

14 OCTOBER 2019

Minutes of a meeting of the **PLANNING POLICY & BUILT HERITAGE WORKING PARTY** held in the Council Chamber, Council Offices, Holt Road, Cromer at 10.00 am when there were present:

Councillors

Mr A Brown (Chairman)
Mrs P Grove-Jones (Vice-Chairman)

Mr T Adams
Mr N Dixon
Mr P Fisher

Ms V Gay
Mr P Heinrich
Mr J Punchard

Observers:

Mrs A Fitch-Tillett
Mrs W Fredericks

Officers

Mr M Ashwell – Planning Policy Manager
Mrs E Denny – Democratic Services Manager
Miss L Yarham – Democratic Services & Governance Officer

18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mr D Baker, Mr N Pearce and Dr C Stockton.

19 PUBLIC QUESTIONS

None.

20 MINUTES

The Minutes of a meeting of the Working Party held on 19 August 2019 were approved as a correct record and signed by the Chairman.

21 ITEMS OF URGENT BUSINESS

The Planning Policy Manager stated that an issue had arisen relating to the establishment of a delivery group for the North Walsham Development Brief which needed further discussion.

22 DECLARATIONS OF INTEREST

None.

23 UPDATE ON MATTERS FROM THE PREVIOUS MEETING

Minute 16 – Norfolk Strategic Planning Framework

The Chairman reported that the proposed modification to Agreement 10 which would allow North Norfolk to depart from the National Standard Methodology when assessing local housing need had been accepted by the Duty to Co-operate Member Forum and would become part of the Norfolk Strategic Planning Framework policy.

24 FIVE YEAR LAND SUPPLY STATEMENT 2019

The Planning Policy Manager presented a report which set out a case for the publication of the Council's Statement of Five Year Land Supply for 2019-2024 calculated on 2016 household projections on the basis of 'exceptional circumstances' instead of using the 2014 figures required by the Government, following the receipt of specialist advice in respect of local housing needs for North Norfolk.

The Planning Policy Manager explained how the Five Year Land Supply was calculated. Using the 2014 household projections, North Norfolk could demonstrate a 4.5 year land supply, based on an annual requirement for 581 dwellings. However, the consultants' view was that the 2014 figures were sufficiently flawed that they should not be relied upon. The Planning Policy Manager referred to an appeal case at Sculthorpe at which the Inspector had ruled that on the balance of evidence presented by this Authority, the 2014 forecasts were an unreliable starting point for calculating need in the District. He also referred to a case in Central Bedfordshire which was currently subject to a High Court challenge. He explained that the 2016 household projections had produced a significantly slower growth rate than the 2014 projections. Applying the standard methodology to the 2016 projections resulted in an annual requirement of 479 dwellings which meant that the Council could demonstrate a 5.5 year land supply. This stance was likely to be challenged through the planning process and it would be for Planning Inspectors to decide if the Council's argument was robust. He recommended the publication of the Five Year Land Supply Statement on that basis.

The Chairman stated that he was astonished that the Government had taken the position that the 2016 statistics could not be used when they took more account of foreseeable population movement. He asked if the Planning Policy Manager knew the reason for the Government's stance.

The Planning Policy Manager explained that household forecasts were produced every two years and were trend based taking account of the historic situation. The Census, conducted every 10 years, provided a sense check. In North Norfolk, the Census figures indicated much slower growth in North Norfolk than earlier projections had suggested. The Government was not challenging the 2016 figures and acknowledged that they were robust; however the Government had said that they should not be used as they did not deliver its policy target of 300,000 homes per year. The 2018 forecasts were due to be published shortly and there was a high probability that they would also show lower growth requirements. The Government was reviewing its methodology and whilst it was possible that there would be a change in methodology which resulted in different patterns of growth, it was unlikely that the Government would revise its overall target.

Councillor Mrs P Grove-Jones expressed concern that an impossible target had been set for North Norfolk. There were areas in the north of the country which were

desperate for growth and she did not consider that the Government's methodology would deliver sensible levels of housing throughout the UK.

The Planning Policy Manager explained that all figures were trend based. Projections in the north of the country would be small due to historic low growth rates. The standard methodology was a floor and there was nothing in the guidance which prevented Local Planning Authorities setting higher targets. The standard methodology tended to produce higher numbers in areas which were attractive to retire to. House prices would escalate if insufficient homes were built to meet the demand.

Councillor Grove-Jones considered that migration for retirement did not help the area economically. Young people would go elsewhere if they were unable to find jobs or affordable housing.

Councillor Ms V Gay stated that this Authority had always had provision of housing at the top of the agenda, but it had to be reasonable and evidence based. The current evidence supported a target of 479 dwellings and she proposed that the five year land supply statement be published on that basis.

Councillor N Dixon considered that the Planning Policy Manager had put forward a compelling and convincing argument for applying the exceptional circumstances provision. Whilst this was open to challenge, the evidence supported the trend towards a lower growth rate and use of the 2016 projections. He seconded the proposal.

The Chairman considered that the risk of challenge was one which the Council should take on board and he was confident that the evidence supported the recommended action.

RESOLVED unanimously

That the Statement of Five Year Land Supply 2019-2024 is published on the basis of a Local Housing Need for 479 dwellings per annum inclusive of a 5% buffer.

25 NORFOLK COUNTY COUNCIL MINERALS AND WASTE LOCAL PLAN CONSULTATION DOCUMENT TO REPLACE THE EXISTING MINERALS AND WASTE CORE STRATEGY AND SUPPORTING DEVELOPMENT PLAN DOCUMENTS (DPDs)

The Planning Policy Manager presented a report which reviewed the proposals in the Norfolk County Council Minerals and Waste Local Plan consultation document and its potential implications for North Norfolk and the emerging North Norfolk Local Plan. The Council was one of the consultees on the Plan, which was subject to wide ranging consultation. Whilst there appeared to be no conflict with the North Norfolk Local Plan, he recommended that a final response to the consultation be withheld until the wider community response was known. There would be an opportunity to submit a response in the next round of public consultation on the document.

In answer to a question by Councillor Mrs P Grove-Jones regarding mineral rights in relation to dwellings, the Chairman confirmed that mineral rights were recorded as a land charge in general terms but it was necessary to carry out further enquiries of the relevant authority to ascertain its future intentions with regard to them.

Councillor N Dixon declared that he was a County Councillor but he did not sit on the Planning Regulatory Committee and had not had any involvement in the production of the policy, therefore he was sufficiently distanced to be able to comment that he had no concerns and supported the recommendation.

Councillor P Heinrich stated that there was some disquiet from the North Walsham Town Council regarding the North Walsham site Min 115 but this was mainly related to the environmental impact of transporting the minerals rather than the principle of the allocation. The site had been allocated previously so its allocation was not a matter for concern.

The Planning Policy Manager explained that each allocation had a specific policy attached to it and all were caveated with sensible environmental controls. If there was a large amount of opposition to any of the sites, this Council could reflect on it before finalising its view.

Councillor Ms V Gay proposed the revised recommendation with the addition that conditions relating to traffic agreements, hours of use and routing are requested.

RESOLVED

That Norfolk County Council be informed that North Norfolk District Council reserves its final position until such time as it has considered the wider responses in relation to the ongoing consultation, but requests that the allocations are subject to conditions relating to traffic agreements, hours of use and routing.

26 NORTH WALSHAM DELIVERY GROUP

This matter was considered as an item of urgent business.

The Planning Policy Manager referred to Minute 17 of the minutes of the meeting held on 19 August, where it had been resolved to establish a North Walsham Delivery Group comprising three Members who had been nominated by the Working Party. Subsequent to the Working Party's resolution, he had accepted nominations from other Members and the group now comprised five Members. He had anticipated that the Group would comprise a mix of Members and Officers as a steering group for the specific purpose of the preparation of the North Walsham Development Brief.

The first meeting had taken place as an informal briefing session, attended by the developer, and some of the workstreams had been outlined.

Subsequently, the Planning Policy Manager had been advised that the group had not been lawfully constituted. There were tensions around whether the group was a formally constituted working party or similar, in which case it would need to be Member led and formally minuted or, as he had anticipated, an Officer-led task and finish group on which he was anxious to have Member engagement for oversight purposes. He had requested nominations from North Walsham Members and was keen for a twin-hatter to provide County Council representation. The terms of reference of the group meant that the Working Party was in effect making recommendations to itself and had unintentionally created an administratively heavy and political process.

Further discussion was needed with the Monitoring Officer and Democratic Services Manager to find a way to have meaningful Member representation on the group without the full administrative burden of a formal Working Party. He sought Members' views on this matter for further consideration, and a further report would be brought to the Working Party to modify the group's terms of reference.

The Chairman stated that he had had a discussion with the Monitoring Officer and it had been decided that the Leader of the Council could appoint additional Members to the Delivery Group. Councillor E Seward had been nominated.

The Democratic Services Manager explained that the difficulty had arisen as it was a mixed Officer and Member group. A group which involved Members had to be treated as a Committee under the Council's Constitution, and Working Parties were treated as Committees. The group would have to operate as a Working Party or Sub-Committee comprising only Members, with Officers in a purely advisory role, and make formal recommendations through the Planning Policy and Built Heritage Working Party. She suggested that Members could be involved through a pre-meeting, or Officers could meet and report back to the Working Party. Members made decisions and as constituted, Officers could not also sit on the group and make decisions.

Councillor N Dixon stated that Task and Finish groups were standard practice and reported to the Committees which established them. He supported the principle of the group but there was a need to find a mechanism to deliver what was required. There needed to be a degree of confidence that when the group reported back there could be further discussion, with assurance that the work that had been done was sound.

Councillor Ms V Gay supported Councillor Dixon's views. She considered that the first meeting had been very enlightening and clearly conducted and that the process should continue, but there was a need to find a constitutionally sound description of the group.

Councillor Mrs P Grove-Jones stated that Licensing and Appeals Committee had established task and finish groups which fed into the Committee. She considered that they worked efficiently.

Councillor Dixon added that task and finish groups were a very effective and efficient way of engaging Members and reporting back.

The meeting closed at 11.07 am.

CHAIRMAN