identification of such areas. In the absence of such information Proposed Main Modification PM-MM2/2, is not justified and is, therefore, not taken forward.
60. It is concluded that Policy DM8 would not be sound unless the Policies Map is amended in accordance with Main Modifications **PM-MM15, PM-MM2/1, , PM-MM14/1** and **PM-MM14/2**.

Policy DM9 – The historic environment and heritage assets

Appendix 6 – Local listing

61. Appendix 6, which is referred to in the supplementary text to Policy DM9, contains the Norwich Society's compiled local list of heritage assets located within the Outer Ring Road of the city but outside conservation areas. These additional assets have now been added to Norwich's local list and were adopted by the city council in January 2014. As a result there is no need to retain the emerging list contained within Appendix 6 and it is removed by Main Modification **DM-MM41**.
62. Main Modifications **PM-MM3/1** (Bowthorpe), **PM-MM3/2** (Heigham Grove), and **PM-MM3/3** (Bracondale) (**Annex G**) relate to various recent changes to Conservation Area boundaries that are not in the pre-submission plan.
63. Main Modifications **PM-MM4/1 to PM-MM4/24 (Annex H)** contain corrections to the boundaries of 24 Schedule Ancient Monuments within the city to align them with the definitive boundary data held by English Heritage.
64. Main Modifications **PM-MM5/1 to PM-MM5/9 (Annex I)** change the notation on the current Policies Map to distinguish between those parks which are on English Heritage's register of historic parks and gardens and those that are not.

65. It is concluded that provided Appendix 6 is removed by Main Modification **DM-MM41**, and that the Policies Map is modified in accordance with Main Modifications **PM-MM3/1, PM-MM3/2, PM-MM3/3, PM-MM4/1 to PM-MM4/24 and PM-MM5/1 to PM-MM5/9** Policy DM9 is soundly based.

Policy DM11 – Environmental hazards

66. Paragraph 109 of the NPPF indicates, amongst other things, that the water environment should be safeguarded from pollution when development proposals are determined. The pollution of the water environment is also an offence under the Environmental Permitting Regulations (England and Wales) 2010. To ensure that DM11 reflects this government guidance and acknowledges related legislation the policy and the supplementary text need to be changed in accordance with Main Modification **DM-MM5**.
67. Paragraph 11.23 of the NPPF seeks to avoid noise from giving rise to significant adverse impacts on health and the quality of life as the result of new development. Policy DM11 is broadly in line with this approach whilst the supplementary text explains that residential development should be planned and located so as not to expose residents or occupiers to excessive noise levels from existing uses and activities. Consequently there is sufficient detail in the policy and supporting text to ensure that noise levels from existing uses are taken into account in assessing proposals for housing development on nearby land.
68. Main Modification **PM-MM6 (Annex J)** deletes two former landfill sites at St Clements Park and Catton Chalk Pit, off Woodcock Road. Evidence now shows that neither has been used for the disposal of domestic waste and consequently the minimal environmental health risk they pose does not justify their inclusion on the Policies Map.
69. It is concluded that, subject to the inclusion of Main Modification **DM-MM5**, and that the Policies Map is modified in accordance with Main Modification **PM-MM6**, Policy DM11 is soundly based.

Policy DM12 – Principles for all residential development

70. The GPDO 2013 removed the need for planning permission to change the use of offices to housing in the period to May 2016. To recognise this change in permitted development rights the wording of Policy DM12 and the supplementary text needs to be amended in accordance with Main Modifications **DM-MM6 and DM-MM7**.
71. It would be unduly onerous and in conflict with the NPPF to include a blanket ban within Policy DM12 prohibiting residential development on sites near to uses that generate noise. Policies DM2 and DM11 will ensure that sufficient account is taken of surrounding land uses when housing schemes are assessed.
72. It is evident from the wording of Policy DM12 that the policy is flexible as regards the application of the minimum net density figure of 40 dwellings per hectare. Consequently in appropriate circumstances there may be grounds for a reduction in this figure. Notwithstanding this the figure is reasonable given the density of new housing in recent years and the need, in accordance with

national guidance and the JCS, to secure the efficient and sustainable use of land.

73. It is concluded that, subject to the inclusion of Main Modification **DM-MM6 and DM-MM7**, Policy DM12 is soundly based.

Policy DM13 – Residential Institutions

74. Criterion (b) of the second part of Policy DM13 seeks to resist residential institutions on allocated housing land where it would compromise the five-year housing supply requirement.
75. The PPG makes clear that both institutional housing for older people and student accommodation can be counted towards housing land supply. In the light of this the Council argue that criterion (b) is no longer justified. Proposed Modification DM-MM8 sought, amongst other things, to address this point.
76. From the material before me it does not appear that the Council has recent information on the accommodation needs of students or residential care needs. As a result it is not possible to estimate how provision of additional bed-spaces in these sectors might release homes on to the market. Without such information the incorporation of student and institutional completions within the housing land supply calculation is unjustified. Consequently Criterion (b) should be retained and the text revised accordingly. Proposed Modification **DM-MM8** has been revised to reflect this.
77. It is concluded that Policy DM13, subject to the inclusion of Main Modification **DM-MM8** (as revised) is soundly based.

DM14 - Meeting the needs of Gypsies, travellers and travelling showpeople

78. The JCS states that following the abolition of the RSS detailed provision for gypsies and travellers in local plans should be based on evidence of local need. This is in line with the advice in the government's *Planning policy for traveller sites (PPTS)* which states that local planning authorities should make their own assessment of need for the purposes of planning.
79. Evidence from the draft *Greater Norwich Gypsies and Travellers GTAA*, published in August 2012, indicates an immediate requirement for 11 additional pitches in the city in the period to 2016, with a further 13 required between 2016 and 2026. As 3 additional pitches were provided in 2012 there remains an outstanding need for a total of 21 additional pitches in the city within the plan period.
80. Policy DM14 as it stands essentially relates to the protection of the two existing traveller sites in the city and contains criteria against which new proposals are to be assessed. No specific additional sites for travellers are identified within the DMP or for that matter in the SAP. This approach does not sit comfortably with the advice in the *PPTS* which makes it clear that local plans should identify a specific deliverable supply of sites for travellers as part of the overall housing requirement.
81. Consideration has been given to whether the Plans should be found unsound

on this basis or the examination extended to allow sites to be identified. However it is clear that either course of action would inevitably delay the adoption of both the DMP and the SAP which are both vital to the future development and prosperity of the City. Such a policy vacuum would prejudice the proper planning of the area.

82. Furthermore it is evident that the Council is not trying to avoid its responsibilities with regard to traveller site provision and is committed to addressing immediate need by way of the submission of grant applications on additional sites. It is now understood that funding has been secured to provide 13 new pitches in the City by 31 March 2018. The Council accepts that any remaining need to 2026 will be met by the identification of sites in a short focussed local plan which, if required, will be adopted within 2 years of the adoption of the DMP and the SAP. The LDS has been amended accordingly. Main Modification **DM-MM9** is designed to reflect these Council commitments.
83. It is concluded that, subject to the inclusion of Main Modification **DM-MM9**, Policy DM14 and the supplementary text is soundly based.

Policy DM15 – Loss of existing housing

84. Policy DM15 seeks to ensure that existing housing and land allocated for housing is not lost to other uses unless there are strong overriding grounds. This is an important ingredient of the overall housing strategy for the city and will help ensure that the housing needs of the area are met in accordance with the NPPF and the JCS. The site selection process that underpins the SAP has already eliminated historic housing allocations that are unlikely to come forward. Consequently 'the land allocated for housing' referred to within Policy DM15 refers to sites that are likely to be delivered over the plan period. As a result there is no need to revise this part of the policy.
85. It is concluded that Policy DM15 is soundly based.

Policy DM16 – Employment & Business Development

86. The safeguarding of railheads, wharves and other multimodal transport hubs is an important element in the provision of a sustainable transportation system. The need to support this sort of facility is recognised in national guidance. In addition JCS Policy 6 provides for continued investigation of and support for rail freight opportunities as does the Norwich Area Transportation Study (NATS). Furthermore the only railhead in the Norwich local authority area is on a site that is already safeguarded in the Norfolk Minerals and Waste Core Strategy. In view of this it is not considered necessary to amend Policy DM16 to make reference to the protection of such infrastructure.
87. The supporting text to Policy DM16 makes it clear that warehouse clubs and similar uses on employment areas will be assessed on a case by case basis. In determining such proposals consideration will be given to the particular scale and nature of the operation, its potential retail and transportation impacts, and its consistence with other relevant policies of the plan. This approach is consistent with national guidance and JCS policies. Consequently there is no justification for amending Policy DM16 to accept such uses on employment land. In all cases, whatever the retail format or goods sold, it will be the responsibility of the developer to show why any proposed retail development

could not be accommodated in a more sequentially suitable location.

88. It is concluded that Policy DM16 is soundly based.

New Appendix 6 identifying Policy DM16 Employment Areas

89. To help understanding of Policy DM16 Main Modification **DM-MM42** includes a new Appendix 6 identifying in an A4 format those employment areas subject to the policy.

90. It is concluded that, subject to the inclusion of Main Modification **DM-MM42**, the DMP is soundly based.

Policy DM18 – Retail, leisure and other main town centre uses

91. Large areas of the city centre are outside the main retail core and dominated by other uses such as residential, commercial or leisure. In planning for the location of main town centre uses Policy DM18, together with other policies in the plan, distinguishes between such areas of differing character within the city centre and prioritises them accordingly for retail, leisure and office purposes. It is considered that such an approach is justified and will help steer main town centre uses to the most appropriate and sustainable locations within the city centre. For this reason a policy that favoured main town centre uses throughout the whole of the city centre is not supported.

92. It is considered that the restrictions imposed by Policy DM18 on further retail development at the Riverside Large District Centre are justified given the severe constraints in local highway capacity and resultant traffic congestion. It is noted that the Council accept that a sensible approach would be taken to minor development that has no implications for increased trip generation.

93. Appendix 4, which is referred to in Policy DM18, makes it clear that the local impact test threshold for development outside of defined centres should be set generally at 1000 sq.m gross internal area. It is considered that this relatively low threshold is appropriate given that the evidence demonstrates that the scale of district centres within Norwich is usually smaller than average and impact would be evident from moderate scales of development. To accept retail development of up to 2500 sq.m (i.e. the NPPF default setting) may well lead to the diversion of trade from other centres. Consequently an impact test threshold of 1000sq.m gross internal area is a proportionate and reasonable approach that takes account of local circumstances.

94. Appendix 4 also indicates that new retail units should not exceed 1000 sq.m gross internal area in district centres and 500 sq.m in local centres. Without such thresholds it is considered that it may be difficult to resist foodstore development that would be clearly out of scale with the majority of district and local centres in the city. Notwithstanding this there is some flexibility in approach as the text explains that account will be taken of local evidence. As these thresholds are clearly set out in Appendix 4 there is little justification for their inclusion in Policy DM18. Furthermore the present approach is likely to be more adaptable if there is a need to change thresholds in the light of new evidence or changes in circumstances.

95. The Hall Road retail park is not identified in JCS Policy 19 as a centre in the

retail hierarchy. It is considered that this is justified given its function and location. As a result it should not be identified as a centre in the DMP.

96. JCS Policy 5, in line with national guidance, requires employment areas identified in local plans to be protected for their designated purpose. These areas are defined on the Policies Map and are protected under the terms of Policy DM 16 – Employment and business development. Policy DM18, amongst other things, seeks to provide clarity on the very restrictive approach that will be taken to proposals for main town centre uses on the defined employment areas. However as currently worded the policy and text do not make it clear that such proposals will still be subject to the terms of Policy DM16 (and where applicable Policy DM17) or emphasise the priority that will be given to the retention of defined employment areas for employment or other economic development uses. Furthermore no reference is made to JCS Policy 5. Main Modification **DM-MM11** rectifies these omissions.
97. Two parts of the City Centre Leisure Area north of the River Wensum (i.e. at Anglia Square and Colegate) were inadvertently omitted from the Policies Map. Main Modification **PM-MM7 (Annex K)** corrects this omission.
98. Main Modification **PM-MM11 (Annex P)** amends the boundary of the Sprowston Road Local Centre on the Policies Map to reflect its extension and re-designation as a District Centre.
99. Main Modification **PM-MM16 (Annex T)** amends the boundary of the Dereham Road District Centre to remove the recently completed housing development on land at Exeter Street car park.
100. It is concluded that, subject to the inclusion of Main Modifications **DM-MM11**, and that the Policies Map is modified in accordance with Main Modifications **PM-MM7, PM-MM11 and PM-MM16**, Policy DM18 is soundly based.

Policy DM19 - Offices

101. The deregulatory changes introduced by the GPDO 2013 mean that Policy DM19 cannot now seek to prevent the loss of office space to housing. As a result Main Modifications **DM-MM12, DM-MM13 and DM-MM17** are required to make it clear that Policy DM19 will only apply to office conversion schemes that relate to non-residential uses.
102. In line with the JCS and national policy Main Modification **DM-MM13** emphasises the importance of maintaining an appropriate supply of good quality office space, whilst recognising that the upgrading of poorer quality office space will only be favoured provided it is viable and practical. Main Modification **DM-MM15** recognises that where office development is demonstrably unviable a flexible approach will be taken to securing the most beneficial development solution. Clearly at present permission would not be required for residential conversion schemes. **DM-MM16** makes it clear that Policy DM19 does not protect all office floorspace but rather seeks to apply appropriate safeguards to ensure that the loss of the best quality space is fully justified. This modification also incorporates additional commentary on the prospects for office development in the city, particularly in relation to the St Stephens and Rose Lane / Mountergate areas. Such a flexible approach, based on taking account of all material considerations, is in accordance with national

policy.

103. The textual changes in Main Modification **DM-MM14** reflect the above modifications and also refer to recent market indicators which show a significant upturn in the demand for office space locally. It also notes, however, the lack of good quality office accommodation and the implications of this for the take-up of new office floor space in the centre. The inclusion of such information is important to provide an indication of current trends in the office market. Given the uncertainties associated with future trends, however, this modification also reasonably highlights the importance of monitoring the effectiveness of Policy DM19. The proposed main modification to paragraph 19.5 could be interpreted as meaning that the lack of quality office accommodation would not encourage the take-up of new good quality office space. This could be clarified by a simple wording change.
104. It is concluded that, subject to the inclusion of Main Modifications **DM-MM12, DM-MM13, DM-MM14, DM-MM15, DM-MM16, and DM-MM17**, Policy DM19 is soundly based.

Policy DM20 – Managing change in the primary and secondary retail areas and Large District Centres

105. The GPDO 2013 makes provision for temporary flexible uses in empty shops for a period of 2 years. In the light of this Main Modification **DM-MM18** is required to make it clear that the policy will apply to permanent changes of use within defined retail frontages, rather than non-retail uses. Main Modification **DM-MM20** is also necessary to make it clear that in calculating the percentage of A1 retail uses within a frontage length, retail premises that are in a temporary flexible use will be treated as being in their lawful planning use before the temporary use commenced. Main Modification **DM-MM22** needs to be included to ensure that account is taken of temporary flexible uses when monitoring changes in retail frontages.
106. Main Modification **DM-MM18** further explains that the indicative minimum thresholds used in Policy DM20 will be set out in the Main Town Centre Uses and Retail Frontages SPD which will be adopted with the LP and reviewed as necessary. Given the possible changes in retail trends and the character and function of different parts of the central shopping area over the plan period this is a realistic, flexible and sensible approach. In line with this Main Modification **DM-MM21** is required to remove a reference to a specific indicative threshold. Main Modification **DM-MM19** is a small change to policy which is required to remove a superfluous word (i.e. 'already'). As the commentary makes it clear that cafes, restaurants and other supporting services will have an increasingly important role to play in supporting the vitality and viability of the city there is no need to emphasise this point further.
107. Main Modification **DM-MM39** is required to correct a drafting error within Appendix 4 - Retail planning definitions, (i.e. the Timberhill / Red Lion Street frontage zone was incorrectly included as a secondary frontage when it should have been identified as being within a primary frontage.)
108. Main Modifications **PM-MM9/1 and PM-MM9/2 (Annex M)** and **PM-MM17**

(Annex U) are required to avoid the duplication of the shopping frontages within Castle Mall and Chapelfield on the main city centre inset of the Policies Map and on the inset plan of each centre

109. It is concluded that, subject to the inclusion of Main Modification **DM-MM18, DM-MM19, DM-MM20, DM-MM21, DM-MM22,** and **DM-MM39** and the changes to the Policies Map contained in Main Modifications **PM-MM9/1, PM-MM9/2 and PM-MM17,** Policy DM 20 is soundly based.

Policy DM21 – Management of uses within district and local centres

110. As it stands Policy DM21 is overly complex, inflexible and repetitive and covers matters that are already dealt with in the NPPF, JCS and other parts of the DMP. Main Modifications **DM-MM23, DM-MM24, DM-MM25,** and **DM-MM26** simplify the policy and streamline the criteria for the acceptance of uses in local and district centres. The additional commentary on the practical implementation of the policy, which takes account of the CLG best practice guide '*Parades to be proud of,*' will improve its effectiveness and provide clarity. Amongst other things this includes guidance on uses that may not fall readily into the accepted definition of main town centre uses, the loss or depletion of local foodstores within centres, the calculation of the proportion of A1 retail and non-retail premises, the proportion of non-retail A class uses and other services in centres, and the approach to evening-only uses. These modifications also have regard to the new provisions in the GPDO 2013 relating to temporary flexible uses,

111. A new Aldi foodstore has been completed at Sprowston Road/Shipfield. As a result this area now meets the definition of a District Centre rather than a Local Centre. Main Modification **DM-MM40** relates to Appendix 4 and re-categorises Sprowston Road/Shipfield accordingly. In line with this, Main Modification **PM-MM11 (Annex P)** amends the boundary of the Sprowston Road Local Centre, and its designation, on the Policies Map.

112. Main Modification **PM-MM16 (Annex T)** amends the boundary of the Dereham Road District Centre to remove the recently completed housing development on land at Exeter Street car park.

113. It is concluded that, subject to the inclusion of Main Modifications **DM-MM23, DM-MM24, DM-MM25, DM-MM26,** and **DM-MM40,** and that the Policies Map is amended in accordance with Main Modification **PM-MM11 and PM-MM16,** Policy DM21 is soundly based.

Policy DM22 – Planning for and safeguarding community facilities

Schools and other educational development

114. The GPDO 2013 removes the need for planning permission to change the use of certain non-residential premises to state funded schools. Main Modifications **DM-MM27 and DM-MM29** are required to ensure that the wording of Policy DM22 is in line with current permitted development rights.

115. Paragraph 72 of the NPPF highlights the importance that should be attached to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are exhorted to

give great weight to the need to create, expand or alter schools. The changes contained in Main Modification **DM-MM27** reflect this emphasis and are required to bring the policy into line with national guidance.

Protection of community facilities

116. At present Policy DM22 refers to the 'list of assets of community value (ACV)' but is unclear about the list's status or how it is to be taken into account in planning decisions. It is apparent from the ACV legislation and regulations that the process of listing assets of community value is separate from the planning process (i.e. inclusion on the ACV list simply confirms that a community group believes that the facility has some community worth) and is not based on an objective assessment of community value. Consequently the weight that can be attached to the ACV list in determining planning proposals is likely to be limited if unsubstantiated by other objective evidence. The status of the ACV list and the implications of this for the planning process are set out in Main Modifications **DM-MM30** and **DM-MM31** and are required both to ensure compliance with national policy and provide an effective policy. Main Modification **DM-MM28** clarifies the definition of 'community facilities.'
117. It is concluded that, subject to the inclusion of Main Modification **DM-MM27**, **DM-MM28**, **DM-MM29**, **DM-MM30** and **DM-MM31** Policy DM22 is soundly based.

Policy DM23 – Evening, leisure and late night uses

118. The changes in the GPDO 2013 as regards office conversions mean that residential uses can no longer be wholly prohibited within the Late Night Activity Zone (LNAZ). Where permission is required the policy sensibly seeks to prevent residential and other noise-sensitive uses either within or near this area if it is likely to have an unacceptably harmful impact on living and/or working conditions of future occupants. This approach is in line with national guidance. There is no justification for accepting lower standards of amenity for student accommodation.
119. At present the supporting text to Policy DM23 does not acknowledge that D2 leisure uses may include active indoor sport, such as gymnasiums and health clubs. Main Modification **DM-MM32** is required to rectify this omission. In addition this modification make it clear that D2 leisure uses, which are usually of a larger format, will not generally be appropriate within the primary retail area at ground floor level. Notwithstanding this it is recognised that there may be scope to locate such uses on upper floors or within basements with a dedicated entrance at street level together with a related ground floor café or shop. This revised explanation is in accordance with national retail planning policy.
120. Two parts of the City Centre Leisure Area north of the River Wensum (i.e. at Anglia Square and Colegate) were inadvertently omitted from the Policies Map. Main Modification **PM-MM7 (Annex K)** corrects this omission.
121. It is concluded that, subject to the inclusion of Main Modifications **DM-MM32**, and that the Policies Map is modified in accordance with Main Modification **PM-MM7**, Policy DM23 is soundly based.

Policy DM25 – Use and removal of restrictive conditions on retail warehousing and other retail premises

122. The supporting text to Policy DM25 does not recognise that the relative accessibility of retail parks and other retail warehousing varies across the city. As a result it is in conflict with the NPPF which indicates that when considering proposals on out of centre sites that could not be accommodated in centres preference will normally be given to accessible sites that are well connected to defined centres. Main Modification **DM-MM33** is required to clarify the position and bring the policy into line with national guidance. In order to align this policy with LP Policy DM1 the second bullet point of the policy should refer to 'minimising' the need to travel rather than 'not increasing.' This is also covered by Main Modification **DM-MM33**.
123. The Hall Road retail park and the Sweet Briar retail park are not identified in JCS Policy 19 as centres in the retail hierarchy. It is considered that this is justified given their function and location. Main Modification **DM-MM33**, however, will allow account to be taken of the accessibility and relationship to defined centres of such sites when proposals are assessed under the terms of Policy DM25. Furthermore it would be reasonable to make it clear under in paragraph 25.5 that once the Hall Road District Centre is implemented that the Hall Road retail park would be an edge of centre location. Consequently Proposed Main Modification **DM-MM33** has been revised accordingly.
124. It is concluded that, subject to the inclusion of Main Modification **DM-MM33** (as revised), Policy DM25 is soundly based.

Policy DM27 – Norwich Airport

125. Policy DM27 relates to all of the land within the Norwich Airport boundary in the city and would in due course apply to the land at The Paddocks if it is found that this site is required for airport operational use under the terms of SAP Policy R32.
126. In view of the approval of the Aeropark development it is recognised that there should be some flexibility in Policy DM27 to allow alternative uses within the Airport boundary if it is demonstrated that a particular parcel of land is not required for operational airport use. The first part of Proposed Main Modification **DM-MM34** covers this point.
127. SAP Policy R32, as amended by Main Modification SA-MM29, seeks to ensure that the proposed Airport Masterplan determines whether this particular site is required for airport operational purposes. In the event that the Masterplan establishes that the land is not required for operational purposes or the Masterplan has not been endorsed within a 2 year period the site is allocated for general employment purposes.
128. The second part of Proposed Main Modification **DM-MM34** does not sit comfortably with Main Modification SA-MM29 as it refers to the possibility of other objective evidence being used to demonstrate that The Paddocks is required for airport operational uses. As no mention is made of this in Main Modification SA-MM29 I have deleted the second part of Proposed Main Modification **DM-MM34** to ensure compatibility between policies.

129. Although not a soundness issue given that a large part of the airport lies within Broadland District it would be helpful if the text was revised to make it clear that the masterplan will also have to be endorsed by Broadland District Council.

130. It is concluded that, subject to the inclusion of Main Modification **DM-MM34**, as revised, Policy DM27 is soundly based.

Policy DM28 Encouraging sustainable travel

131. The safeguarding and enhancement of transport infrastructure related to the movement of freight and or heavy goods is an important element in the provision of a sustainable transportation system. The need to support this sort of facility is recognised in national guidance. In addition JCS Policy 6 provides for continued investigation of and support for rail freight opportunities whilst NATS gives strong support for such opportunities. In view of this it is not considered necessary to amend Policy DM16 to make reference to the protection of such infrastructure.

132. On the current Policies Map there are several errors with regard to the status of existing/proposed sections of the riverside walk. Main Modifications **PM-MM10-1 to PM-MM10-9 (Annex N)** correct these errors.

133. It is concluded that, provided that the Policies Map is modified in accordance with **Main Modifications PM-MM10-1 to PM-MM10-9**, Policy DM28 is soundly based.

Policy DM29 – City Centre public off-street car parking

134. Amongst other things Policy DM29 identifies, in line with the Council's overall parking strategy for the city, areas where off-street parking should be increased or reduced. SAP Policy CC29 – Chantry Car Park allocates a surface car park for mixed use development even though it lies within an area identified for increased parking. However, as there are strong townscape reasons for securing appropriate development on this particular site the loss of car parking here is justified. To ensure consistency between the two plans Main Modification **DM-MM35** indicates that the redevelopment of existing car parks that are specifically allocated for development in the Site Allocations Plan will be allowed.

135. It is concluded that, subject to the inclusion of Main Modification **DM-MM35**, Policy DM29 is soundly based.

Policy DM30 – Access and highway safety

136. It is considered that Policy DM30, together with the guidance in the NPPF and Manual for Streets, and the appropriate use of the County Council's standards, will ensure that highway safety considerations are given appropriate weight in the determination of development proposals. Consequently it is concluded that Policy DM30 is soundly based.

Policy DM31 – Car parking and servicing

137. Policy DM31 and the associated Appendix 3 provide a comprehensive and

sustainable parking strategy for the city. Essentially the approach is to restrain parking for both residential and commercial development to an increasing extent the closer the development is to the city centre. This is designed to minimise car journeys across the city in order to encourage more sustainable modes of transport and reduce traffic congestion. It is considered that this approach is in line with national guidance, the JCS and the NATS strategy. Consequently the policy merits strong support. Favouring increased parking standards on those sites that happen to have existing parking provision would not fit comfortably with the general direction of this policy as existing parking provision may already be excessive or poorly located.

138. Main Modification **DM-MM37** relates to Appendix 3 and corrects a drafting error for car parking standards for A1 uses in locations in or adjacent to existing District and Local retail centres and elsewhere in the urban area (i.e. one parking space per 20 square metres of gfa instead of the incorrect figure of one per 25 gfa). As these standards are fully justified in the supporting evidence and accord with those currently applied in the adopted City of Norwich Replacement Local Plan this modification is justified.
139. Evidence from recent developments in the city indicates that outside of the city centre Primary Retail Area and pedestrian only streets the provision of a car club parking space and car club vehicle is only likely to be secured on sites of over 100 units rather than 50 units and on sites over 50 rather than 10 units where car free housing is proposed. Main Modification **DM-MM38** revises the standards accordingly and is required to ensure that the policy and supplementary text is justified and effective.
140. It is concluded that, subject to the inclusion of Main Modification **DM-MM37** and **DM-MM38**, Policy DM31 is soundly based.

Policy DM33 – Planning Obligations

141. Paragraph 173 of the NPPF states that sites and the scale of development in a local plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To bring Policy DM33 into line with this national guidance Main Modification **DM-MM36** is required to make it clear that specific policy requirements that would clearly and demonstrably compromise scheme viability will be the subject of negotiation. The modification also recognises that CIL contributions, planning obligations and abnormal development costs could individually make development unviable as well as in combination.
142. In order to bring the DMP up-to-date this Modification refers to the adoption and coming into effect in July 2013 of the CIL charging schedule across the 3 Greater Norwich authorities. To make for an effective policy it also provides clarity on the scope and purpose of the Regulation 123 list.
143. It is concluded that, subject to the inclusion of Main Modification **DM-MM36**, Policy DM33 is soundly based.

New Appendix 9 – Monitoring framework

144. At present the LP is unsound as it does not contain a monitoring framework to assess the efficacy of LP policies. Main Modification **DM-MM43** corrects this omission.

145. It is concluded that, subject to the inclusion of Main Modifications **DM-MM43**, the LP is soundly based.

New Appendix 10 – Glossary of terms

146. To aid understanding of the LP it is sensible to including a glossary of the terms used. Main Modification **DM-MM44** contains such a glossary.

147. It is concluded that, subject to the inclusion of Main Modifications **DM-MM44**, the LP is soundly based.

Assessment of Legal Compliance

148. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The DMP is identified within the approved LDS. The DMP has been prepared in accordance with the listing and description in the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI at the time of submission was that adopted in March 2010. Subsequent to submission a new SCI was adopted in July 2013. Consultation has been compliant with the requirements within these documents, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out appropriately and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (December 2010) sets out why AA is not necessary.
National Policy	The DMP complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
Public Sector Equality Duty (PSED)	The DMP complies with the Duty.
2004 Act (as amended) and 2012 Regulations.	The DMP complies with the Act and the Regulations.

Overall Conclusion and Recommendation

149. The DMP has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

150. The Council has requested that I recommend Main Modifications to make the Plan sound or legally compliant and capable of adoption. I conclude that with the recommended Main Modifications set out in the Appendices the Norwich Development Management Policies Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Christopher Anstey

Inspector

This report is accompanied by 2 Appendices containing the Main Modifications. Appendix 1 contains the Main Modifications to the policies and text of the DMP, whilst Appendix 2 (which includes Annexes A-U) contains the Main Modifications to the Policies Map.

Proposed main modifications to Regulation 19 Development Management Policies plan

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
DM-MM1	28	DM1 Para 1.7	<p>Amend second bullet point of policy DM1 to read</p> <ul style="list-style-type: none"> • protect and enhance the physical, environmental <u>and heritage</u> assets of the city and to safeguard the special visual and environmental qualities of Norwich for all users"; <p>Amend para 1.7 to read: " ... the quality of the built and natural environment raised, <u>environmental and heritage assets protected</u> and the wider advantages of growth made available to all sectors of the community..."</p>
DM-MM2	54 - 59	DM5	<p><u>Consolidated edits to DM5 in relation to the sequential and exceptions test for flood risk</u></p> <p>Add amendment to supplementary text at paragraphs 5.9 and 5.13, as follows:</p> <p>5.9 The Level 2 Strategic flood risk assessment also shows that the exceptions test will not be required for allocated housing sites within Norwich. <u>Notwithstanding this, the city council considers that there may be instances where flood-vulnerable uses are proposed within mixed use allocations and these would need to be subjected to the exceptions test in accordance with national guidance. [...]</u></p> <p>Delete paragraph 5.13 and replace with the following text:</p> <p>5.13 <u>Other than in the priority regeneration areas, the extent of the search area for alternative sites</u></p>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<p><u>under the sequential test for flood risk will vary according to the scale and nature of the proposal, for example for a large development of strategic significance it will be appropriate to look across the whole of Norwich. For main town centre uses the council's expectation will be that locations within the defined retail and leisure areas would be most preferable, in accordance with the provisions of policy DM18 and the hierarchy of centres set out in JCS policy 19. Thus a location outside the city centre or outside any other defined centre would, by definition, not be regarded as "reasonable". The contribution of proposals to strategic objectives – for example the desirability of expanding education opportunities within the city centre – would tend to weigh in favour of a location in the city centre over one outside it. In all cases, the suitability of a location within the defined city centre retail and/or leisure areas under policy DM18 and other policies of this plan will need to be weighed against the relative risk of flooding if that location falls within a higher risk flood zone.</u></p> <p>In the bullet point list of criteria following the second paragraph of the policy (commencing "The sequential site assessment as set out in the NPPF will be expected to consider ..."), delete the second bullet point and amend the third bullet point by the deletion of the reference to the exceptions test, as follows:</p> <ul style="list-style-type: none"> • Proposals within the city centre which are outside the regeneration areas identified on the Policies Map, in which case the assessment need only take account of reasonable alternative sites within the city centre; and • Any other proposal which is consistent with and forms part of a specific allocation for development within the Site allocations plan and other adopted development plan documents, in which case the requirement for the sequential and exceptions tests <u>sequential test</u> will not apply. <p>Add the following text following this section:</p> <p><u>In the case of proposals in areas of higher flood risk which are within the city centre but which fall outside the regeneration areas identified on the Policies Map, the search area for reasonable alternative sites should take account of</u></p> <ul style="list-style-type: none"> <u>a) the scale and function of the proposal;</u> <u>b) the potential contribution of the use or uses proposed to overall regeneration of the city centre, including through the provision of new housing;</u> <u>c) where the proposal is for retail, leisure or other main town centre uses, the suitability of any alternative</u>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<p><u>locations in relation to policy DM18 of this plan;</u> <u>d) any objectively identified need for the use proposed which justifies a location in the city centre in order to support the objectives and policies of the development plan.</u></p> <p><u>For the purposes of this policy “city centre” means the area defined on the city centre Policies Map insets, including both the City centre inset and Northern City Centre Area Action Plan inset,</u></p>
DM-MM3	55 - 61	DM5 and paras 5.17-5.21	<p><u>Consolidated edits to DM5 in relation to SuDS and critical drainage.</u></p> <p>Amend the section of the policy headed Sustainable drainage and surface water flooding as follows:</p> <p>Sustainable drainage and surface water flooding</p> <p>Mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site and <u>where possible reduce the risk, otherwise at least minimise the risk, within the surrounding area.</u></p> <p><u>Sustainable drainage measures appropriate to the scale and nature of the development shall be incorporated in all development proposals involving the erection of new buildings or the extension of existing buildings in excess of 50 sqm other than householder extensions, unless this is not technically feasible or where it can be demonstrated that ground conditions are unsuitable for such measures. until such time as thresholds are established by nationally applicable standards for sustainable drainage. Such measures will be required except where this is not technically feasible or where it can be demonstrated that other factors preclude their use.</u></p> <p>In the first section on page 48 commencing “Within the critical drainage areas ...”, delete the section heading “Critical Drainage Areas”, so that the paragraph is integrated into the preceding section, and amend the text as follows:</p> <p><u>Within the critical drainage areas <u>catchments</u> as identified on the Policies Map, and in other areas where the best available evidence indicates that a serious and exceptional risk of surface water flooding exists, all developments</u></p>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<p>involving new buildings or extensions over 50 sq m, with the exception of householder development, will be required to be accompanied by a flood risk assessment which gives all development proposals involving new buildings, extensions and additional areas of hard surfacing should ensure that adequate and appropriate consideration has been given to mitigating surface water flood risk. Developers will be required to show that the proposed development:</p> <p>a) would not increase the vulnerability of the site, or the wider catchment, to flooding from surface water runoff from existing or predicted water flows; and</p> <p>b) would, wherever practicable, have a neutral or positive impact on the risk of surface water flooding in the wider area.</p> <p>Amend Paragraph 5.17 of the supplementary text as follows:</p> <p>5.17 The law relating to sustainable drainage is changing. Schedule 3 of the Flood and Water Management Act 2010 introduced standards for the design, construction, maintenance and operation of new rainwater drainage systems, and specifies that an 'approving body' will now be responsible for approving most types of rainwater drainage systems before any construction work with drainage implications can start. For Norwich the approving body will be Norfolk County Council as lead local flood authority. Under this new "drainage permission" regime therefore, sustainable drainage systems will become mandatory for most forms of development. Nevertheless, it is this plan which sets the policies for drainage permissions. The sustainable drainage section of this policy therefore retains a requirement for drainage issues to be addressed in all appropriate development. Upon full commencement of this "drainage permission" regime sustainable drainage systems will become mandatory for most forms of development and both planning permission and SAB approval will be required for drainage works. Notwithstanding the emergence of the new drainage approving role of the County Council, the sustainable drainage section of this policy also retains a requirement for surface water drainage issues to be addressed in planning applications, both to ensure that surface water drainage issues are considered ahead of the commencement of the new regime and to ensure that the impact of drainage measures on</p>

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			<p><u>the form and visual appearance of developments is properly taken into account in the assessment of new development, as both planning permission and SAB approval will be required for drainage works.</u></p> <p>Amend paragraph 5.18 as follows:</p> <p>5.18 <u>The Surface Water Management Plan highlights</u> There are two particular zones within Norwich which are especially prone to surface water flooding (and which will flood in extreme rainfall events). These comprise a zone within the outer ring road between Unthank Road and Earlham Road to the west and south-west of the city centre and a zone running on a north-south axis from the outer ring road at Catton Grove Road/Oak Lane to the north end of the city centre at Magdalen Street. Both these areas coincide with the course of former streams which were tributaries of the river Wensum. Further modelling subsequent to the publication of the Surface Water Management Plan has defined the extent of the catchment areas which feed into these flood-vulnerable zones. These zones, shown on the Policies Map, comprise the critical drainage areas <u>catchments are identified in the Surface water management plan on the Policies Map. Those parts of the city falling within the Critical Drainage Catchments will not necessarily flood in extreme rainfall events, but any development within them is likely to increase the risk of flooding in the most flood vulnerable areas without mitigation.</u></p> <p>Amend first sentence of paragraph 5.19 as follows:</p> <p>5.19 The modelling <u>Modelling</u> evidence supporting the SWMP thus provides justification for requiring new development in these areas to incorporate higher standards of flood resilience than are necessary elsewhere. [...]</p> <p>Amend paragraph 5.20 as follows:</p> <p>5.20 To prevent an increase in surface water flooding within these areas, all significant proposals involving <u>new construction buildings or extensions with the exception of householder development</u>, will be required to be accompanied by a flood risk assessment specifically addressing <u>show how surface water flooding issues will be addressed and identifying should include</u> measures to protect against and reduce the vulnerability of the site <u>and the wider area</u> to the effects of surface water run off. Appropriate measures may include the use of permeable surfaces, grey water recycling, green and brown roofs and walls, soakaways, water storage areas and water butts. <u>Intending developers will be encouraged to consult and take account of best practice advice on this issue.</u></p>

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			<p>Delete paragraph 5.21 (commencing "Environment Agency advice..." and replace with the following text: <u>5.21 The policy allows for the emergence of more extensive technical evidence on surface water flood risk to be taken into account over the plan period, so that in areas or sites outside of the Critical Drainage Catchments where there is likely to be elevated risk of surface water flooding (e.g. as a result of specific topography) the same policy requirements would apply. The requirements of policy DM5 for proposals within the Critical Drainage Catchments are also reflected in the relevant site specific policies in the Site Allocations Plan.</u></p>
DM-MM4	75	DM8	<p>After criterion c) in the third paragraph of the policy, (commencing "there is no viable or reasonably practicable means of restoring ...") add the following new paragraph:</p> <p><u>In assessing proposals for development on existing school playing fields which involves the extension, expansion or redevelopment of school buildings and facilities, significant weight will be given to the need to meet identified local needs for school places over the plan period and beyond. Such development will be supported and accepted where it meets the criteria in policy DM22.</u></p>
DM-MM5	96 101-2	DM11 and paras 11.21, 11.22	<p><u>Consolidated main modification to policy DM11 in relation to water quality</u></p> <p>(1) In the 'Air and Water Quality' section of the policy, amend the second paragraph by the addition of the underlined text.</p> <p><u>Development proposals falling within designated groundwater source protection zones or affecting a principal aquifer (as defined by the Environment Agency) are required to demonstrate that appropriate measures have been incorporated to minimise any risk of pollution to the water source. Any development which has the potential to pollute should demonstrate that pollution mitigation measures, protective of the water environment, have been incorporated into the development. Additional regard should be had where a site falls within a Source Protection Zone (in particular zone 1), on a Principal Aquifer or adjacent to a watercourse.</u></p> <p>(2) Amend first sentence of paragraph 11.21 to read: 'Developers must be mindful that the pollution of the water environment is an offence under the Environmental Permitting Regulations (England and Wales) 2010. Also, the Water Framework Directive requires there to be no</p>

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			<p>deterioration in water status <u>and for good status to be achieved in the long term.</u> The proximity of the Norfolk and Suffolk Broads...'</p> <p>(3) Insert additional sentence at end of the paragraph 11.22 as follows:</p> <p><u>"Source Protection Zone 1 is particularly vulnerable to contamination, therefore a risk assessment will normally be required before anything other than clean roof water is discharged to ground in those areas"</u>.</p>
DM-MM6	105	DM12	<p>Amend the first section of the policy (bullet list of criteria for the acceptance of new housing development) to delete criterion 4 and amend criterion 5, as follows:</p> <p>Policy DM12 Principles for all residential development</p> <p>Residential development whether by new build or conversion will be permitted except where it:</p> <ul style="list-style-type: none"> • is on land specifically designated for non-residential purposes in this plan or the Site allocations plan; • it is within a specified distance from a notifiable hazardous installation defined under policy DM11 and there is an unresolved objection from the Health and Safety Executive; • is within or immediately adjacent to the Late Night Activity Zone (Policy DM23 will apply) <u>or</u>; • involves the conversion or change of use of high quality office space for which an objectively assessed long term need is demonstrated (Policy DM19 will apply); or, • <u>(where permission is required)</u> involves the conversion of non-residential floorspace at ground floor level within the primary or secondary retail area or a district or local centre (Policies DM20 or DM21 will apply).
DM-MM7	108	Para 12.7	<p>Amend the last sentence of paragraph 12.7 to read:</p> <p><u>" ...Consequently this plan must seek to provide for that essential growth by facilitating the development of major new grade A floorspace of office accommodation in the city centre and resisting the loss of seeking to maintain a supply of</u> existing high quality office accommodation where it is suitable can help to</p>

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			meet identified requirements (Policy DM19).”
DM-MM8		DM13	<p>(1) Amend heading</p> <p><u>Residential institutions and student accommodation</u></p> <p>(2) Amend paragraph 13.6 to read</p> <p>‘The policy should ensure that the location, design and layout of institutional development and <u>purpose built accommodation for students</u> provides a satisfactory standard of amenity and living conditions for residents and ensures good accessibility within the site for visitors and ready access to local facilities for staff and residents. The expansion of care home provision, particularly for dementia care, is a priority in Norwich and is supported by JCS policy 7. However under the nationally prescribed methodology for calculating housing land supply, residential institutions cannot be counted towards a local authority’s housing supply. This results from the supply figure being expressed in dwelling numbers, whilst residential institutions are not regarded as dwellings. <u>Owing to the absence of up to date information on the accommodation needs of students or residential care needs at the Examination, institutional development and purpose built accommodation for students is not to be included within the five year housing land supply calculation unless compelling new evidence emerges.</u></p>
DM-MM9	117-120	DM14	<p>Amend policy DM14 and supplementary text as follows:</p> <p>Meeting the needs of Gypsies, travellers and travelling showpeople</p> <p>Policy DM14 Gypsies, travellers and travelling showpeople</p> <p>The existing Gypsy and traveller site at Swanton Road and the travelling showpeople’s site at Hooper Lane, off Sprowston Road (as shown on the Policies Map) will be retained and reserved for those purposes. Proposals for the</p>

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			<p>upgrading and enhancement of either site over the plan period will be accepted and permitted where consistent with other relevant policies of this plan.</p> <p>Proposals for the development of additional sites within Norwich to meet the identified needs of the traveller community will be permitted where:</p> <ul style="list-style-type: none"> a) safe access to the site can be obtained through an appropriate layout with good visibility, without the loss of natural screening; b) the site has good access to public transport, services and community facilities including shops, healthcare facilities and schools; c) the development will not have a significant detrimental impact on the character and amenity of the area; and d) the proposed site is of sufficient size and in a location to meet the on site needs of occupiers, having regard to current national standards for site design and management, including for the provision of appropriate services and infrastructure. <p><u>The Council is committed to meeting the recognised need for at least 21 additional pitches for Gypsies and travellers in Norwich over the remainder of the plan period, of which a minimum of 8 pitches should be provided by the end of March 2016. The Council is seeking to meet at least the immediate needs through grant applications to be submitted by the end of 2014. This may also address some or all of the remaining need to 2026.</u></p> <p><u>Should it not be possible to identify sites capable of meeting needs up to 2026 through the above process, the Council will produce a short focussed Local Plan which will have the objective of identifying and allocating additional sites for Gypsies and travellers to meet identified needs up to 2026. The Local Plan may be produced for Norwich or a wider area through joint working with adjoining local authorities and, if needed, will be commenced within one year and completed within two years of adoption of this Plan.</u></p> <p><u>Supplementary text</u></p> <p>14.1 The government's National Planning Policy Statement on Travellers was issued in March 2012. It requires local authorities to work collaboratively with their neighbours to assess and provide for the needs of the traveller community. In particular, it requires local plans to identify a specific deliverable supply of sites for travellers as part of the overall housing requirement. While local</p>

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			<p>plans are required to identify overall numbers of pitches and plots and broad locational criteria for sites at a strategic level, site specific locations should also be identified in plans in accordance with assessments of need .</p> <p>14.2 JCS policy 4 sets out a requirement for an additional 15 permanent residential Gypsy and traveller pitches in Norwich city between 2006 and 2011 and a further 20 pitches between 2012 and 2026, based on estimates of need originally incorporated in the (now abolished) Regional Spatial Strategy for the East of England. Up to 27 plots for travelling show people may also be required in the greater Norwich area from 2006-2026. The JCS accepts that following the abolition of the RSS, detailed provision for Gypsies and travellers set out in development plan documents should be based on updated evidence of local need.</p> <p>14.3 Currently the council provides a site at Swanton Road for Gypsies and Travellers, leased to Norfolk County Council, while a site at Hooper Lane is owned by the Showmen's Guild. These two sites have met the needs of the two groups of travelling people in the past; however as identified in the JCS there is a requirement to identify new sites for the future. For the reasons given below, no sites were considered suitable to put forward as part of the Site Allocations Plan. The purpose of this policy is to set out positive criteria for assessing any future planning application. In accordance with policy DM6 and DM8 of this plan, development of accommodation for gypsies and travellers will not be acceptable within nationally protected Sites of Special Scientific Interest, regional and local sites protected for their nature conservation and biodiversity interest, public open space or sites with a serious adverse impact on the Yare Valley Character Area and areas of open space as defined on the Policies Map. In accordance with policy DM16 of this plan, sites will not be acceptable on defined employment areas.</p> <p>14.4 Evidence from the draft Greater Norwich Gypsies and Travellers Accommodation Assessment 2011 (<u>published August 2012</u>) suggests an immediate requirement in Norwich over the first five years of the plan period for a maximum of 11 additional pitches rather than the 20 indicated in the JCS. This is part of an overall five year requirement across greater Norwich for 51 pitches, the remainder being distributed between Broadland and South Norfolk. There is likely to be an</p>

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			<p>ongoing requirement for up to 30 additional pitches <u>every five years</u> in the greater Norwich area over the remainder of the plan period (i.e. a total of 60 additional pitches from 2016 to 2026). The final assessment report is expected to be published later in 2012. The report indicates no requirement for additional plots for travelling showpeople.</p> <p><u>14.4a Assuming the same geographical distribution as the need in the first five years this would suggest that the needs over the period 2016-26 in the City would be for 13 further pitches from the 60 required across greater Norwich. This means that total need is for 24 additional pitches of which three have been provided, as noted below. This leaves an outstanding need of 21 pitches remaining to be met over the plan period.</u></p> <p>14.5 Four potential new allocations in Norwich for Gypsies and travellers were considered and appraised for their suitability in 2008 but rejected on the grounds of potential conflict with existing or proposed development allocations or found unacceptable for other environmental reasons such as vulnerability to flooding. The only site with scope for additional Gypsy and traveller provision in the city at this stage is <u>was</u> considered to be the existing site at Swanton Road where three new pitches were permitted and provided in 2012, contributing to the 11-pitch requirement over the first five years to 2016 and leaving a residual requirement of eight to be found in Norwich. The remaining eight pitches identified in the five-year supply are <u>were</u> initially proposed to be accommodated by a westward extension to the site at Swanton Road- Implementation will be dependent on agreement from the Homes and Communities Agency to support an increase in the number of pitches above that generally regarded as best management practice, however CLG guidance on the design of Gypsy and Traveller sites indicates that <u>"experience of site managers and residents alike suggest a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage"</u>.</p> <p>14.6 The council considers that it would be inadvisable and premature to allocate or progress other specific sites for travellers until these issues are resolved: The Swanton Road site already has 21 pitches and a further extension would considerably exceed this indicative maximum. Liaison with local representatives of the Gypsy and traveller community on the issue also suggests that for</p>

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			<p><u>operational reasons an expansion of the Swanton Road site would not be the most effective or practical option to address the immediate need for additional pitches in the area. The council is currently exploring options to accommodate the immediate requirement for eight additional pitches on an alternative site(s). Delivery of sites in Norwich is likely to require funding support and the Council is investigating options to secure this, including through joint working with Registered Providers and seeking funding through the Affordable Homes Programme 2015-18. In the meantime a criteria-based approach as set out in policy DM14 is regarded as offering sufficient flexibility to assess any other proposed sites should they come forward over the plan period. Further discussion of the background to Gypsy and traveller provision is contained in the Housing Topic Paper supporting this document,</u></p> <p>14.7 All planning applications for Gypsy and Traveller sites should demonstrate how the proposal will meet current national standards for site design and management, and should contain full details of screening, landscaping, security, mitigation of any other significant impacts and arrangements for management of the site.</p> <p>[alternative options deleted as per minor mod DM-MM23]</p> <p><u>References</u></p> <ul style="list-style-type: none"> • NPPF: CLG, 2012: Section 6: Delivering a wide choice of quality homes • Planning Policy for Traveller sites: CLG:2012 • <u>Designing Gypsy and Traveller Sites: Good Practice Guide; CLG/Housing Corporation, 2008</u> • <u>Gypsy and Traveller Strategy - A Partnership document for Norfolk and Suffolk: Norfolk and Suffolk Gypsy and traveller liaison officers group (GTLO) 2012</u> • JCS policy 4: Housing delivery • Greater Norwich Gypsies and Travellers Accommodation Assessment 2011; Opinion Research Services 2012. • <u>Affordable Homes Programme 2015-18 prospectus: HCA Jan 2014</u>
DM-		DM15	<i>Proposed Main Modification deleted and pre-submission wording of Policy DM15 retained.</i>

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MM10			
DM- MM11	133- 140	DM18	<p><u>Consolidated main modification to clarify approach to main town centre uses on employment land and interrelationship of policies DM16 and DM18.</u></p> <p>(1) Amend the fourth paragraph of policy DM18 as follows:</p> <p><u>Proposals for main town centre uses on employment areas will be assessed and determined in accordance with the criteria in policy DM16 (and, where applicable, DM17) prioritising these areas for employment and other economic development uses, and permitted exceptionally where:</u></p> <p>a) [...]</p> <p>(2) Insert additional paragraph 18.11a, as follows:</p> <p><u>"18.11a As noted in paragraph 16.5 above, the Greater Norwich Employment Growth and Sites and Premises Study 2008 (the Arup Study) identifies a need to ensure adequate provision of employment land and premises to support strategic employment growth in Greater Norwich. Accordingly, JCS Policy 5 requires employment areas identified in local plans to be protected for their designated purpose. Thus, when considering proposals for main town centre uses on the employment areas identified under policy DM16 of this plan, it will be necessary to ensure that the proposed development would not only be appropriate in terms of its sequential suitability and impact, but also would not compromise the function of the employment area concerned or undermine prospects for its regeneration or improvement."</u></p> <p>(3) Add "Greater Norwich Employment Growth and Sites and Premises Study (Arup/Oxford Economics 2008)" to the list of references at the end of the policy.</p>
DM- MM12	142	DM19	<p>In the "Protection of high quality office space" section of the policy, amend the first sentence as follows:</p> <p>Protection of high quality office space</p> <p><u>Proposals involving the redevelopment or (where permission is required) the change of use for non residential purposes (in whole or in part) of larger existing office premises of 1500 sq.m gross internal area and over will not be permitted unless: ...</u></p>

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DM-MM13	143-144	Para 19.3	<p>Amend paragraph 19.3 as follows:</p> <p>19.3 Sustaining a supply of good quality office premises and providing for new office floorspace is therefore necessary both to support the required economic growth in the area and to retain the strength of the city centre, the most sustainable location for office development in the sub-region. The purpose of this policy is to protect <u>seek to maintain an appropriate supply of</u> existing high quality (Grade A) office space and Grade B space which is capable of being upgraded to an equivalent standard. It also seeks to promote <u>the upgrading of poorer quality office space where it is viable and practicable to do so,</u> and provide new office accommodation in defined areas of the city centre and in other accessible and sustainable locations where this is consistent with business needs, complies with the overall sustainability objectives of national policy and the JCS and does not compromise the objectives of this plan for the economic regeneration of the centre.</p>
DM-MM14	144	Paras 19.5 – 19.6	<p>Amend paragraph 19.5 and 19.6 as follows:</p> <p>19.5 The subsequent economic downturn has reduced the immediate impetus for large scale new build office development in the centre at least for the short term, although some consented schemes are still likely to proceed and others may be reconfigured to enable existing premises to be retained and upgraded <u>or converted to residential use</u> rather than redeveloped. <u>Although the most recent market indications show a significant upturn in the demand for office space locally,</u> the <u>recent depletion of office based employment in Norwich city and the lack of good quality accommodation</u> could reduce the overall demand for <u>take up of</u> new office floorspace <u>in the centre or extend the timescale for its achievement</u> <u>new development to become viable</u>. It is also possible that new ways of working and fuller integration of mobile information and communications technologies into working practices may reduce the need for employment to be based full time in large scale purpose built office premises, perhaps favouring smaller formats, live work units or home working. This may in turn reduce the overall need for office floorspace assumed in the Arup study for a particular level of job growth.</p>

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			<p>19.6 <u>The application of the policy, both in relation to new office development and the management of the existing stock, New office development</u> will therefore need to be carefully monitored. Future reviews of business floorspace need, taking account of employment trends and market demand, will be required to ensure that this policy remains up to date and relevant over the course of the plan period.</p>
DM-MM15	145	Para 19.8	<p>Add the following sentence to the end of the paragraph (after "... accessible education or training."):</p> <p><u>... It is acknowledged that in periods where office development is demonstrably unviable, it will be necessary to take a flexible approach to secure the most beneficial development solution, taking account of the presumption in favour of sustainable development in the NPPF and the policies and objectives of this plan as a whole</u></p>
DM-MM16	146	Paras 19.11 and 19.12	<p>Amend paras 19.11 and 19.12 as follows:</p> <p>19.11 Area-wide regeneration based on office development is supported by site-specific allocations in the Site Allocations Plan and small area plans. An outline master plan for the St Stephens area has informed <u>helped to inform</u> the Site Allocations Plan. It identifies sites <u>with potential</u> for up to 50,000 sq.m of new office floorspace <u>(albeit that this quantum of floorspace is unlikely to be deliverable in the immediate future)</u>. It is expected that more detailed plans and delivery programmes established through partnership working as part of the emerging South City Centre Plan will also help to deliver office allocations in the Rose Lane/Mountergate area, which could <u>has the potential to</u> accommodate a similar amount of office space.</p> <p>19.12 <u>It should be noted that the policy does not seek to protect all offices. Rather, it seeks to apply proportionate safeguards which would require developers to justify the loss of the best quality space – that is, For the purpose of this policy the protection applies to high quality office space</u> with a net floorspace greater than 1500 square metres. Premises smaller than this will be covered by policy DM17 relating to small and medium-scale businesses. High quality office space can be defined as Grade A and B office space. Grade A offices are defined as new or recently refurbished, high quality facilities in prime, accessible locations. Grade B offices are of a good standard with</p>

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			adequate facilities and accessibility.
DM-MM17	146-147	Para 19.13	<p>Delete the last sentence of the paragraph (“In these instances the council will apply flexibility on a case by case basis.”) and replace with the following text as new paragraph 19.14:</p> <p>19.14 <u>In many cases older office premises will be suitable for beneficial conversion to housing, which will not require planning permission for the early part of the plan period. In these instances where proposals involve other uses, the council will apply flexibility on a case by case basis, taking account of the presumption in favour of sustainable development in the NPPF and the policies and objectives of this plan as a whole.</u></p>
DM-MM18	149	DM20	<p>Amend the first part of the policy as follows:</p> <p>Policy DM20 Managing change in the primary and secondary retail areas and Large District Centres</p> <p>Defined retail frontages Within the defined primary and secondary retail areas and Large District centres, non-retail uses in permanent changes of use to classes A2, A3, A4, A5, and other main town centre uses, will be permitted where: a) they would not have a harmful impact on the vitality and viability of the area and on the individual street; and b) within retail frontages defined on the Policies Map, where they would not result in the proportion of A1 retail uses at ground floor level falling below an indicative minimum proportion which is justified as necessary to support the continued retail function of that frontage zone.</p> <p>The indicative minimum thresholds used in support of this policy will be set out in a <u>the Main Town Centre Uses and Retail Frontages</u> supplementary planning document. <u>The supplementary planning document will be prepared in accordance with the timescales set out in the Local Development Scheme 2014, adopted alongside this plan and will be reviewed flexibly as necessary in response to objective evidence of retail market trends and changes in the character and function of the central shopping area over the plan period.</u></p>
DM-MM19	150	DM20	In the fifth paragraph commencing “Within defined retail frontages, delete the word “already”, as follows:

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			Within defined retail frontages, where the proportion of retail uses at ground floor level is already below the minimum proportion specified, proposals will be considered on a case by case basis and accepted where the proposal...
DM-MM20	152-153	Para 20.7	<p>Amend paragraph 20.7 by adding a heading and new commentary and subdividing the paragraph as follows:</p> <p><u>Interpretation</u></p> <p>20.7 The percentage of A1 retail use will be calculated by reference to frontage length – i.e. the total measured length of a defined frontage which is in <u>lawful</u> retail use within the applicable frontage zone at ground floor level. <u>Retail premises which are in a temporary flexible use introduced through permitted development rights will be treated as being in their lawful planning use before the temporary use commenced.</u></p> <p><u>20.7a</u> Defined frontages are shown by a solid blue line..."</p>
DM-MM21	153	Para 20.8	<p>In the second sentence delete the text "(suggested at 85%)"</p> <p>20.8 The definition of retail frontages on the policies map reflects the character and function of different parts of the area and incorporates a number of changes from the previous local plan. It prioritises the core shopping streets and both shopping malls, for a generally high proportion of retail use (suggested at 85%), helping to maintain a critical mass of shopping; whilst allowing a greater proportion of beneficial non-retail uses elsewhere.</p>
DM-MM22	154	Para 20.12	<p>Amend the first sentence of paragraph 20.12 as follows:</p> <p>20.12 The successful application of the policy will rely on regular monitoring of change in retail frontages (<u>including temporary flexible uses introduced through permitted development</u>) and appropriate review of SPD to ensure that any thresholds applied remain relevant and necessary. ...</p>
DM-	161-	DM21	Amend policy DM21 as follows:

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MM23	162		<p>Protecting and supporting district and local centres</p> <p>Policy DM21 Management of uses within district and local centres</p> <p>Key principles Within existing and proposed district and local retail centres, as defined on the Policies Map and shown in Appendix 4, non retail uses in classes A2, A3, A4, A5, community uses and other main town centre uses <u>appropriate supporting services including main town centre uses, public and community uses, and other uses complementing local shops</u> will be <u>encouraged and</u> permitted where:</p> <p>a) the proposal would not result in the proportion of A1 retail units at ground floor level within the centre falling below 60% (for district centres) or below 50% (for local centres); and would not result in the loss of, or significant reduction in, retail floorspace within any main foodstore serving the centre; or</p> <p>b) in cases where the proportion of A1 retail uses is already below the applicable threshold in clause a), the proposal would not result in the loss of, or significant reduction in, retail floorspace within any main foodstore serving the centre;</p> <p>c) in cases where the proposal is for a community use or other non-retail service and would conflict with the provisions of clauses a) or b): It would provide a community benefit or address an identified deficiency in provision in the area which can be shown to outweigh the loss of the retail use, and It could not reasonably be accommodated in a more accessible or sustainable location either within the same centre or in an alternative local or district centre in the vicinity; and, in all cases</p> <p>d) the proposal would not result in a harmful impact on the vitality, viability and diversity of services in the centre; and</p> <p>e) the proposal would offer a service whose scale and function is appropriate to the centre's position in the retail hierarchy; and</p> <p>f) the proposal would not give rise to unacceptable environmental effects which could not be overcome by the</p>

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			<p>imposition of conditions.</p> <p><u>a) their scale and function is consistent with the position of the centre in the hierarchy of centres set out in JCS Policy 19.</u></p> <p><u>b) they would not have a harmful impact on the vitality, viability and diversity of services in the centre, in particular increasing the number of units which would not be available to the public during the normal working day.</u></p> <p><u>c) they would not have a harmful impact on residential amenity, traffic or the environment which could not be overcome by the imposition of conditions;</u></p> <p><u>d) they would provide a community benefit or address an identified deficiency in provision in the area which can be shown to outweigh the loss of a retail use.</u></p> <p><u>Changes of use involving the permanent loss of shops or shopping floorspace (use class A1) will be permitted where they satisfy the above criteria and additionally:</u></p> <p><u>e) they would not result in the proportion of A1 retail uses at ground floor level falling below 60% (in the case of district centres) or 50% (in the case of local centres), and</u></p> <p><u>f) they would not result in the permanent loss of, or significant reduction in, retail floorspace within any main foodstore serving the centre.</u></p> <p><u>In cases where the proportion of A1 retail uses is below the applicable indicative minimum in clause e), proposals will be assessed on their merits and determined in accordance with the criteria in clauses a) to d) and clause f).</u></p> <p>Other requirements</p> <p>Proposals which are not for main town centre uses, with the exception of community uses, will not be permitted at ground floor level within district and local retail centres.</p> <p>The beneficial use of upper floors will be permitted where the use is compatible with surrounding uses. Proposals involving the use of ground floors only must ensure that separate access is maintained to, and should not prejudice the beneficial existing or potential future use of, lower and upper floors.</p> <p>Where necessary, permission will be granted subject to conditions restricting hours of opening and/or removing permitted development rights to change to alternative uses to protect the amenity of surrounding occupants and the vitality and viability of the centre concerned.</p>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
DM-MM24	165-166	Para 21.10	<p>Amend paragraph 21.10 as follows:</p> <p>21.10 The council's approach to local and district centres is to seek a balance between retaining an appropriate range and choice of shops to meet local needs and allowing other beneficial supporting uses which complement and are appropriate to the scale and function of the centre. <u>Priority will be given to promoting and supporting shopping, other main town centre uses and community uses in accordance with the NPPF and policy DM18, although uses which do not fall readily into either of these categories can be accepted where they would be complementary and beneficial to the vitality and diversity of the centre.</u></p> <p><u>21.10a</u> In recognition of the changing characteristics of neighbourhood centres and the generally higher proportion of supporting services in them, the indicative minimum threshold for the proportion of A1 retail units has been set at 50% for local centres and 60% for district centres, alongside a requirement to seek to retain local convenience floorspace. This allows more <u>The policy also seeks to discourage the loss of local foodstores, which are an essential feature of most centres, allowing for flexibility in circumstances where the proportion of retail units is already lower than the indicated minimum and where</u> the retention of an anchor foodstore may be more critical to the vitality and viability of the centre than keeping a high proportion of smaller shops. <u>This is borne out by advice in <i>Parades to be Proud of</i> showing that convenience stores account for almost 55% of total expenditure in neighbourhood centres and food based outlets account for 70%, and concluding that local shops are critical in ensuring that local and district centres retain their anchor stores and key attractions to provide stability.</u></p> <p><u>Interpretation</u></p> <p><u>21.10b</u> In applying clause e) of this policy the proportion of A1 retail use will be calculated by reference to <u>the total number of individual non-residential premises at ground floor level falling within the boundaries of the centre concerned. Retail premises which are in a temporary flexible use</u></p>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<p><u>introduced through permitted development rights will be treated as being in their lawful planning use before the temporary use commenced.</u></p> <p><u>21.10c In applying clause (f) of the policy “a significant reduction” in foodstore floorspace would normally be interpreted as a loss of more than 50%, although proposals would need to be assessed on a case by case basis taking account of retail trends, the economic performance of the centre concerned and any benefit to the centre deriving from the reuse of redundant convenience goods retail floorspace for other purposes.</u></p>
DM-MM25	166-167	Para 21.11	<p>Amend paragraph 21.11 as follows:</p> <p>21.11 The requirement that proposals should not have a harmful impact on the diversity of services in centres should also ensure that particular types of service such as hot food takeaways would not become over-represented in any one centre and prevent centres becoming completely dominated by large format retailers. <u>It will be particularly important to ensure that the range and choice of services in any one centre contributes to diversity and vitality across the whole of the working day and evening. Consequently the council would normally seek to achieve a balance of uses which is not disproportionately weighted towards evening-only services such as hot food takeaways, which often contribute very little to local and district centres if they are closed during the day. Conversely, uses such as cafés can offer significant benefits to the vitality and viability of local centres in both the daytime and evening through their role as community hubs and meeting places.</u></p> <p><u>21.11a The new provisions for temporary flexible uses are discussed in the supporting text to policy DM20 above. The scope for the introduction of a range of alternative uses on a temporary basis is likely to be beneficial in many local centres with high levels of vacancy, and would support the aims of this policy, however it will still be appropriate to safeguard against the permanent loss of local shopping facilities and other services which are essential to maintain the vitality and viability of a particular centre, and to resist proposals likely to have a significantly harmful impact on their</u></p>

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			<p><u>function.</u></p> <p>21.11b <u>The policy does not seek to impose a strict quota on the number and type of non-retail A class uses and other services in centres. Rather, the impact</u> Impact <u>on diversity of services of any particular proposal</u> will be a matter of judgement on a case by case basis taking account of community needs, operators' business requirements, <u>likely impact on neighbour amenity</u> and considerations of how the range of services in individual centres might be changing and developing. More specific criteria for the consideration of hot food takeaways is are included in policy DM24.</p>
DM-MM26	167-168	Para 21.12	<p>Amend paragraph 21.12 and 21.13 as follows:</p> <p>21.12 For the purposes of this policy, main town centre uses are as defined in the NPPF <u>and the Glossary to this Plan.</u> The proportion of A1 retail use within a defined centre will be calculated on the basis of the total number of separate premises at ground floor level within a defined centre. The boundaries of local and district centres have been redefined in some cases. This is to ensure that premises which do not contribute to their neighbourhood centre function, for example, isolated dwellings within or at the end of a parade of shops, are not included within the centre and are not taken into account in calculating the proportion of non-retail uses. Where suitable locations emerge adjacent to centres which can accommodate their appropriate expansion, the council will support such proposals consistent with the criteria in policy DM18.</p> <p>21.13 The policy allows additional flexibility for the acceptance of other beneficial uses where it can be demonstrated that the use is underrepresented in the centre or it is for a community use (or other purpose) which is appropriate to the scale of the centre, and could not be accommodated in a more accessible or sustainable location, either within the same centre or elsewhere in the locality. Appropriate uses include – but are not confined to – residential, offices, restaurants and cafes, pubs and bars, non-residential institutions and leisure uses which are at an appropriate scale to serve a local catchment. The acceptance of these uses will be subject to compliance with other policies of the plan, in particular that they should not give rise to unacceptable impacts on the</p>

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			<p>living and working conditions of neighbours (Policies DM2, DM11).</p>
DM-MM27	171-173	DM22	<p>In the Schools and other educational development section of the policy, amend the first paragraph and criteria as follows:</p> <p>Schools and other educational development Proposals for involving the construction of new or replacement schools and other educational facilities, extensions to existing schools <u>educational establishments</u> and <u>(where permission is required)</u> changes of use for school or other educational and training purposes, will be accepted and permitted where:</p> <ul style="list-style-type: none"> a) they would not undermine the objectives for sustainable development set out in policy DM1, b) they would not give rise to significant impacts on the environment, highway safety or traffic arising from locational constraints or the particular configuration of the site or premises which could not be overcome by the imposition of conditions, c) <u>they would result in the efficient and effective use of existing school sites and/or an accessible distribution of school places or other educational opportunities,</u> e-d) appropriate and adequate provision can be made for the residential accommodation needs of students (where required) <u>in accordance with the criteria in policy DM13.</u> <p>Particular support will be given to proposals which provide for the shared use of schools facilities by the wider community.</p> <p>The local community must be consulted to ensure that new and enhanced community facilities of all types best meet their needs and aspirations.</p> <p>In the Protection of community facilities section of the policy: In the first paragraph, delete clause d)</p> <p>d) in the case of a listed asset of community value, the opportunity has been taken to consider the exercise of any statutory community right to buy or community right to challenge from a duly appointed neighbourhood or community body, where relevant.</p> <p>In the third paragraph, delete reference to clause d)</p>

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			Development resulting in the loss of historic and community public houses listed in Appendix 5, will only be permitted where criteria b), c) and d) <u>b) and c)</u> above are satisfied.
DM-MM28	174-174	Para 22.2-22.3	<p>a) Add the following sentence to the end of paragraph 22.2 <u>"For the purposes of this policy, a "community facility" is as defined under "community facilities/uses" in the Glossary"</u>.</p> <p>b) Delete paragraph 22.3.</p>
DM-MM29	175	Para 22.6	<p>In paragraph 22.6, after the sentence concluding "... outside the local plan process.", commence new paragraph 22.6a with additional and revised text as follows.</p> <p><u>22.6a Following the extension of permitted development rights for state funded schools in 2013, the change of use of a wide range of non-residential buildings to school use no longer requires planning permission. Accordingly this policy will apply primarily to proposals for new build schools and other forms of educational development which do not fall within the definition of a state funded school. In accordance with the NPPF the city council will adopt a positive and collaborative approach to such schools proposals and will work closely with providers to identify and overcome any constraints on development, including the need for any on site or off site accommodation for students.</u></p>
DM-MM30	175	Para 22.7	<p>In paragraph 22.7, after the sentence concluding "... relative importance of the facility to its users.", commence new paragraph 22.7a with additional and revised text as follows.</p> <p><u>22.7a The Localism Act 2011 requires assets of community value to be included on a list maintained by the local authority, permit allowing duly constituted community and voluntary bodies to nominate land and buildings for inclusion on that list and enable those bodies to exercise community right to buy and community right to challenge powers in respect of any community facility on the list which is under threat of disposal. The Assets of Community Value (ACV) provisions are set out in Part 5 Chapter 3 of the Act, and accompanying Assets of Community Value (England) Regulations came into force in September 2012.</u></p>

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DM-MM31	175-176	Para 22.8	<p>In paragraph 22.8, delete the first sentence commencing “At the time of writing ...” and replace with revised text including additional commentary in new paragraphs 22.8a; start new paragraph 22.8b at the sentence commencing “As these opportunities emerge; delete the word “these”.</p> <p>22.8 At the time of writing, the legal mechanisms for introducing these powers are not finalised: their practical operation in Norwich is unclear, since there are at present no commonly constituted bodies (such as suburban parish councils) which could obviously inherit neighbourhood planning roles and responsibilities for small areas. Whilst the designation of a site or building as an asset of community value may be important, its weight as a material planning consideration may be limited. The process of listing assets of community value is separate from the planning process, which should only assess the planning merits of a scheme. Inclusion on the ACV list simply confirms assets nominated by community groups which are considered by them to have some community worth; however it is not an objective assessment of community value.</p> <p><u>22.8a For the purposes of this policy, therefore, the community value of individual assets affected by development proposals would need to be objectively assessed on a case by case basis, irrespective of whether they are included on the ACV list or not. In appropriate cases it may be necessary for developers to consider how the exercise of any statutory community right to buy or community right to challenge under ACV legislation might affect the timescale for the delivery of a scheme.</u></p> <p><u>22.8b As these opportunities emerge and the neighbourhood planning system evolves over the plan period, it is expected that community and voluntary bodies in Norwich would have more formal and direct involvement in planning and protecting local community facilities in the context of this policy and the community rights set out in the Localism Act.</u></p>
DM-MM32	181-183	DM23; Para 23.7	<p>a) Amend the Leisure Uses section of the policy by the addition of the word “normally” in the final sentence as follows:</p> <p>Leisure uses Proposals for leisure and hospitality uses, other than late night activities, will be permitted within the city centre leisure area as defined on the Policies Map, which for the purposes of the sequential test is the most preferable</p>

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			<p>location for new leisure and hospitality uses . The sequential approach set out in policy DM18 will be used to determine applications for leisure uses outside the defined leisure area. Within the primary retail area, leisure uses will <u>normally</u> be restricted to upper floors and basements only.</p> <p>b) Amend paragraph 23.7 as follows:</p> <p>23.7 Leisure uses are defined as D2 uses <u>which may either be focused on active indoor sport (e.g. gymnasiums and health clubs) or on passive public entertainment, such as cinemas and concert halls. The definition of leisure uses would also include theatres (which are sui generis uses and thus always require planning permission). <u>The expectation of this policy is that in order to protect retail function, vitality and viability it will not usually be appropriate to locate these larger format leisure uses at ground floor level within the primary retail area, nor would it be practical in most circumstances to do so. There may however be scope to make use of underused upper floor or basement space and provide a dedicated entrance from street level, and this would not preclude proposals providing a mix of leisure and hospitality uses, for example including a ground floor café or shop in association with the upper floor use.</u></u></p>
DM-MM33	191 - 192	DM25 and para 25.3	<p>(1) Amend the second bullet point of the policy as follows:</p> <ul style="list-style-type: none"> ▪ the proposal would not conflict with the general criteria for sustainable development set out in policy DM1, in particular by not increasing <u>minimising</u> the overall need to travel and not increasing <u>minimising</u> dependency on the private car and high-emission vehicles. <p>(2) Amend paragraph 25.3 with additional commentary at para 25.3a, and revise first sentence of para 25.5 as follows:</p> <p>25.3 The out-of-centre <u>Many freestanding out-of-centre retail parks destinations</u> in Norwich do not relate <u>well</u> to existing defined centres and are not considered to be well-located to ensure satisfactory access by public transport or by modes other than the private car. <u>However, it is acknowledged that the relative accessibility of retail parks and other retail warehousing varies across the city. The suitability of an individual site to accommodate new development or other</u></p>

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			<p><u>forms of retailing may thus depend on how accessible it is currently and the scope to enhance its accessibility or improve its connectivity with nearby centres. In accordance with advice in the NPPF, when considering proposals on these (and other) out of centre sites which could not be accommodated in centres, preference will normally be given to accessible sites that are well connected to defined centres within the hierarchy set out in JCS Policy 19.</u></p> <p>25.3a Some of the warehouses <u>these retail destinations</u> currently operate under conditions which restrict them to the sale of bulky goods or other specified categories of goods which are justified by the requirements of a specific operator. These warehouses <u>They</u> are often not appropriately located to allow the relaxation of planning conditions to accept a wider range of goods or to intensify or diversify into general comparison or convenience retailing. To allow entirely unregulated retailing from retail warehouse parks could result in a potentially significant impact on the city centre and district and local centres and would <u>may</u> also increase reliance on the private car. Both of these outcomes would be contrary to the objectives of the NPPF and JCS in relation to protection and enhancement of the city centre and its requirement to promote sustainable transport, and would not be in the overall interests of securing sustainable development.</p> <p>25.5 It is acknowledged that following the implementation of the Hall Road District Centre proposal the retail park <u>would</u> be an edge of centre location.</p>
DM-MM34	199	DM27	<p>Amend the penultimate paragraph of the policy as follows:</p> <p><u>Development for alternative uses will not generally be supported in advance of the adoption or endorsement of an agreed masterplan for the airport, including a Travel Plan and Sustainable Access Strategy, or it is otherwise demonstrated by objective evidence that land is not required for operational Airport use.</u></p>
DM-MM35	209	DM29	<p>Add further criterion for the replacement of existing car parks at the end of the policy:</p> <p>c) <u>specifically allocated for development in the Site Allocations Plan.</u></p>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
DM- MM36	225- 231	DM33 and paras 33.7, 33.15 and 33.16	<p><u>Consolidated main modifications to policy DM33 and supplementary text including commentary in relation to the Community Infrastructure Levy.</u></p> <p>(1) In the section of policy DM33 headed “Viability Considerations”, amend clause a) by the addition of the words “either individually or” as follows</p> <p>a) the impact of CIL contributions, planning obligations and abnormal development costs <u>either individually or in combination would result in a proposed development becoming economically unviable; and</u></p> <p>(2) amend the last section of the policy as follows. <u>specific policy requirements which would clearly and demonstrably compromise scheme viability may be negotiated, and planning obligation requirements covering specific matters may be reduced, by agreement. Negotiation on planning obligation requirements should be in accordance with the Council’s approved Planning Obligations Prioritisation Framework (or successor document) or consideration may be given to specific infrastructure which would normally be delivered through a planning obligation being added to the “Regulation 123 list” and delivered instead via CIL.</u></p> <p>(3) Amend paragraph 33.7 as follows: 33.7 The city council’s published “regulation 123 list” specifies the matters <u>infrastructure items and projects which are appropriate to cover by means of a planning obligation. it intends to fund through CIL receipts. It also itemises those matters which remain appropriate to cover by means of a planning obligation, for the avoidance of doubt.</u></p> <p>In the section Securing essential strategic infrastructure from development through the Community Infrastructure Levy:</p> <p>(4) Delete paragraph 33.15 and 33.16 in their entirety.</p> <p>(5) Amend paragraph 33.17 as follows:</p> <p>33.17 <u>CIL charging schedules were formally adopted for Norwich, Broadland and South Norfolk in July 2013, following examination in October 2012. CIL revenue will be used to fund the major new infrastructure</u></p>

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			<p>necessary as a result of large scale growth which is strategically significant for the Norwich area as a whole, as opposed to works which are integral to the design of individual schemes (which would continue to be delivered by means of a planning obligation – see policy DM33 following above).</p>
DM-MM37	256	Appendix 3 Parking Standards (Use Class A1, A2, A3, A4 and A5)	<p>Amend the parking standards for locations “In or adjacent to existing District and Local retail centres as defined on the policies map” and “Elsewhere in the urban area”, as follows: In the fourth column of the table, headed “Car Parking Standards (maximum)” DELETE the words “One parking space per 25m² gfa” and REPLACE with “One parking space per 20m² gfa”</p>
DM-MM38	265-269	Appendix 3 (re car clubs)	<p>In the tables for Use Class C3 Housing in appendix 3, under “Car Parking Standards (other requirements):</p> <p>Elsewhere in the City Centre Parking Area: amend table entry as follows:</p> <p>Parking for visitors and disabled drivers will normally be accommodated on-street or in public car parks subject to the usual tariffs. Developments in the Controlled parking Zones are not eligible for on-street parking permits 50% of parking should be unallocated, where levels are below 1:1</p> <p>Provision of space for a car club <u>a car club parking space and car club vehicle</u> will be expected for developments of over 50 units <u>100 units</u> (car free housing, 10 units <u>50 units</u>). Access to a car club for any development is desirable</p> <p> EV – one parking space should be provided with an electric charging point in all communal and unallocated parking areas and in all garages</p> <p>All other parts of the Controlled Parking Zones within the Outer Ring Road: amend table entry as follows:</p> <p>Parking for visitors and disabled drivers will normally be accommodated on-street in existing limited waiting bays Developments in the Controlled parking Zones are not normally eligible for parking permits, but self contained developments, with their own streets could have their own permit system Provision of space for a car club <u>a car club parking space and car club vehicle</u> will be expected for developments of over 50 units <u>100 units</u> (car free housing 10 units <u>50 units</u>). Access to a car club for any development is desirable</p>

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			<p>✓ EV – one parking space should be provided with an electric charging point in all communal and unallocated parking areas and in all garages</p> <p>In other locations described as ‘accessible’ (ie on a high quality public transport corridor, or within 100m of a district centre amend table entry as follows:</p> <p>Provision of space for a car club a car club parking space and car club vehicle will be expected for developments of over 50 units 100 units. Access to a car club for any development is desirable</p> <p>✓ EV – one parking space should be provided with an electric charging point in all communal and unallocated parking areas and in all garages</p> <p>Elsewhere in the urban area: amend table entry as follows:</p> <p>Provision of space for a car club a car club parking space and car club vehicle will be expected for developments of over 50 units 100 units. Access to a car club for any development is desirable</p> <p>✓ EV – one parking space should be provided with an electric charging point in all communal and unallocated parking areas and in all garages</p>
DM-MM39	282	Appendix 4	<p>Amend schedule of frontage zones to remove Timberhill/Red Lion Street from the list of secondary frontages and add it to the list of primary frontages as shown in the corrected table below.</p> <p>Primary retail area core frontage zones</p> <p>PC01 Gentlemans Walk/Haymarket/Brigg Street</p> <p>PC02 Castle Mall, levels 1 and 2</p> <p>PC03 Chapelfield, upper and lower merchants halls and St Stephens Arcade</p> <p>Frontage zones in the rest of the primary retail area</p> <p>PR01 Back of the Inns/Castle Street area</p> <p>PR02 The Lanes East (Bedford Street/Bridewell Alley)</p> <p>PR03 St Stephens Street/Westlegate</p> <p>PR04 Castle Meadow north</p> <p>PR05 Chapelfield Plain</p> <p>PR06 <u>Timberhill/Red Lion Street</u></p> <p>Secondary retail areas</p>

REF	PAGE	POLICY / PARA	MAIN MODIFICATION
			<p>SR01 Timberhill/Red Lion Street SR012 The Lanes West (Pottergate/Dove Street/Lower Goat Lane) SR023 Upper St Giles SR034 St Benedicts SR045 Elm Hill SR056 London Street (east) SR067 Brazen Gate</p>
DM-MM40	283	Appendix 4 District and Local Centres table	<p>Append Sproston Road/Shipfield to the list of District Centres with centre reference DC10. Delete Sproston Road/Shipfield (LC16) from the list of identified local centres</p>
DM-MM41	186, 296	Deletion of Local Listing Appendix 6 and consequential updates to plan text	<p>Delete the entire appendix. Amend paragraph 9.10 as follows</p> <p>9.10 Locally identified heritage assets already recognised as contributing towards Norwich's distinctive character include the council's established local list of buildings within conservation areas, as well as certain parks and gardens and other open spaces which are of local heritage significance but are not afforded national protection. Norwich's local list has recently been expanded by the addition of locally significant heritage assets which fall within the outer ring road but are located outside conservation areas, <u>identified through a comprehensive survey undertaken by the Norwich Society in partnership with the city council in 2010-12, using the objective criteria for assessing the significance of local heritage assets set out in Appendix 7. An extension to the Norwich local list based on the Norwich Society's work was adopted by the city council in January 2014. This supplement to the local list, to be published in summer 2012, has been compiled and consulted on by the Norwich Society (the city's main local amenity society) with the close involvement and co-operation of the city council as local planning authority. The emerging Norwich Society list is included within Appendix 6 to this document. Following endorsement and</u></p>

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			adoption of the list by the city council, with any changes recommended to be necessary, these buildings will have the same status for the purposes of policy DM9 as those on the pre-existing local list. Norwich is cited as a best practice example of such joint working arrangements for local listing in English Heritage's <i>Good Practice Guide for Local Heritage Listing</i> (May 2012).
DM-MM42	294	Map of DM16 areas (new) Appendix 6	Add a further appendix to the DM Policies DPD – supplementary plan showing employment areas subject to policy DM16 (See Annex 1) This is proposed to be numbered as new Appendix 6, replacing the deleted Appendix 6 on Local Listing.
DM-MM43	306	Monitoring Framework (new) Appendix 9	(a) Add a further appendix to the DM Policies DPD outlining the monitoring framework the policies will be monitored against. Number as new Appendix 9. (b) Delete text at paragraphs 34.1 to 34.3, which the new appendix supersedes.
DM-MM44	327	Glossary of terms (new) Appendix 10	Add a further appendix to the DM Policies DPD outlining the glossary of terms used within the plan. Number as new Appendix 10.

Proposed main modifications to Regulation 19 Policies map

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
Consequential changes to the Policies Map reflecting changes to site boundaries in the Site Allocations Plan <i>(note that sites which are deleted altogether are not listed)</i>			
SA-MM3	City Centre inset	CC4 10-24 Ber Street	Consequential modification to the Policies Map following amendment to site boundary deleting part of allocation in the Site Allocations Plan (Schedule 1) See Annex A
SA-MM19	North	R13 231-277 (now 261-277) Aylsham Road	Consequential modification to the Policies Map following amendment to site boundary deleting part of allocation in the Site Allocations Plan (Schedule 1) See Annex B
SA-MM24	North	R18 124-128 (now 126-128) Barrack Street	Consequential modification to the Policies Map following amendment to site boundary deleting part of allocation in the Site Allocations Plan (Schedule 1) See Annex C
SA-MM26	North	R21: (Sprowston Road)/ land north of Windmill Road	Consequential modification to the Policies Map following amendment to site boundary deleting that part of allocation fronting Sprowston Road (Schedule 1) See Annex D
Substantive modifications to the Policies Map reflecting changes in the boundaries of policy designations within the Development Management Policies Plan			
PM-MM1	North	DM6 Natural Environmental Assets	Amendment to add Woodland notation to an area off Rostwold Way protected by policy DM6. See Annex E map PM-MM1 and overview map
PM-MM2	South	DM8 Open Space	Amendments to correct errors in the depiction of open space areas on the Reg19 version of the map. See Annex F maps PM-MM2/1 and overview map. PM-MM2/1 Deletion of an area of open space at Wessex Street/Bristol Terrace (now Bagnold School car park) <i>PM-MM2/2 – This proposed main modification which sought to add an area of open space adjoining the Sainsbury Centre for the Visual Arts, University of East Anglia is not taken forward as a Main Modification. Consequently this area is not identified as open space and the designation in the pre-submission version is retained.</i>
PM-MM3	South	DM9 Conservation Areas	Amendments to the boundaries of Heigham Grove and Bracondale conservation areas to reflect boundary changes in 2011 which were not reflected on the Reg 19 version of the map: also incorporates a further change to the boundary of Bowthorpe conservation area made in October 2013 (post submission).

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION																								
			See Annex G maps PM-MM3/1 (Bowthorpe); PM-MM3/2 (Heigham Grove); PM-MM3/3 (Bracondale) and overview map.																								
PM-MM4	North, South, City Centre inset	DM9 Scheduled Ancient Monuments	Corrections to boundaries of the 24 Scheduled Ancient Monuments within the city to align them with the definitive boundary data held by English Heritage: this is in response to a representation and corrects a series of historic errors on all iterations of the emerging local plan policies map and the adopted City of Norwich Replacement Local Plan proposals map. See Annex H overview map and individual maps as follows:																								
			<table border="0"> <tr> <td>PM-MM4/1 Nos 19-21 Bedford Street</td> <td>PM-MM4/13 Norman House, Palace Plain</td> </tr> <tr> <td>PM-MM4/2 Bishop's Gate and Palace</td> <td>PM-MM4/14 Norwich Castle</td> </tr> <tr> <td>PM-MM4/3 Bishop Bridge*</td> <td>PM-MM4/15 Old Assembly Rooms</td> </tr> <tr> <td>PM-MM4/4 Cow Tower</td> <td>PM-MM4/16 Carnary Chapel, The Close</td> </tr> <tr> <td>PM-MM4/5 Carrow Priory</td> <td>PM-MM4/17 Bowthorpe Church remains</td> </tr> <tr> <td>PM-MM4/6 Bishop Reynolds' Chapel</td> <td>PM-MM4/18 St Leonards Priory</td> </tr> <tr> <td>PM-MM4/7 City Walls (N and S sheets)</td> <td>PM-MM4/19 St William's Chapel, Mousehold</td> </tr> <tr> <td>PM-MM4/8 Cringleford Bridge*</td> <td>PM-MM4/20 St Bartholomew's Church</td> </tr> <tr> <td>PM-MM4/9 Curat House, Haymarket</td> <td>PM-MM4/21 St Ethelbert's Gate</td> </tr> <tr> <td>PM-MM4/10 St Andrews/Blackfriars Hall</td> <td>PM-MM4/22 St Lawrence's Well, Anchor Quay</td> </tr> <tr> <td>PM-MM4/11 Erpingham Gate</td> <td>PM-MM4/23 Tumuli, Eaton Golf Course</td> </tr> <tr> <td>PM-MM4/12 Gate of Bridewell</td> <td>PM-MM4/24 Water Gate, The Close</td> </tr> </table>	PM-MM4/1 Nos 19-21 Bedford Street	PM-MM4/13 Norman House, Palace Plain	PM-MM4/2 Bishop's Gate and Palace	PM-MM4/14 Norwich Castle	PM-MM4/3 Bishop Bridge*	PM-MM4/15 Old Assembly Rooms	PM-MM4/4 Cow Tower	PM-MM4/16 Carnary Chapel, The Close	PM-MM4/5 Carrow Priory	PM-MM4/17 Bowthorpe Church remains	PM-MM4/6 Bishop Reynolds' Chapel	PM-MM4/18 St Leonards Priory	PM-MM4/7 City Walls (N and S sheets)	PM-MM4/19 St William's Chapel, Mousehold	PM-MM4/8 Cringleford Bridge*	PM-MM4/20 St Bartholomew's Church	PM-MM4/9 Curat House, Haymarket	PM-MM4/21 St Ethelbert's Gate	PM-MM4/10 St Andrews/Blackfriars Hall	PM-MM4/22 St Lawrence's Well, Anchor Quay	PM-MM4/11 Erpingham Gate	PM-MM4/23 Tumuli, Eaton Golf Course	PM-MM4/12 Gate of Bridewell	PM-MM4/24 Water Gate, The Close
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* sections within the local plan boundary only.																											
			<i>Note that these are the definitive Scheduled Ancient Monument boundaries as supplied by English Heritage, digitised from paper plans. There may be some anomalies in the apparent position of these boundaries when superimposed on a modern map base.</i>																								
PM-MM5	North, South, City Centre inset	DM9 Historic Parks	Change in map notation only – distinguishes between those parks which are on English Heritage's register of historic parks and gardens (red "HP" overprint) and those which are not (black "HP" overprint). See Annex I overview map and maps of scheduled parks and gardens as follows																								

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
			PM-MM5/1 Mile Cross Gardens (north sheet) PM-MM5/2 Waterloo Park (north sheet) PM-MM5/3 Wensum Park (north sheet) PM-MM5/4 Rosary Cemetery (south sheet) PM-MM5/5 Chapelfield Gardens (city centre inset) PM-MM5/6 The Plantation Garden (south sheet) PM-MM5/7 Earlham Cemetery (south sheet) PM-MM5/8 Heigham Park (south sheet) PM-MM5/9 Eaton Park (south sheet)
PM-MM6	North	DM11 Former Landfill sites	Deletes the 2 former landfill sites shown at St Clements Park (TG2310011136) and Catton Chalk Pit (TG2287910932) off Woodcock Road. See Annex J map PM-MM6 and location map.
PM-MM7	NCCAAP area inset	DM18, DM23 City centre leisure area	Corrects a drafting error: reinstates two parts of the City Centre Leisure Area north of the river Wensum (at Anglia Square and Colegate) which were inadvertently omitted from the Northern City Centre Area Action Plan area inset at Regulation 18 (25) and Regulation 19 stages. See Annex K map PM-MM7 and location map
PM-MM8	N/a	N/a	<i>Please note that a modification was included in this schedule in error (with a cross reference to Annex L) which is now deleted. Therefore there is no information to submit under this modification reference or in Annex L.</i>
PM-MM9	City centre inset	DM20 Primary Frontage	Amends the policies map to remove duplication of shopping frontages within Castle Mall and Chapelfield which were shown on both the main city centre inset map and the "flyout" thumbnail inset plans of each centre) leading to potential confusion. The Chapelfield change responds to an objection (4111-9); the Castle Mall change is made for consistency. See Annex M Map PM-MM9/1 Chapelfield Map PM-MM9/2 Castle Mall
PM-MM10	All	DM28 Existing and proposed riverside	Amends several errors on the Regulation 19 version of the Policies Map whereby the existing/proposed status of sections of riverside walk is shown incorrectly. See Annex N – overview map and individual changes as follows:

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
		walks	<p>PM-MM10-1 Hellesdon Mill to Hellesdon Bridge (Status changed to PROPOSED) North sheet</p> <p>PM-MM10-2 Hellesdon Road to Sweet Briar Road (Status changed to PROPOSED) North sheet</p> <p>PM-MM10-3 Adjacent Heigham Waterworks, Waterworks Road (Status changed to PROPOSED) North sheet</p> <p>PM-MM10-4 St Crispins Road to St Martins Close (Status changed to PROPOSED) Northern City Centre Area Action Plan inset</p> <p>PM-MM10-5 Carrow Bridge to Allison Bank (Status changed to PROPOSED) City centre inset</p> <p>PM-MM10-6 Sandy Lane to rear Cooper Lane, Lakenham (Existing section of walk shown in error; to be deleted) South sheet</p> <p>PM-MM10-7 Marston Marshes to Lakenham (Status of 2 sections changed to PROPOSED; additional section of proposed riverside walk to be added between railway line and rear 123 Theobald Road) South sheet</p> <p>PM-MM10-8 Marston Marshes, Church Lane and Marston Lane (Existing sections of riverside walk to be added, omitted in error) South sheet</p> <p>PM-MM10-9 West of Bowthorpe Three Score, Three Score Road/Bladewater Road to Chapel Break Road (Status changed to PROPOSED) South sheet</p>
PM-MM12	South sheet	R5 Hewett School Hall Road	<p>Amend the boundary of the allocated site to delete that portion overlapping the car park of the Goals sports pitches to the south (Factual update to reflect completed adjoining development post-dating the original draft allocation).</p> <p>See Annex O</p>
PM-MM11	North Sheet	DM18, DM21 District and Local Centres	<p>Amend the boundary of the Sprowston Road Local Centre to include the recently completed Aldi foodstore on land between 461 Sprowston Road and Windmill Road (this corresponds to the area which</p>

REF	SHEET	POLICY / NOTATION	MAIN MODIFICATION
			would be deleted from site allocation R21 by proposed main modification SA-MM26). Re-designate the centre as a District Centre with the addition of a "D" notation. See Annex P
PM-MM13	All	DM5 Critical Drainage Areas/Catchments	DELETE Critical Drainage Area boundaries (Catton Grove/Sewell and Nelson/Town Close) and REPLACE with larger Critical Drainage Catchments See Annex Q
PM-MM14	South sheet	DM8 Open Space	Amends open space boundaries on the Policies Map to reflect recently completed development as follows: See Annex R
			PM-MM14-1 Hewett School, Hall Road: Amend boundary of open space notation, to exclude the car park and ancillary areas serving the Goals sports pitches (change consistent with amended boundary of site R5: main modification PM-MM11 above). <i>NB the recreational buildings within this development are retained as part of the DM8 area by virtue of their status as built facilities ancillary to the open space.</i>
			PM-MM14-2 City Academy, Earlham Road: Amend boundary of open space notation to reflect the completion of the new Academy buildings on a different footprint than that of the former Earlham School.
PM-MM15	South sheet	R45 land west of Bluebell Road DM6 Yare Valley Character Area DM8 Open Space	R45: Land west of Bluebell Road – new site specific allocation – see proposed main modification SA-MM33 in Appendix 1 for the SAP. PM-MM15 - DM6 – deletion of those parts of the Yare Valley Character Area within the proposed R45 site allocation boundary and between the eastern edge of the site boundary and Bluebell Road PM-MM15 - DM8 Open Space – deletion of those areas of open space within the proposed R45 site allocation boundary. See Annex S which contains 2 maps: 1) allocation R45 and 2) amendments to DM6 and DM8 designations on the policies map.
PM-MM16	North sheet	DM18, DM21 District and Local Centres	Amend the boundary of the Dereham Road District Centre to remove the recently completed housing development on land at Exeter Street car park. See Annex T
PM-MM17	City Centre Inset	DM20 Primary Frontage	Amend the Chapelfield Upper Ground Level inset to remove the primary retail area PR05: Chapelfield Plain. See Annex U

Due to the size of the annexes to the policies map it has been unable to append them. To view the annexes associated with the proposed main modifications to the Regulation 19 Policies map please see the website at:

<http://www.norwich.gov.uk/Planning/Documents/InspectorsReportAppendix2AnnexesOct2014.pdf>

A number of hard copies will be able to view at the meeting.