

# PLANNING POLICY & BUILT HERITAGE WORKING PARTY

Minutes of the meeting of the Planning Policy & Built Heritage Working Party held on Monday, 9 October 2023 at the Council Chamber - Council Offices at 10.00 am

## Committee

### Members Present:

Cllr A Brown (Chairman)	Cllr M Batey
Cllr N Dixon	Cllr P Fisher
Cllr P Heinrich	Cllr V Holliday
Cllr L Paterson	Cllr J Punchard
Cllr J Toyne	Cllr A Varley

### Officers in Attendance:

Assistant Director for Planning (ADP)  
Planning Policy Manager (PPM)  
Planning Monitoring Officer  
Democratic Services Manager  
Democratic Services Officer - Regulatory

## 36 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr G Bull and Cllr M Hankins.

## 37 PUBLIC QUESTIONS

None received.

## 38 MINUTES

The minutes of the Planning Policy & Built Heritage Working Party held on 11<sup>th</sup> September were approved as correct record subject to a minor amendment to minute 34 to include the word 'amendment' after 'NNDC would not be' and before 'having submitted...'

## 39 ITEMS OF URGENT BUSINESS

None.

## 40 DECLARATIONS OF INTEREST

None.

## 41 BLAKENEY NEIGHBOURHOOD PLAN

- i. The PPM introduced the officer's report and outlined the stages the Blakeney Neighbourhood Plan had progressed through. He advised that there were two policy areas of interest: principal residence restriction, and affordable housing requirements.

The principal residence restriction, the first of its kind in the district, applied to new dwellings. This restriction ensured that new dwellings built would have the restriction applied to the planning permission, thereby preventing the

dwelling from being built and used as a second home. The affordable housing requirement introduced a provision that affordable housing be made available solely to people with a local connection. A local connection being defined as people who live in the village or one of the adjacent parishes.

The PPM advised that, by contrast, North Norfolk District Council on rural exceptions development applied the local lettings restrictions. On allocated sites the affordable housing delivered was made available for general lettings. The general lettings principal was important given affordable housing was not built out in every community, and it may otherwise be restrictive to those on the housing waiting list.

Further, the PPM considered that the local housing restriction applied to Blakeney would not be suitable for bigger communities where lots of affordable housing was to be provided.

- ii. The Chairman noted the Neighbourhood Plan's tight timeline for adoption and acknowledged the upcoming Wells-next-the-sea Neighbourhood Plan. He asked if the Wells Neighbourhood Plan may include features of the Blakeney Plan.
- iii. The PPM advised he was aware that the Blakeney Plan would be looked at by other rural coastal communities, particularly the principal residence restriction being used to limit second homes. The restriction would not apply to those properties already in use as a second homes, or those properties already in situ from becoming second homes. The PPM advised the Council had considered this restriction in its Local Plan preparation's but decided it would not be an effective mechanism for limiting second homes as it would have a limited scope.
- iv. Cllr J Toye asked that Development Committee reports make clear when an application may be subject to restrictions of a Neighbourhood Plan.
- v. The PPM confirmed details of the Neighbourhood Plan policy context would be provided, along with efforts to resolve policy conflict, and weight to be attributed to such policies. Neighbourhood Plans were expected to align with Local Plans; therefore, the areas of differences were considered to be marginal.
- vi. The Local Member – Cllr V Holliday – acknowledged the tremendous community support for the Plan with 90% of voters supporting its adoption. She noted that 100% of the local population was for affordable housing for local people specifically, and 78% agreed with limiting second homes. There was further strong sentiment for the infill policy, dark skies, and others.
- vii. Cllr N Dixon noted the restrictions identified with interest and acknowledged that the Council would want to monitor the effectiveness of those policies. He commented that the outcome of the monitoring may be of benefit to members when considering and deciding on its own policies. He concluded that there should be no impediment to the making of the Neighbourhood Plan and so proposed acceptance of the officer's recommendation.
- viii. Cllr J Toye seconded the officer's recommendation.

**UNANIMOUSLY RESOLVED** by 10 votes for.

**1. Members of the Planning Policy & Built Heritage Working Party recommend to Cabinet that having been subject to successful local referendum;**

**a. The Blakeney Neighbourhood Plan be made (brought into force) as part of the statutory Development Plan for North Norfolk in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) as soon as practical and within the 8 week statutory time frame;**

**b. The issuing of the Decision Statement required under Regulation 19 of the Neighbourhood Planning (General)**

**Regulations 2012 (as amended) in order to bring to the attention of the qualifying body, the people who live, work and or carry out business in the Neighbourhood Plan Area is delegated to the Assistant Director of Planning in conjunction with the Planning Policy Team Leader;**

**2. Acknowledge that the required consequential amendments to the adopted policies map and the required minor consequential changes to the referendum version of the neighbourhood plan through delegated powers to the Planning Policy Team Leader.**

## **42 PUBLICATION OF ANNUAL MONITORING REPORT 2022**

- i. The PPM introduced the officer's report and presentation for the Annual Monitoring report (AMR), included on the agenda. He outlined the purpose of the AMR and highlighted key figures and indicators detailed in the report with relation to housing.

Notably, the Council's target of 400 dwellings being granted in the district per year had not been met, with 175 dwellings granted either Full or Outline permission between 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023. The PPM stated this was an incredibly low figure which could be attributed to the impact of Nutrient Neutrality, and the age of the current Local Plan. Those larger sites in the Local Plan had been granted permission and built out, leading to a reliance on small developments, Barn Conversions and Change of Use. The Council's target of 100 affordable homes per annum had also been impacted, with only 24 granted permission in the outlined period. The PPM expected that permissions granted would remain low for the next 2 years till issues were resolved and advised that this would have an impact on the Council's 5-year Housing Land supply (HLS)

- ii. Cllr L Paterson asked if the Council were at risk of a predatory application by consequence of its 5-year HLS position.
- iii. The PPM advised without a 5-year HLS the Council would need to apply the presumption in favour of sustainable development. In turn, developers and landowners may choose to make applications on unallocated development sites. In this situation the Council in its determinations must decide if an application were nevertheless sustainable.

- iv. The ADP advised that over 140 applications were in abeyance due to Nutrient Neutrality in the district. This issue did not apply to the whole district and there were many areas of the district which remained unaffected.
- v. Cllr J Toye asked if the number of applications had declined.
- vi. The PPM advised there had been a decrease in applications, in part because developers were put off by the costs associated in preparing and making applications whilst Nutrient Neutrality was stymieing development.
- vii. The ADP confirmed that bio-diversity net gain changes had now been timetabled by central government. He noted that some may seek to submit applications before the implementation date.
- viii. Cllr P Heinrich acknowledged the difficult situation the Council was in and expressed his concern that that lack of 5-year HLS would lead to predatory applications. He asked if/when the Nutrient Neutrality situation may be resolved.
- ix. The ADP outlined various means in which Nutrient Neutrality may be resolved including by government resolution, resolution by individual developers, development of a credit scheme, or focusing of development outside of affected areas. He acknowledged the challenges with each method.
- x. Cllr N Dixon recognised the lack of the 5-year HLS and the impact of Nutrient Neutrality. He stated that the Council had endeavoured to do all that it could within its powers, but that Nutrient Neutrality was outside of its control. Cllr N Dixon asked how a Planning Inspector may consider developments and the tests it may apply.
- xi. The PPM confirmed that the Council wrote to government when Nutrient Neutrality guidance was issued, stating that should the government stand with the plan lead system they should then disapply the presumption in favour of sustainable development for those authorities impacted by Nutrient Neutrality. The PPM advised he was not aware that any reply had been received. He confirmed that it was a matter for members to form their determination on the merits of each specific application, and whether to depart from guidance where circumstances are such that a development is unsuitable. The PPM advised there would be risks associated with refusing developments whilst the Council could not demonstrate a 5-year HSL and cautioned that detailed advise should be received before forming decisions. Members in their considerations may choose to attribute weight to the emerging Local Plan if it was considered that it may be swiftly adopted.
- xii. The ADP confirmed that the Council held a strong record at appeal. Recently appellants for smaller developments had argued the Council could not demonstrate a 5-year HLS, however this had not persuaded the Planning Inspectorate, given that 1 or 2 sites would not close the housing gap. The ADP advised that there would be several larger applications expected before Development Committee in the coming months, which may be more challenging.
- xiii. Cllr N Dixon thanked officers for their advice and affirmed that he did not

consider this a black or white matter.

- xiv. The Chairman spoke positively of the Council's Core Strategy, emerging Local Plan, appeal record, and competency of Members at Development Committee.
- xv. The PPM confirmed the Council's appeal record had been good in the unselected settlements, representing unsustainable growth. He considered there to be a clear distinction between development of 50 houses in the countryside on the edge of village, on the edge of a town, or on a site allocated in the emerging Local Plan. Such circumstances should inform decision making.

With respect of completions the PPM advised these were also below target, with further falls expected in coming years. Permissions granted traditionally ran higher than completions, with a time lag from consent being granted to a development being built out.

The PPM outlined the housing trajectory moving forward and the expectation of housing supply with the emerging Local Plan. He further confirmed the housing supply situation should the emerging Local Plan not be adopted and reiterated the importance of the Local Plan.

The PPM offered a breakdown of bedroom mix on housing completions.

- xvi. Cllr P Heinrich asked if mapping was available where the 4 & 5-bedroom properties were located in the district.
- xvii. The PPM advised the data was available and could be broken down by parish, he advised he would be happy to take Cllr P Heinrich's request away and circulate this information in due course.

The PPM noted the proportion of growth, with the majority of development centred on larger settlements. It was his expectation that in future 500 dwellings would be required per year.

- xviii. Cllr J Punchard stated it would be useful for a breakdown of windfall development and where these could be attributed.
- xix. The PPM confirmed that the total figure provided in the presentation was for selected sites and windfall allowances. He advised he could separate out the figures if this was of interest.

With respect of population, the PPM affirmed that the district had an elderly and aging population, hence policies detailed in the emerging Local Plan for specialist age type accommodation. He confirmed that North Norfolk was amongst the highest proportion of elderly people compared against the rest of the UK.

The ratio of income to house prices had continued to rapidly rise in the district, with homes on average 11.44 x the average income for a starter home, in part, because wages had remained steady whilst house prices had increased and accelerated during the pandemic. He noted that earnings had increased in the last few months and reports of house prices starting to fall. Regardless, he commented that houses prices in North Norfolk would likely

continue to remain unaffordable.

- xx. Cllr N Dixon asked how the 11.44 figure compared with other areas.
- xxi. The PPM advised the figure was above average nationally, though not near the top.

The PPM outlined the full scope of the AMR and confirmed it would be published shortly.

- xxii. Cllr J Toye expressed his thanks to officers for their work.
- xxiii. The Chairman echoed his thanks for the tremendous amount of work undertaken.

**Members noted the officer's report.**

#### **43 ANY OTHER BUSINESS**

- i. The PPM issued a correction regarding his statement for the Blakeney Neighbourhood Plan on local lettings restrictions on allocated sites. He advised the local lettings restrictions would apply to all affordable housing delivered in the village other than that proposed on the allocation in the Local Plan.
- ii. The ADP updated members on the Glaven Valley Conservation Area Appraisal (GLVAA).
- iii. Cllr V Holliday noted that there had been some push back with the timetable for the GVCAA in that it would not align with parish meetings.
- iv. The ADP encouraged Parish Councils and relevant parties to contact the Council should there be any particular challenges with the timeline.

#### **44 EXCLUSION OF PRESS AND PUBLIC**

None.

The meeting ended at 11.13 am.

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Chairman