

## **9 DECEMBER 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

### Officers

Mr I Withington – Planning Policy Team Leader  
Mr S Harrison – Senior Planning Officer  
Mr R Dholiwar – Planning Monitoring Officer  
Miss L Yarham – Democratic Services & Governance Officer

#### **27 APOLOGIES FOR ABSENCE**

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

#### **28 PUBLIC QUESTIONS**

None.

#### **29 MINUTES**

The Minutes of a meeting of the Working Party held on 14 October 2019 were approved as a correct record and signed by the Chairman.

#### **30 ITEMS OF URGENT BUSINESS**

The Planning Policy Team Leader would update the Working Party on the latest position regarding neighbourhood plans at item 10 of the agenda.

#### **31 DECLARATIONS OF INTEREST**

None.

#### **32 BROWNFIELD REGISTER UPDATE**

The Planning Monitoring Officer presented an update report on the Brownfield Land Register 2019. He recommended the publication of the Brownfield Register with 2019 updates and sought agreement not to undertake Part 2 of the Register.

Councillor Mrs P Grove-Jones referred to paragraph 4.5 of the Officer's report which stated that it was highly likely that other qualifying sites were not included in the register, and asked what the "other qualifying sites" referred to.

The Planning Policy Team Leader explained that these were sites which were outside the settlement hierarchy but which otherwise met the qualifying criteria. The Brownfield Register only included sites within the settlement hierarchy.

Councillor Mrs P Grove-Jones referred to two contaminated land areas in Stalham. These sites had not been excluded from residential use, but she understood that contamination excluded them from such use.

The Planning Monitoring Officer explained that contaminated sites would only be delivered if it was economically viable to do so.

The Chairman stated that not all contaminated sites were the same in terms of remedial work. Some would be viable but others would not.

Councillor Mrs Grove-Jones asked whether contaminated sites would be acceptable for industrial development.

The Planning Policy Team Leader explained that it would depend on whether they came onto the market and were sufficiently viable for development.

Councillor Ms V Gay referred to Mace's Yard in North Walsham, which had been subject to several planning permissions but had not been delivered in 15 years. She asked what the distinction was between a brownfield site and one which had not been developed.

The Planning Policy Team Leader referred to the definition of brownfield land in the NPPF. For the purposes of the Brownfield Register, consideration had been given to the size threshold, whether the site was in the settlement hierarchy and was available and deliverable. Sites were included in the register if they met these criteria. The purpose of the register was to promote the sites and to give a strong indication that they should be developed. However, a detailed assessment as to their viability would be required in connection with any planning application.

Councillor Mrs P Grove-Jones referred to sites in Cromer which were included on the register and expressed concern that residential use was considered to be acceptable in an existing commercial location in the town centre.

Councillor T Adams stated that he understood that the site owners had no plans to develop the site at the present time.

It was noted that the address of site BLR15 included in the Schedule (Appendix 1 to the agenda) should read "70 Holt Road, Fakenham".

It was proposed by Councillor P Heinrich, duly seconded and

**RESOLVED** unanimously

- 1. That the Brownfield Register be published with the 2019 updates.**
- 2. That the Council does not undertake Part 2 of the Brownfield Register.**

### **33 LOCAL PLAN SCHEDULE OF REPRESENTATIONS - REGULATION 18**

The Planning Policy Team Leader presented a report which provided a précis of feedback submitted in response to the Regulation 18 consultation and explained the

process for considering the responses as part of the finalisation of the Local Plan. He stated that a summary of the feedback would be provided in hard copy for Members of the Working Party. Relevant sections would also be presented with the agenda for future Working Party meetings when individual policies would be discussed.

Councillor Ms V Gay commented that it was not easy to read the summaries on iPads and the devices had their limitations when making notes. She expressed concern that Members may not gather the drift of individual responses when they had been summarised through this electronic media. She was also concerned that people would not receive individual replies to their responses. She considered that these factors were not ideal in terms of giving members of the public confidence that their comments had been carefully considered.

The Planning Policy Team Leader explained the structure of the schedules and that detailed debate on the feedback would come back to future Working Party meetings along with a review of evidence and officer recommendations as part of the approach to the finalisations of each policy area. The majority of the Schedules contained text as submitted. Summaries of individual representations were only used in order to remove repetition etc. A paper copy of the full schedule appendix A-E was available to Members of the Working Party on request.

Members raised issues in respect of communication with the public. In response, the Planning Policy Team Leader explained that a newsletter would be sent to everyone who had signed up to receive it and those who had submitted a response to the consultation. He confirmed that agendas were publicly available and members of the public who wished to speak on any item could register to do so. All comments had been added to the consultation portal, and schedules would be available through the portal and Working Party reports.

Councillor N Dixon considered that there was a need to ensure that people who had commented were able to see Officer responses and to be able to understand the process that had been followed in distilling their comments down into influencing factors and where those influences had been taken into account.

The Planning Policy Team Leader explained that the next stage of the process involved bringing back reports on policies and sites with relevant feedback for discussion, and it would then be transparent to the public as to how their comments had been taken into account when finalising policies. The consultation statement would also detail how issues raised under the Regulation 18 consultation had been taken into account following future discussions in this Working Party. However, it was not just public opinion which would influence the final policies as they had to be justified by evidence. He drew attention to the recommendation before the Working Party to publish the schedules. The team would then consider the programme of work going forward and bring it to the Working Party.

The Planning Policy Team Leader outlined a number of policy issues which had been raised through the consultation. These were referred to in the Officer's report.

Councillor Ms V Gay stated that some of the environmental comments had raised issues that were already dealt with in the draft Plan but people had not found them. She considered that there was an argument for drawing issues together.

The Planning Policy Team Leader stated that national policies were moving fast and many of the statutory comments related to guidance which had been issued

following the publication of the draft Plan. Many of the issues were mentioned in the draft Plan but officers felt that there was scope for references to be strengthened and consolidated.

Councillor P Heinrich referred to the diversity of opinion between developers and the public and asked how developers could be persuaded that they should develop the west side of North Walsham rather than push for other sites where they could maximise their profits. He asked if there would be demand to build in North Walsham when developers were not building on sites in the town on which they had already secured planning permission.

The Planning Policy Team Leader explained that there would always be a tension between developers promoting their land interests and the Council which was promoting plan-led growth. Distribution of growth was an issue which would be considered by the Working Party in due course. In considering the responses to the Local Plan consultation, it would be necessary to take into account the evidence and priorities for NNDC in bringing forward the most appropriate strategy to address need in North Walsham and the District as a whole.

Councillor Mrs P Grove-Jones asked if the large proposals in Fakenham and North Walsham were decided by NNDC or whether the public had been asked if they supported the large developments.

The Planning Policy Team Leader stated that the consultation position in respect of housing numbers and distribution had been agreed at previous meetings of the Working Party and consulted on as part of the Local Plan consultation. It would now be necessary to reflect upon the feedback received to ensure that the distribution and numbers were appropriate. However, there were a number of policies that would influence those considerations and which would need discussion before the matter was brought back to the Working Party. Concerns had been raised by the public regarding large developments, but there was also a recognition that growth was accepted in North Walsham provided there were infrastructure improvements, including the link road.

Councillor Mrs Grove-Jones stated that poor infrastructure appeared to be the overriding problem and the new link road had not yet been ratified.

Councillor Ms V Gay considered that the concerns that had been raised regarding large growth in low value areas was germane as developers could argue that there was insufficient viability to provide the infrastructure, green infrastructure, biodiversity etc that would be required.

The Planning Policy Team Leader explained that affordable housing policies in the Local Plan identified lower value areas where there was lower viability than in the high value coastal areas. It was within the Council's gift to alter the viability requirement but it had to be informed by policies and evidence, and an awareness that any additional requirements in the Local Plan had to be costed.

Councillor Dixon stated that delivery of the Local Plan was outside this authority's control as market forces would influence which sites came forward and in what order. He considered that lessons had been learned from the previous Local Plan that there were measures that could be used to strengthen the new Local Plan but market forces would still prevail.

The Planning Policy Team Leader outlined the key issues which had been raised in respect of specific sites. He reported that the Highway Authority had been given until 11 December to make detailed comments and a meeting had been arranged to get their comments.

The Working Party expressed concern at the lack of co-operation from the Highway Authority and it was proposed by Councillor Ms Gay that the Chairman write formally to the Highway Authority to express the Working Party's dismay and growing frustration at its lack of co-operation.

Councillor Mrs Grove-Jones asked if any developers had expressed an interest in developing in North Walsham.

The Planning Policy Team Leader stated that those who already had interests in the land had done so.

Councillor Mrs Grove-Jones stated that the impact of climate change, receding coastline, increased rainfall and drainage issues needed to be taken into account when considering development sites.

The Planning Policy Team Leader stated that permeable surfacing would be a requirement and there were policies on coastal adaptation. All sites identified in the initial distribution of growth were in Flood Zone 1, which was the lowest risk. The Strategic Flood Risk Assessment evidence included allowances for climate change and the mapping was used in the Local Plan and also published online.

The Chairman asked for clarification as to meaning of "publication" in the recommendation.

The Planning Policy Team Leader explained that permission was sought to publish the schedule of representations as an interim document. It would form part of the consultation in its final form.

Councillor N Dixon proposed the Officer's recommendation as published in the report. This was seconded by Councillor P Fisher.

**RESOLVED** unanimously

- 1. That the contents of the report be noted and the Planning Policy Manager be authorised to make final adjustments to the schedule of representations and publish.**
- 2. That the Chairman write formally to the Highway Authority to express the Working Party's dismay and growing frustration at its lack of co-operation.**

#### **34 NORTH WALSHAM - UPDATE**

The Senior Planning Officer gave a verbal update on progress on the North Walsham Development Brief. The purpose of the Brief was to take a comprehensive approach to the development and plan properly, effectively and robustly for the delivery of housing and infrastructure.

It had been agreed that NNDC would take leadership of the Brief, in close collaboration with Norfolk County Council (NCC), landowners, site promoters and

developers, which would allow the degree of control required by Members.

One of the next stages would be to reflect on the Local Plan consultation responses in relation to North Walsham and the issues raised would be taken on board through the Development Brief process. Consideration would be given to further consultation specifically on the brief and the communication and engagement strategy would be scoped out in the coming months.

A Technical Delivery Group had been set up to take the work forward. There was a great deal of technical work to complete and it would be necessary to draw heavily on expertise and experience from this Council's officers and other partners. A meeting had been held in October which had been well attended, and it was anticipated that the next meeting would take place at the end of January or early February, pending the outcome of a number of outstanding matters. It was envisaged that the next two meetings would discuss matters relating to the highways and transport evidence base.

The Senior Planning Officer stated that he was working on scoping the many workstreams, tasks and evidence that would be required in the next six months to inform the brief. The work would be taken to the Technical Delivery Group for consideration but any important decisions would be made by the Working Party.

NNDC was working with NCC on commissioning a transport study and evidence base. The outcome of a business rates pool bid to fund 50% of the cost of the transport study was awaited. The remaining 50% would be match-funded equally by NNDC and NCC. The study would be carried out by NCC's transport consultants. The Senior Planning Officer outlined the early stages of work which would be required to provide initial feasibility for the western link road. The transport study report was expected in June/July and would feed into the technical group's work with a detailed report on the transport study and next steps to be brought to the Working Party.

In the meantime, work was taking place to produce the draft vision for the Development Brief and a report would be brought to the Working Party in due course.

An infrastructure position statement would be produced which would provide a clear steer on all infrastructure issues which would feed into the Development Brief and into discussions with landowners and developers so that all parties would know what was required. A green infrastructure strategy would be prepared to ensure that green infrastructure, climate change and environmental principles were embodied into the process.

A funding strategy was being developed, initially to fund some of the evidence which was required. Following completion of the first phase of the transport work it was hoped that developers would start to fund some of the evidence base. Early discussions had commenced with a number of funding organisations to put them on notice that funding bids could be put forward for infrastructure projects.

Discussions were ongoing with landowners and developers involved in other sites which had been put forward.

There were many challenges as far as North Walsham was concerned. Whilst there was some caution within the development industry, there was also a degree of confidence that if the highway issues could be overcome the western extension

could be seen as a long-term delivery vehicle. The Development Brief would be a long-term document which guided the development and it was essential to ensure that the Council was robust about the principles contained within it.

The Working Party would be kept fully informed of the progress of the work on the Development Brief.

Councillor Mrs P Grove-Jones considered that given the scale of residential development proposed on the western side of the town, there was reliance on the eastern side of the town under the bridges for economic development. She asked if any thought had been given to promoting economic development on the western side of the town. She stated that the bridges were the main barrier into North Walsham.

The Senior Planning Officer confirmed that the western extension was a mixed use allocation which included 7 hectares of employment land. He stated that the transport study would provide evidence in relation to HGV movements and the level of intervention which would be required. The number and frequency of vehicle movements would to an extent guide the amount of infrastructure which would be required. The existing industrial estate appeared to be vibrant and performing well. The infrastructure solution would depend on the findings of the transport study. The Development Brief would include a strategy as to how a link road could be provided from Norwich Road into the industrial estate and serve the rest of the town. A transport scheme would include sustainable transport, cycling and walking.

Councillor Mrs Grove-Jones considered that North Walsham was viewed as two sections. The railway line dissected the town and made it difficult for it to be viewed as a whole.

The Planning Policy Team Leader referred to the responses in respect of the western extension. A number of objections had been received, mainly relating to environmental issues, loss of green space and agriculture etc. but equally, many responses had been in favour of the principle of the scheme. However, the majority of comments related to sustainability and connectivity with the industrial site.

Councillor Ms V Gay thanked the Senior Planning Officer. She stated that North Walsham Members had argued that an independent brief was required, paid for by NNDC and not the developers, and she was pleased that it was moving forward. She emphasised that the link road as originally discussed ended at the Cromer Road and it was vital to continue into the industrial estate, which was vibrant and hoping to expand. There was no room in the town for modern, serviced offices and businesses moved out of the town due to lack of availability.

Councillor P Heinrich supported Councillor Ms Gay's comments.

The Chairman thanked the Senior Planning Officer for his work to date.

## **35 NEIGHBOURHOOD PLANS**

This matter was considered as an item of urgent business.

The Planning Policy Team Leader gave a verbal update on neighbourhood plan work.

### Ryburgh Neighbourhood Plan

A Habitats Regulations Assessment and Strategic Environmental Assessment were being carried out on behalf of Ryburgh Parish Council, following pre-submission consultation. When the assessments were complete, it was anticipated that their conclusions would inform the preparation of the Plan for its final examination in the new year.

### Blakeney Neighbourhood Plan

Officers had raised significant concerns in response to the pre-submission consultation. In its current form, the Blakeney Neighbourhood Plan would be unlikely to pass examination without major modifications. Whilst Officers had tried to engage with the Parish Council and Neighbourhood Plan Steering Group, they had generally not taken on board the comments that had been made. Officers were trying to set up a meeting to explain the comments.

### Holt

There had been indications that Holt was about to submit its Neighbourhood Plan. Pre-submission consultation had taken place two years ago and advice had been given on submitting a Plan, but the content of the current version was not known.

The meeting ended at 12.00 pm.

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Chairman