



NORWICH City Council

Committee name: Council

Committee date: 21/01/2025

Report title: Regulation 10A Review of the Development Management Policies Local Plan

Portfolio: Councillor Stonard, Leader of the council

Report from: Head of planning and regulatory services

Wards: All wards

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Purpose

To consider the conclusions of the Regulation 10A review of policies in the Development Management Policies Local Plan

Recommendation:

To endorse the Regulation 10A review of the Development Management Policies Local Plan and agree to commence a full review of the plan following further clarity on national planning reform.

Policy framework

The council has five corporate priorities, which are:

- A prosperous Norwich.
- A fairer Norwich.
- A climate responsive Norwich.
- A future-proof Norwich.
- An open and modern council.

This report meets the “an open and modern council”, “a prosperous Norwich”, “a fairer Norwich”, “a climate responsive Norwich” and “a future-proof Norwich” corporate priorities.

This report addresses the “a data and insight driven, and people focused council”, “Norwich is a great place to live, work, learn and visit”, “good quality homes for all”, “growing our capacity to adapt to climate change” and “a city ready for change” priorities or actions in the Corporate Plan.

Report details

1. The purpose of this report is to review [Norwich's Development Management Policies Local Plan](#) (DM policies plan) in accordance with [Regulation 10A of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) (as amended). This review needs to be completed by the end of 2024.
2. The regulations introduce a statutory requirement under Regulation 10A, that from 6 April 2018, local planning authorities must review their local plans within five years of the date of adoption (and every five years thereafter). The purpose is to ensure that local plans are kept up to date and are responding to changing local needs and circumstances. The regulations state that, where an authority reviews a document but decides not to update it, they must publish their reasons.
3. This requirement is also reflected in the National Planning Policy Framework (NPPF) (2023) at paragraph 33 which states that “policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary”.
4. Guidance about reviewing policies is contained within [Planning Practice Guidance \(PPG\)](#) which was last updated in 2021. This provides more detail on what a review should address, including for example changing local circumstances such as local housing needs figures, success of policies against local plan indicators set out in annual monitoring reports (AMR), planning appeals performance, whether there have been any relevant changes in national policies and whether any new social, environmental or economic priorities may have arisen. If, after assessing its Local Plan policies, a local planning authority needs to amend one or more policies, it should update its Local Development Scheme to set out the timetable for when these amendments will be consulted upon and examined. The PPG also clarifies that local planning authorities will not necessarily need to revise their entire plan and may publish a list of policies they will update and those they do not consider need updating.
5. The Planning Advisory Service (PAS) have also published more [detailed guidance](#) to assist with the review process and with the development of local plans generally. This stresses that there is no definitive way for undertaking a review of local plan policies, but that their resource provides a useful starting point. The guidance notes that the outcome of a review could potentially range from small-scale partial updates of specific policies through to a full update of a local plan. It stresses that local planning authorities have significant discretion to determine the most appropriate way forward for their local plan review.
6. It is important to note that this report details the Regulation 10A review only. The purpose of this review is to determine which of the DM policies can and cannot currently be used for decision making for planning applications and identifies those that may be in need of future review. This task is not a full review of the DM policies, and does not propose the replacement of, or introduction of new policies. This is a separate exercise which will be undertaken, likely in 2025. The government is currently consulting on revisions to the NPPF and intends to introduce a set of National Development Management Policies next year. Officers propose that the full DM policies plan review takes place after the content of these national policy changes are more

established, to prevent abortive work and to ensure any future local policies are effective and in line with the national context.

Norwich's local planning documents

7. The development plan for Norwich comprises the following documents:

- [Greater Norwich Local Plan \(GNLP\) adopted 2024](#)
This document sets out the strategic policies for Broadland, Norwich and South Norfolk and includes site allocations for future growth up to 2038.
- [Norwich Development Management Policies Local Plan \(DMP\) adopted 2014.](#)
This document sets out detailed policies to be used to determine planning applications in Norwich.

8. The policies in the GNLP have been recently adopted, following a period of extensive public examination. As the GNLP was adopted within the last five years, this plan is not subject to this Regulation 10A review.

9. The Statement of Community Involvement (SCI) should also be reviewed every five years under Regulation 10A. A review of the SCI has already been undertaken and an updated version has been reported to Sustainable Development Panel in September 2024, and Cabinet in October 2024. A public consultation is already underway on the revised document, which is due to be adopted early 2025. Therefore, the SCI is also not subject to this Regulation 10A review.

10. The DM policies plan was last reviewed at the end of 2019 and is therefore due a further review under Regulation 10A. The DM policies plan is therefore the only document subject to the Regulation 10A review in this report.

Review process and scope

11. The approach taken by the council in reviewing the DM policies for the Regulation 10A reflects the PPG and PAS guidance, and follows on from the previous review undertaken in 2019:

- a. A number of local plan review factors have been considered to ensure that the policies are still on target to meet their objectives, and the strategic policy approach is still appropriate. Views on the effectiveness of the policies and their application have also been collected from Development Management officers, who use the policies for decision making. As the DM policies plan does not set a housing target for Norwich, this review does not include assessment of change in local housing need numbers, and whether it is meeting its housing delivery targets including for affordable housing. Housing targets for Greater Norwich as a whole are set out in the GNLP.
- b. As the DM policies plan does not set a housing target for Norwich, this review does not include assessment of change in local housing need numbers, and whether it is meeting its housing delivery targets for affordable housing. Housing targets for Greater Norwich as a whole are set out in the GNLP. The 5-year supply of housing is calculated jointly for Greater Norwich. In some cases, whether or not the council can

demonstrate a 5-year land supply can affect the implementation of local policies. Where a local authority does not have a 5-year land supply, the “presumption in favour of sustainable development” must be applied in decision making, which can mean that the weight given to the need for new housing is greater than some other policy considerations ([Para 11, NPPF](#)). The Greater Norwich authorities over the last five years have had periods both with and without 5-year land supply positions. In Norwich, there is a recognised and increasing need for housing and it represents a location for sustainable development. As such great weight has and continues to be given to the need for housing in decision making. The policies in the DM policies plan have already been prepared and are already being implemented in the context of this great housing need. Therefore, the impact of not having a 5-year land supply across various periods in the past five years is considered to be minimal on the effectiveness of the policies for decision making purposes. In addition, the Greater Norwich authorities can demonstrate a 5-year land supply by the latest calculation at the time of this review.

- c. In addition, individual policies have been assessed against the revised NPPF, new legislative requirements, and the new strategic policy context of the recently adopted GNLP, having regard to relevant evidence including the Annual Monitoring Report and planning appeal decisions and changing local circumstances. It should be noted that not all policies age at the same rate; some will remain valid for many years whereas others may be more susceptible to changing circumstances and therefore may require review at an earlier stage. The review for the DM policies local plan is set out in appendix 1 and is discussed below at paragraphs 20-25.

12. The PPG expects local planning authorities to have due regard to the Duty to Cooperate when undertaking a review of policies. Several policies have cross boundary implications including policies DM26 (Development at the University of East Anglia) and DM27 (Norwich Airport). The guidance notes that often the most significant cross boundary issues relate to housing numbers, but this is not the case for the DM policies plan as the housing target is set by the higher tier plan (the GNLP). It should also be noted that extensive joint working is underway between all Norfolk local authorities through the Norfolk Strategic Planning Framework (NSPF) on a wide range of issues including housing, green infrastructure, health, climate change, the economy, and telecommunications. Consideration of the NSPF has been included in the review of the DM policies plan.

13. PAS guidance states that if assessment of the above issues suggests that a different strategy or strategic policy approach is necessary then an update to the plan is likely to be necessary. The scope of the update will depend on the extent to which the vision and objectives and spatial strategy are still ‘fit for purpose’.

Wider local plan review factors

14. There is some overlap between wider policy issues and how these are reflected in individual local plan policies. The extent to which the plan policies still reflect current national policy requirements is addressed in the section on the DMP plan in paragraphs 15-18 below and in Appendix 1.

15. Since the previous Regulation 10A review of the local plan in 2019, there have been various changes in economic factors that have influenced the planning system. The Covid-19 pandemic caused both direct and indirect effects such as closing construction sites temporarily and increased demand for (and related shortages of) building materials. The pandemic also had wider economic impacts such as a fall in gross domestic product (GDP), reduction in household spending and challenges in maintaining the hospitality industry. Borrowing costs were cut to an historic low and house prices increased significantly, partly fuelled by the waiving of stamp duty on some house purchases. The country has since seen a significant increase in inflation rates precipitated by rising fuel costs and the war in Ukraine. Although not directly related to planning, these economic influences have impacted on the rates of housebuilding across the country, the ability for people to access the housing market, and the trend for diversification of businesses to keep pace with changing spending habits and costs. These changing conditions have been considered as part of this review in so far as they have impacted on the effectiveness and relevance of the DM policies.
16. There have also been a number of planning reforms which have impacted on the local policy context in Norwich. There have been a number of updates to the NPPF since the last Regulation 10A review including a major update in 2021. A new use class E was introduced in 2020 to cover the former uses of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure) and put them all into one class. Associated changes were made to the General permitted Development Order, which allows uses within Class E to merge or switch without planning permission. The intention of these changes is to introduce flexibility for high street uses to ensure diversity and vibrancy within centres. The impact of these changes on the effectiveness of a number of the DMP policies, particularly those that seek to restrict particular uses in defined retail centres, have been assessed as part of this review.
17. A number of new environmental initiatives and regulations have also been introduced since the last Regulation 10A review. Under the Conservation of Habitats and Species Regulations 2017, a Green Infrastructure Recreation Avoidance and Mitigation Strategy (GIRAMS) was produced which now requires that applications submitted for residential development must provide alternative green space for residents to use to avoid additional disturbance at protected sites, and the payment of a tariff towards mitigation measures at the protected sites themselves. Since March 2022, all planning applications for overnight accommodation in Norwich must demonstrate that they will not have adverse nutrient pollution impacts on protected sites. The Environment Act 2021 introduced the concept of Biodiversity Net Gain (BNG), which requires that all development (unless exempt) must achieve a 10% net gain the biodiversity value of a site compared with its predevelopment value. BNG came into force in February 2024 for major development types and April 2024 for minor development. These new regulations have also been assessed as part of this review.
18. In early 2024, Broadland, Norwich and South Norfolk councils adopted the Greater Norwich Local Plan. This plan sets out the strategic policy context for the area and sets the spatial context for housing, employment and economic growth to 2038. The GNLP contains site allocation policies for both housing

and employment uses, which has superseded the Norwich City Council Site Allocations Local Plan, and strategic planning policies to be used when determining planning applications, which has replaced the Joint Core Strategy. The replacement of previous higher level planning policy with the GNLP has changed the strategic policy context for Norwich, and the impacts of this on the effectiveness of the DM policies has been assessed as part of this review.

Review assessment – Development Management Policies Plan

19. The table at Appendix 1 assesses the plan's policies on an individual basis. Policies have been assessed using a 'traffic light' approach:

- Green Policy is still currently fit for DM purposes and no changes are required.
- Amber Policy is still currently fit for DM purposes, but issues may have been identified, the policy may need minor alteration, or further evidence may be required. Further review in due course is required.
- Red The policy is not fit for DM purposes and requires urgent review.

20. The review in Appendix 1 finds that two DM policies are still 'fit for purpose' in that they meet all of the requirements of the higher tier policy and legislation and are being implemented successfully. These are DM11 in relation to protecting against environmental hazards and DM30 in relation to access and highway safety.

21. A significant number of policies (29 policies) have been identified as being 'fit for purpose' but will require updates in the near future. The review has identified that some of these policies only have minor issues (such as DM5 in relation to planning effectively for flood resilience which would benefit from some restructuring to make it clearer which elements apply to major and minor developments), whereas others have more fundamental issues. An example of this is DM18 in relation to promoting and supporting centres. The policy seeks to ensure that appropriate levels of main town centre uses are retained within centres, in particular retail uses. Due to the changes in permitted development rights and the use class order (paragraph 16) much of this policy is now obsolete as in many cases planning permission is no longer required for changes of use within certain use classes. The review acknowledges that the effectiveness of DM18 is significantly reduced given that there are a reduced number of planning applications to which it can be applied. However, the policy is not considered to be wholly out of date, as there are still some development types where it can be applied in full. The policy is therefore deemed fit for purpose for decision making for now, where it can be applied. However future review is required to take account of changing circumstances and legislation.

22. The review finds that two DM policies are identified as being 'not fit for purpose' for decision making for planning applications. DM14 relates to meeting the needs of Gypsies, Travellers and Travelling Showpeople. This policy is considered to be entirely out-of-date as it refers to old evidence and sites that have now been developed. This policy has now been superseded by Policy 5 of the GNLP, which includes both up to date evidence for meeting these needs

and allocates new sites for future development in Greater Norwich. DM33 relates to planning obligations and development viability. This policy is also considered to be entirely out of date as it refers to out of date evidence. This policy has now been superseded by Policy 5 of the GNLP which includes up to date evidence and information relating to affordable housing and development viability. Categorising these policies as no longer being fit for purpose does not pose significant risk given that these policy areas are sufficiently covered by the adopted GNLP, which means there is an alternative up to date policy position to ensure these issues are considered appropriately in planning decisions.

23. It is apparent through this review that the proportion of policies being categorised as amber has significantly increased since the 2019 Regulation 10A review, and this is the first time that policies have been categorised as red. This is to be expected given that it has been 10 years since the DM policies plan was originally adopted, and five years since the last review.
24. Based on the assessment in Appendix 1, there is a case for commencing a full review of the DM policies plan within the next year, given the issues noted above. Officers consider that a review should be undertaken as soon as possible to ensure the planning policies for Norwich are up to date and are effective in shaping the city. However, it is considered appropriate for the review to commence once there is more clarity on the content of national planning policy changes. The government is currently proposing amendments to the NPPF, as well as the introduction of National Development Management Policies (NDMP), both of which have the potential to render some of the existing DM policies obsolete or out of date, as issues might be covered at a national level. In addition, officers are aware that publication of these national policy documents and other potential policy changes such as amended building regulations are likely to include new information, or new approaches, for example standards on sustainable building design. To commence the review of the DM policies plan prior to fully understanding the content of these documents could result in abortive work. The new NPPF and initial content of the NDMPs is currently anticipated to be available in early-mid 2025.

Conclusions and recommendation

25. In summary, the majority of the DM policies are considered to be fit for purpose for decision making, although a significant proportion of these have been identified as being in need of future updates to ensure they refer to the most up to date information, to reflect changing circumstances and to correct any minor inaccuracies. Two policies, DM14 and DM33 are no longer fit for purpose for decision making as they are entirely out of date, however these have been superseded by policies within the adopted GNLP.
26. This report is asking Council to endorse a full review of the DM policies local plan to commence within the next year but following the publication of any changes to the NPPF and publication of the likely content of the NDMPs. It is currently anticipated that the full review of the DMP local plan would commence in 2025.

27. It should be noted that this Regulation 10A review has outlined some areas for future policy review but is not an exhaustive list of changes. The full review of the DM policies plan will be based on information available at the time of that review and may therefore make different conclusions to those of this Regulation 10A review.

Consultation

28. This report has been presented to the relevant portfolio holder, Executive Leadership Team and Sustainable Development Panel and Cabinet prior to being reported to Council.

29. This report is being presented to full Council as it recommends a change to the use of adopted local plan policy.

Implications

Financial and resources

30. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its community-led plan "We are Norwich" and budget.

31. Review of the DM policies local plan will have financial implications for the council as all plans require periodic review. These cost implications will need to be met and considered through forthcoming budgets for the planning policy service for 2025/26 and beyond.

Legal

32. This review has been undertaken in accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Statutory considerations

Consideration	Details of any implications and proposed measures to address:
Equality and diversity	See Equality Impact Assessment in Appendix 2.
Health, social and economic impact	N/A. Any health, social and economic impacts are likely to arise as part of the full DMP plan review and will be assessed as part of that task.
Crime and disorder	N/A. Any crime and disorder impacts are likely to arise as part of the full DMP plan review and will be assessed as part of that task.
Children and adults safeguarding	N/A. Any child and adult safeguarding impacts are likely to arise as part of the full DMP plan review and will be assessed as part of that task.
Environmental impact	N/A. Any environmental impacts are likely to arise as part of the full DMP plan review and will be assessed as part of that task.

Risk management

Risk	Consequence	Controls required
Publicising that two DM policies are considered to be out of date.	That there are policy gaps relating to meeting the housing needs of Gypsies, Travellers and Travelling Showpeople, and in relation to affordable housing and development viability.	This risk is considered to be low. Although this report identifies the policies that are now out of date and cannot be used for decision making, the policy issues are already addressed in the recently adopted GNLP, which does not leave the council with any planning policy gaps in this respect.
The council fails to endorse the regulation 10A review.	The council will not meet its legal obligations under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.	The Regulation 10A review is a technical task that has been undertaken by officers within the required 5-year period. The results of the review are being reported to SD Panel, Cabinet and Council for information and endorsement. Members will have the opportunity to raise further issues of policy gaps, new policy areas etc. when the full review of the DM policies local plan takes place in 2025, therefore reducing the risk that the relevant committees will not endorse this report.

Other options considered

33. This review is required by Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012; therefore, no other options have been considered.

Reasons for the decision/recommendation

34. This report is asking Council to endorse a full review of the DM policies local plan to commence within the next year but following the publication of any changes to the NPPF and publication of the likely content of the NDMPs. It is currently anticipated that the full review of the DM policies local plan would commence in 2025, although this may be subject to change depending on the publication of national policy documents. This review is being undertaken in accordance with the council's obligations under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Background papers: N/A

Appendices:

Appendix 1: Summary table of Regulation 10A review of the Development
Management Policies Local Plan

Appendix 2: Equalities Impact Assessment

Contact officer:

Name: Charlotte Rivett

Telephone number: 01603 98422

Email address: charlotterivett@norwich.gov.uk



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Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
DM1 Achieving sustainable development	DM1 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	DM1 is considered to be consistent with the GNLP.	On the basis of the review of the other local plan policies below, DM1 is considered to be relevant and central to the implementation of the other plan policies. However, some wording changes could be made in future to improve the policy's application.	DM1 is considered fit for purpose. Future review is considered desirable.
DM2 Ensuring satisfactory living and working conditions	DM2 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	DM2 is considered to be consistent with the GNLP. DM2 goes further than the GNLP by providing additional detail on what impacts on amenity will be considered in the assessment of planning applications.	The Development Management team, who have been implementing this policy, consider it is still fit for purpose for decision-making. Some minor improvements have been suggested to update the standards and tool referred to in the policy. The council won 81% of appeal decisions which were refused on the grounds of policy DM2 between 2018/19 and 2022/23.	DM2 is considered fit for purpose. Future review is considered desirable.
DM3 Delivering high quality design	DM3 is considered to be consistent with the provisions of the NPPF and conforms with legislation. The policy can appropriately assess new elements of national policy (such as using airspace above existing buildings). DM3 does not currently make reference to the use of local design guides/codes however there is opportunity to produce these in future subject to national planning reform.	DM3 is considered to be consistent with the GNLP. GNLP policies provide additional detail and more up-to-date information, which can be implemented alongside DM3.	The council won between 67-100% appeal decision that were refused on the grounds of policy DM3 in the period 2019/20-2023/24. The Development Management team, who implement this policy, consider it is still fit for purpose for decision-making. Some parts of DM3 are only applicable to major development types. The policy could be restructured for more effective implementation. The supplementary text of the policy also refers to a number of other standards and guidance documents which are no longer in use or have been superseded.	DM3 is considered fit for purpose. Future review is considered desirable.
DM4 Providing for renewable and low carbon energy	DM4 seeks to achieve the aims of the NPPF to encourage renewable energy schemes and conforms with legislation.	DM4 is considered to be consistent with the GNLP.	According to the latest AMR 2021-2022, a small number of solar schemes have been approved in Norwich, likely because of the highly	DM4 is considered fit for purpose. Future review is considered desirable.

Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
	<p>DM4 does not contain reference to re-powering/life extension of existing facilities.</p> <p>DM4 does not currently set out the exceptions relating to onshore wind power as per the NPPF, however these have recently been removed by Policy Statement.</p>	The GNLP adds further detail including allocating sites for renewable energy schemes.	<p>urban and constrained nature of the city.</p> <p>There is the opportunity for neighbourhood plans in Norwich to support/promote community-led renewable/low-carbon energy generation.</p> <p>Development Management officers consider this policy is still fit for purpose however have suggested areas where guidance could be produced to improve implementation.</p>	
DM5 Planning effectively for flood resilience	<p>DM5 is considered to be consistent with the provisions of the NPPF and conforms with legislation.</p> <p>DM5 adds some additional detail to national policy.</p>	<p>DM5 is considered to be consistent with the GNLP.</p> <p>DM5 contains additional detail to the GNLP.</p>	<p>Since 2017/18, there have been no approvals of planning permission contrary to the advice of the EA in relation to flooding.</p> <p>Development Management officers consider this policy is fit for purpose for decision-making. However, some observations were made for improvements to the policy including restructuring between requirements for major and minor developments. DM officers consider this would improve the effectiveness and implementation of the policy.</p>	DM5 is considered fit for purpose. Future review is considered desirable.
DM6 Protecting and enhancing the natural environment	<p>DM6 is considered to be consistent with the provisions of the NPPF and adds further detail as to how proposals affecting protected sites should be considered.</p> <p>The Environment Act 2021 introduced mandatory Biodiversity Net Gain (BNG). DM6 refers to other biodiversity enhancements and improvements that still apply alongside mandatory BNG. The Act also introduced Local Nature Recovery Strategies. DM6 does not make reference to these but they remain statutory requirements.</p>	<p>DM6 is considered to be consistent with the GNLP.</p> <p>Where DM6 is silent on certain issues such as GIRAMS or Nutrient Neutrality, the GNLP covers these in sufficient detail.</p>	DM officers consider that this policy is fit for purpose for decision-making. However, the policy could be updated to make reference to the latest evidence and guidance documents, and some areas for additional guidance (such as for the provision of green infrastructure for development) have been identified.	DM6 is considered fit for purpose. Future review is considered desirable.

Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
DM7 Trees and Development	<p>DM7 only requires street trees on frontages of more than 10m whereas NPPF 12 requires trees on all new streets. Therefore, DM7 is not fully consistent with the NPPF.</p> <p>However, DM7 provides additional detail to the NPPF such as including extra details for tree proposals in TPO/Conservation Areas.</p> <p>DM7 currently does not make reference to BNG and LNRS, as introduced by the Environment Act 2021, and the role this has in tree-planting, however these remain statutory requirements.</p>	<p>DM7 is considered to be consistent with the GNLP.</p> <p>DM7 contains additional detail to the GNLP.</p>	<p>Development Management officers consider DM7 is largely fit for purpose however areas for improvement have been identified including: further detail on how replacement biomass should be calculated and guidance on overcoming challenging to getting street tree adopted as part of the highway.</p> <p>DM7 could also be updated to refer to the latest evidence/guidance.</p>	DM7 is considered fit for purpose. Future review is considered desirable.
DM8 Planning effectively for open space and recreation	<p>Part of DM8 applies slightly stricter requirements than NPPF8 in relation to the protection of open space.</p> <p>DM8 also provides additional detail over and above the NPPF.</p>	<p>DM8 includes references to out-of-date evidence documents, however this is now covered/updated by the GNLP.</p> <p>The GNLP also contains more detail on GIRAMS and the provision of new open space. Work has commenced on producing a new SANGs implementation note.</p>	<p>In each monitoring period since 2017/18 there has been a recorded loss of designated open space, however in the majority of cases the loss was deemed acceptable as they met the criteria in DM8 for replacement provision.</p> <p>DM officers who implement this policy consider that it is still fit for purpose for decision-making and contains useful criteria not covered by national or GNLP policy, however it could be updated to address the issue of calculating commuted sums for GI contributions. This will be covered by a new SANGs implementation note being produced as part of the GNLP.</p>	DM8 is considered fit for purpose. Future review is considered desirable.
DM9 Safeguarding Norwich's heritage	<p>DM9 is considered to be largely consistent with the NPPF, other than some small factual inaccuracies as a result of national policy updates.</p> <p>Both the NPPF, PPG and LURA include references to the need to maintain historic environment records and information on non-designated heritage assets. The council does not currently keep a list of non-designated heritage assets,</p>	<p>DM9 is considered to be consistent with the GNLP.</p>	<p>DM officers who implement this policy consider it is fit for purpose for decision-making, however the structure of the policy could be revised to make it more concise and easier to use. Officers consider that the policy could include further clarification around how to treat non-designated heritage assets in decision-making. The policy could also be updated to include reference to new policy areas such as</p>	DM9 is considered fit for purpose. Future review is considered desirable.

Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
	<p>but DM9 includes a section relating to “other heritage assets” for decision-making.</p> <p>DM9 does not currently make reference to the use of local design guides/codes however there is opportunity to produce these in future subject to national planning reform.</p>		environmental retrofitting in historic buildings.	
DM10 Supporting the delivery of communications infrastructure	DM10 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	GNLP policy adds more detail in relation to communications infrastructure than DM10. The policy includes requiring certain development types to provide fibre to the premises and high connection speeds.	<p>The council won 100% of appeals</p> <p>DM officers who implement this policy consider it is fit for purpose for decision-making. Some improvements could be made by including definitions for some of the more subjective terminology and better cross-referencing with design policies.</p>	DM10 is considered fit for purpose. Future review is considered desirable.
DM11 Protecting against environmental hazards	DM11 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	DM11 is considered to be consistent with the GNLP.	<p>Monitoring data identifies a reduction in air pollutants measured since 2018.</p> <p>DM officers who implement this policy consider it is fit for purpose for decision-making.</p>	No changes required to DM11.
DM12 Ensuring well-planned housing development	<p>DM12 is considered to be inconsistent with parts of the NPPF, such as setting out latest housing need and amount and tenure of affordable housing. However, these elements are now covered by the GNLP.</p> <p>The remainder of DM12 is considered to be consistent with the NPPF and conforms with legislation.</p>	DM12 is considered to be out-of-date with regard to references to the JCS, housing need, accessible homes standards and the affordable housing policy. However, the GNLP now provides the up-to-date policy position in relation to these issues.	DM officers who implement this policy consider it is fit for purpose for decision-making. However, the policy could be updated to include reference new accommodation types.	DM12 is considered fit for purpose. Future review is considered desirable.
DM13 Communal development and multiple occupation	<p>NPPF11 is more lenient than DM13 in determining the circumstances in which alternative uses can be considered.</p> <p>The remainder of DM13 is considered to be consistent with the NPPF and conform with legislation.</p>	<p>GNLP policy 5 provides a more up-to-date position in relation to residential institutions and refers to new and additional standards compared with DM13.</p> <p>However, DM13 includes other criteria that are still useful for decision-making.</p>	DM officers who implement this policy consider it is fit for purpose for decision-making. However, they consider it would be improved by expanding sections on new types of accommodation (such as student accommodation, shared living, etc) which have become more popular since the last review.	DM13 is considered fit for purpose. Future review is considered desirable.

Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
DM14 Meeting the needs of Gypsies, travellers and travelling showpeople	DM14 is not considered to be contrary to the NPPF or legislation; however, the evidence behind the policy is considered out-of-date.	DM14 has been superseded by GNLP Policy 5 which is more up-to-date both in policy wording and the supporting evidence. DM14 does include additional criteria to consider the character and amenity of the surrounding area when deciding applications. However, these considerations would also be covered by content in policies DM3 and DM9.	DM14 contains references to the need to develop sites on Hooper Lane and Swanton Road which have now been built out.	DM14 is considered entirely out-of-date, has been superseded by the GNLP and should not be used for decision-making.
DM15 Safeguarding the City's housing stock	DM15 is considered to be consistent with the provision of the NPPF and conforms with legislation. DM15 goes further than national policy in setting out criteria that must be complied with in order for housing loss to be considered acceptable.	DM15 is considered to be consistent with the GNLP.	Since 2015/16, only one dwelling has been lost to other uses. There have been no appeals submitted contested a refusal against DM15 which indicates there isn't a prominent issue with housing loss in Norwich. DM officers indicated that this policy is rarely used, and that higher level policy is sufficient for decision-making purposes.	DM15 is considered fit for purpose. Future review is considered desirable.
DM16 Supporting the needs of business	DM16 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	DM16 is considered to be consistent with the GNLP.	There has been an increasing trend over the years of more employment uses being located outside of designated employment areas. In addition, changes to permitted development rights means the council has less control over changes of use which reduces the effectiveness of DM16. DM officers consider the policy is fit for purpose for decision-making, where planning permission is still required.	DM16 is considered fit for purpose. Future review is considered desirable.
DM17 Supporting small business	The policy is considered to be consistent with the provisions of the NPPF and legislation.	DM17 is considered to be consistent with the GNLP.	There has been an increasing trend over the years of more employment uses being located outside of designated employment areas. In addition, changes to permitted development rights means the council has less control over changes of use which reduces the effectiveness of DM17.	DM17 is considered fit for purpose. Future review is considered desirable.

Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
			DM officers who implement this policy consider it is fit for purpose for decision-making, where planning permission is required.	
DM18 Promoting and supporting centres	<p>The NPPF no longer requires local plans to define primary and secondary retail frontages, which have been specified in DM18 and supporting Retail and Town Centre SPD.</p> <p>Changes to permitted development rights have also significantly reduced the effectiveness of this policy in decision-making.</p>	<p>Some parts of DM18 have been superseded by the GNLP, such as the new network and hierarchy of centres.</p> <p>However, the remainder of DM18 is considered to be consistent with the GNLP.</p>	<p>Monitoring of the retail sector in Norwich over the last 5 years has shown a trend towards defined centres diversifying to include other types of uses including food and drink, and leisure uses to maintain and improve the vitality and viability of those areas.</p> <p>DM officers who implement this policy consider the policy is fit for purpose for decision-making, where planning permission is required, however acknowledge the policy could be amended to implement a more flexible approach.</p>	DM18 is considered fit for purpose. Future review is considered desirable.
DM19 Encouraging and promoting major office growth	<p>The NPPF no longer requires an impact assessment for office development outside of defined centres, which is specified in DM19.</p> <p>Changes to the use class order and permitted development rights have significantly reduced the effectiveness of DM19 for decision-making. However, the criteria can still be applied where planning permission is required.</p>	<p>Parts of DM19 are now superseded by Policy 7.1 of the GNLP.</p> <p>However, the remainder of DM19 is considered to be consistent with or add further detail to the GNLP</p>	<p>The office development priority area is largely out-of-date. This, combined with the new Article 4 Direction, means that the council's approach to office development has had to change to respond to circumstances and is now no longer fully in line with DM19.</p> <p>Some parts of DM19 are still fit for purpose for decision-making, where planning permission is required. However, the effectiveness is significantly reduced.</p>	DM19 is considered fit for purpose. Future review is considered desirable.
DM20 Promoting and supporting city centre shopping	<p>The NPPF allows greater flexibility on the types of uses that can be located in defined centres compared with DM20.</p> <p>This is further complicated by the changes to use classes and associated PD rights, which have severely inhibited the ability of DM20 to be implemented effectively.</p> <p>The remaining parts of DM20 are considered to be in accordance with</p>	<p>DM20 is largely in accordance with the GNLP, although the GNLP is in line with the more flexible approach of the NPPF to type of uses that can be located in centres.</p>	<p>There were no appeals of refusals on the grounds of DM20 in the last 5 years.</p> <p>DM officers who implement this policy consider that the policy is still fit for purpose, where planning permission is required. However the effectiveness of the policy is reduced due to changes to permitted development rights, and some information is out of date.</p>	DM20 is considered fit for purpose. Future review is considered desirable.

Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
	the NPPF and conform with legislation.			
DM21 Protecting and supporting district and local shopping centres	<p>The NPPF allows greater flexibility on the types of uses that can be located in defined centres compared with DM21.</p> <p>This is further complicated by the changes to use classes and associated permitted development rights, which have severely inhibited the ability of DM21 to be implemented effectively</p> <p>DM21 also sets out retail frontage thresholds in the policy and retail frontages SPD, which are not considered to be in conformity with the NPPF.</p>	DM21 is largely in accordance with the GNLP, although the GNLP is in line with the more flexible approach of the NPPF to type of uses that can be located in centres.	<p>There were no appeals of refusals on the grounds of DM21 in the last 5 years.</p> <p>Some parts of DM21 are still fit for purpose for decision making where planning permission is required, however the effectiveness of the policy is significantly reduced and some information is out of date.</p>	DM21 is considered fit for purpose. Future review is considered desirable.
DM22 Planning for and safeguarding community facilities	<p>DM22 is largely considered to be consistent with the provision of the NPPF.</p> <p>However, some elements are affected by changes to the use classes order, and it may no longer be possible to protect certain types of community facilities.</p>	<p>DM22 is considered to be consistent with the GNLP.</p> <p>The policy does not reflect the introduction of GIRAMS, and does not contain any information about where this open space will be needed. The GNLP however does reflect this.</p>	<p>DM officers who implement this policy consider it is largely fit for purpose for decision making, where permission is required.</p> <p>However, there are some elements that require updating such as lists of protected facilities and taking account of any changes of use that have occurred since the plan was adopted.</p>	DM22 is considered fit for purpose. Future review is considered desirable.
DM23 Supporting and managing the evening and late-night economy	<p>DM23 is considered to be inconsistent with the provisions of the NPPF and legislation, largely due to changes to use classes and permitted development rights, which means it is very difficult to control the location of evening and late night uses if they do not require planning permission.</p> <p>However, DM23 is still required for decision-making, where planning permission is required.</p>	<p>The GNLP reflects a more up-to-date position on leisure uses and supersedes some elements of DM23.</p> <p>The remainder of DM23 is considered to be consistent with or adds further detail to the GNLP.</p>	DM officers who implement this policy consider that there are elements still fit for purpose for decision making, where permission is required. However, there are also elements that are no longer relevant or have been overtaken by events (such as the late night activity zone) which require future review.	DM23 is considered fit for purpose. Future review is considered desirable.
DM24 Managing the impacts of hot food takeaways	DM24 is consistent with the provisions of the NPPF and conforms with legislation.	DM24 is considered to be consistent with the GNLP, and includes additional detail with respect to the	DM24 is still considered fit for purpose for decision making.	DM24 is considered fit for purpose. Future review is considered desirable.

Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
		amenity and environmental protection issues to be considered.	However, DM officers who implement this policy acknowledge that less weight may need to be given to elements of the policy that refer to DM20 and DM21, as these can no longer been effectively implemented as a result of use class and permitted development rights changes.	
DM25 Retail warehousing	DM25 is considered to be consistent with the provisions of the NPPF. However, changes to use classes and permitted development rights mean that where planning permission is not required, the council has no control over the type of goods that can be sold at retail warehouse locations.	DM25 is considered to be consistent with the GNLP.	DM25 is considered fit for purpose for decision making, where planning permission is required.	DM25 is considered fit for purpose. Future review is considered desirable.
DM26 Supporting development at the University of East Anglia (UEA)	DM26 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	DM26 is considered to be consistent with the GNLP.	DM26 is considered fit for purpose for decision making. However, it is noted that some of the background and evidence documents referred to are now out of date and could be updated as part of a future review.	DM26 is considered fit for purpose. Future review is considered desirable.
DM27 Development at Norwich Airport	DM27 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	DM27 is considered to be consistent with the GNLP.	DM27 is considered fit for purpose for decision making. However, it is noted that some of the background and evidence documents referred to are now out of date and could be updated as part of a future review.	DM27 is considered fit for purpose. Future review is considered desirable.
DM28 Encouraging sustainable travel	DM28 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	The overall aims of DM28 are in conformity with the GNLP, but the evidence and associated strategies referred to are out-of-date and need updating.	DM officers who implement this policy have outlined it is fit for purpose for decision making. However, several areas for improvement have been identified including: condensing policy wording between policies to prevent repetition, updating use classes in the appendices and adding in parking standards for more prominent accommodation types, such as large HMOs.	DM28 is considered fit for purpose. Future review is considered desirable.

Policy	Conformity with national policy and legislation	Conformity with the GNLP	Evidence and change to local circumstance	Recommendation
DM29 Managing car parking demand in the city centre	DM29 is considered to be consistent with the provisions of the NPPF and legislation.	DM29 is considered to be consistent with the GNLP.	The policy is considered fit for purpose but would benefit from review in future to refer to updated evidence and a review of parking areas/boundaries in the city centre.	DM28 is considered fit for purpose. Future review is considered desirable.
DM30 Access and highway safety	DM30 is considered to be consistent with the provisions of the NPPF and legislation.	DM30 is considered to be consistent with the GNLP.	<p>The policy is considered fit for purpose for decision making.</p> <p>However, as part of future review, further clarity around the intentions of the Highway Authority relating to parking zones and traffic regulation orders could be included.</p>	No changes required to DM30.
DM31 Car parking and servicing	DM31 is considered to be consistent with the provisions of the NPPF and conforms with legislation.	DM31 is considered to be consistent with the GNLP, however the GNLP includes some additional and more up to date information, such as standards for EV charging.	<p>DM officers who implement this policy consider it is fit for purpose for decision making.</p> <p>DM31 is functioning well, as the City Council has won 100% of appeal decisions that were refused on the grounds of this policy.</p> <p>However, it is evident that there are gaps regarding technological advancements such as relating to EV charging. In addition, the policy and appendix would benefit from review to refer to changing demand for different parking standards.</p>	DM31 is considered fit for purpose. Future review is considered desirable.
DM32 Encouraging car free and low car housing	DM32 is considered to be consistent with the provisions of the GNLP and conforms with legislation.	DM32 is considered to be consistent with the GNLP.	<p>DM32 is considered fit for purpose for decision making.</p> <p>However, the policy would benefit from review to reflect the latest situation regarding car club operations, and also to reflect the aspirations for travel hubs around the city.</p>	DM32 is considered fit for purpose. Future review is considered desirable.
DM33 Planning obligations and development viability	DM33 is not considered to be contrary to the NPPF or legislation; however, the evidence behind the policy is considered out-of-date.	DM33 has been superseded by GNLP Policy 5, which contains all affordable housing information and the new viability evidence.	DM33 is out-of-date and rarely used.	DM33 is considered entirely out-of-date, has been superseded by the GNLP and should not be used for decision-making.

Equality Impact Assessment

What is being assessed	Regulation 10A Review of the Development Management Policies Local Plan	Status	First assessment of statutory function
Officer completing	Charlotte Rivett	Role	Planner (policy)
Team	Planning Policy	Directorate	Planning and Regulatory Services
Senior leadership team sponsor	Sarah Ashurst	Role	Head of Planning and Regulatory Services

What are the main aims or purpose of the policy, practice, service or function? *(include links to project briefs, cabinet reports etc)*

The regulation 10A review is required to be undertaken every five years in accordance with the Town and Country Planning (Local Planning) (England) regulations 2012. Its purpose is to ensure that local plans are kept up to date and are responding to changing local needs and circumstances.

The review assesses each of the Development Management policies to ensure they are in line with higher level policy and legislation and can still be implemented effectively locally. The review recommends that the Development Management Policies plan is reviewed in 2025 following further information from the government in relation to national planning reform.

How does it fit with other services and policies, and how does it support our [corporate objectives](#) and [City Vision](#)?

The regulation 10A review supports the council in its delivery of the following priorities and aims, as outlined in our [Community-Led Plan](#):

- “An open and modern council” - specifically the aim to be a “data and insight driven, and people focused council”
- “A prosperous Norwich” - specifically the aim to ensure “Norwich is a great place to live, work, learn and visit”,
- “A fairer Norwich” - specifically the aim to be ensure “good quality homes for all”,
- “A climate responsive Norwich” - specifically the aim to “grow our capacity to adapt to climate change”
- “A future-proof Norwich” - specifically the aim to be “a city ready for change”.

What is the reason for the proposal or change (financial, legal etc)?

The Regulation 10A review is required to be undertaken every five years in accordance with the Town and Country Planning (Local Planning) (England) regulations 2012.

Equality Impact Assessment

Who implements, carries out or delivers the policy, practice, service or function?

The planning policy team carries out the research, writing and monitoring of the development management policies.

The development management planning team implement the policies through decision making for planning applications.

The planning policy team is responsible for carrying out the regulation 10A review, in consultation with the development management team.

What outcomes do we want to achieve, why and for who?

A completed regulation 10A review in accordance with legal obligation.

Planning policies that are still fit for purpose so that they can be used effectively in decision making on planning applications and effectively shape the city.

Will anyone be disproportionately affected by the programme, and/or will it create any benefits?

The regulation 10A review is a review of all the development management policies which apply equally to all areas of Norwich – therefore the majority of the review is not considered to disproportionately affect anyone.

However, one of the policies that has been deemed “unfit for purpose” pertains to Gypsies, Travellers and Travelling Showpeople and another pertains to the provision of affordable housing which could affect low-income households. The impacts on these communities have been assessed below. These are Development Management Policies (DM) 14 and 33.

If yes, complete the relevant sections below for any benefits and adverse impacts identified.

Affected group	Key findings from analysis of data and evidence. Identify any gaps in data here	Level & type of impact: low/medium/high, positive/adverse	Justifiable if adverse	Actions to mitigate impacts, maximise benefits or address identified gaps in data	By when
Age	N/A	No impact identified	N/A	N/A	N/A
Disability	N/A	No impact identified	N/A	N/A	N/A
Gender reassignment	N/A	No impact identified	N/A	N/A	N/A

Equality Impact Assessment

Marriage and civil partnership	N/A	No impact identified	N/A	N/A	N/A
Pregnancy and maternity	N/A	No impact identified	N/A	N/A	N/A
Race/ethnicity	Meeting the housing needs of different groups within our community is a requirement of the National Planning Policy Framework. As part of the preparation of the Greater Norwich Local Plan (GNLP), a Gypsy and Traveller Accommodation Assessment (and previous caravans and houseboats study) were undertaken which identified the need for this accommodation type over the plan period. Policy 5 of the plan was written on the basis of this evidence to meet this need.	Low/no impact – likely positive on balance	N/A	DM14 is considered out of date, which could represent a policy gap in relation to meeting the needs of these community groups. However, the adopted GNLP contains Policy 5 which includes an up-to-date policy position, and background evidence, which is already in use to determine relevant planning applications. This negates the risk of having a policy gap pertaining to meeting the particular housing needs of these communities.	Mitigation already in place as GNLP was adopted early 2024.
Religion and belief	N/A	No impact identified	N/A	N/A	N/A
Sex/gender	N/A	No impact identified	N/A	N/A	N/A
Sexual orientation	N/A	No impact identified	N/A	N/A	N/A
Other groups	Meeting the housing needs of different groups of the community is a requirement of the National Planning Policy Framework. As part of the	Low/no impact – likely positive on balance	N/A	DM33 is considered to be out of date which could represent a policy gap in relation to meeting affordable housing need, as well as development viability. However,	Mitigation already in place as GNLP was adopted

Equality Impact Assessment

	preparation of the Greater Norwich Local Plan, a Housing Needs Assessment was undertaken which identifies the affordable housing need for Greater Norwich over the plan's period. Policy 5 of the plan was written on the basis of this evidence to meet this need.			the adopted GNLP contains Policy 5 which includes an up-to-date policy position, and background evidence, which is already in use to determine relevant planning applications. This negates the risk of having a policy gap pertaining to meeting the particular housing needs of these communities.	early 2024.
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What evidence and data has been used for this assessment, including community engagement and consultation?

https://www.gnlp.org.uk/sites/gnlp/files/2021-10/reg.18_norfolk_final_ana_.pdf - a report to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople, be used as an evidence base for policy development in housing and planning and to inform the allocation of resources.

<https://www.gnlp.org.uk/sites/gnlp/files/2023-05/Greater%20Norwich%20GTAA%20Final%20Report%20June%202022.pdf> - an updated evidence report assessing the accommodation needs for Gypsies and Travellers, and Travelling Showpeople and is an evidence base for policy development in housing and planning and that supersedes previous evidence documents.

<https://www.gnlp.org.uk/sites/gnlp/files/2021-11/B22.3%20Greater%20Norwich%20LHNA.pdf> - An evidence report to understand more about the nature and make-up of current and future housing needs across Greater Norwich through all stages of life including affordable and market housing of different tenure types.

How has the equality impact assessment informed or changed the proposal?

At this stage, the EqIA has not changed the proposal, however, it has identified that there are a number of issues that will need revisiting when the full review of the Development Management Policies local plan takes places in 2025. These issues include the need to consult all sections of the community to ensure any future planning policies meet everyone's needs.

What actions have been identified going forward?

Revisit this EqIA as part of the full review of the Development Management Policies local plan. Any impacts identified at the early stages of the full review should influence the whole review process and be considered in the redrafting of policies.

Equality Impact Assessment

How will the impact of your proposal and actions be measured moving forward?

As part of the future full review of the Development Management Policies local plan, various stages of engagement will be required such as focused workshops and general public consultation. This will include representation of the affected parts of the community outlined above, as well as wider sections of the community. Any views/representations submitted as part of the consultation will need to be taken into account to inform the final versions of any redrafted policies.

Officer completing assessment	Charlotte Rivett, Planner (Policy)	Date	23/10/2024
Senior leadership team sponsor	Emily Yule, Executive director of Resources	Date	03/11/2024
Equality lead (strategy team)	Emma Smith, Senior strategy officer	Date	04/11/2024