

PLANNING POLICY & BUILT HERITAGE WORKING PARTY

Minutes of the meeting of the Planning Policy & Built Heritage Working Party held on Monday, 12 December 2022 at the Council Chamber - Council Offices at 10.00 am

Committee

Members Present:

Mr A Brown (Chairman)	Mrs P Grove-Jones (Vice-Chairman)
Mr N Dixon	Mr P Fisher
Ms V Gay	Mr P Heinrich
Mr R Kershaw	Mr G Mancini-Boyle
Mr N Pearce	Mr J Punchard
Mr J Toye	

Officers in Attendance:

Planning Policy Manager (PPM)
Assistant Director – Planning (ADP)
Senior Planning Officer – CD
Senior Planning Officer – ST
Democratic Services Officer – Regulatory

Also in attendance:

Ms J Armstrong (Public Questions)

37 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr C Stockton, there were no substitute Members in attendance.

38 PUBLIC QUESTIONS

- i. There was 1 public question from Ms J Armstrong with relation to Agenda Item 11 - Local Plan Submission Modifications (Policies) re Policy HC2, proposed modification reference LPS252.
- ii. The PPM responded to the public question and suggested that the proposed modification be left as an issue for the Planning Inspector to consider through the examination process, clarifying that the public representation had been made in writing and would be supplied to the Inspector. He stated that the Council had appraised the area and were satisfied that it met the qualifying criteria and contributed to openness, and further commented that Members were in a difficult position to make a judgement on this matter without seeing the land.

He cautioned Members against applying weight to the Examiners comments put forward in the report regarding the emerging Blakeney Neighbourhood Plan referenced by the Public Speaker, stating that the Examiner's final decision had not yet been reached.

The PPM noted a couple of issues raised in the submission and commented that there was no requirement for open land areas to be publically accessible, this was therefore not a consideration, nor would Officers rely upon the fact that a site is located within a conservation area or AONB, as they were separate designations made for different considerations. The PPM

stated that the determining factor for this matter was whether the parcel of land contributed towards the openness of that part of Blakeney.

- iii. The public speaker was granted a supplementary question and asked for evidence cases which related to the garden.
- iv. The PPM advised that Officers had appraised all existing open land areas of the core strategy, undertaken site visits and assessed whether the existing boundaries should be retained or not. He stated that the criteria for designation required subjective assessment.

The PPM noted the conflicting assessments from two different Inspectors, one with regard to a Planning Appeal and the other in relation to the emerging Blakeney Neighbourhood Plan, forming two opposing views as to whether the land should be designated. He concluded that the Planning Inspector for the Local Plan would be best placed to make a decision through the examination process.

- v. Cllr J Toye agreed with the course of action set out by the PPM and questioned if Members were sufficiently qualified to make a judgement and stated that the Inspector for the Local Plan would be a specialist sitting above opinions and would consider all representations submitted through the examination process.
- vi. Cllr V Gay noted this would be a third Inspectors decision, and there was grounds to consider that a third decision would be decisive. She asked whether there had been other gardens in the District treated in the same manner as this parcel of land.
- vii. The PPM advised other land had been treated in the same manner, and reiterated the qualifying criteria was whether a piece of land contributes to openness of this part of the settlement in a positive meaningful way, irrespective of its use. He confirmed it was a subjective opinions based assessment of the quality of space, and not its function. The PPM noted the historic nature of the site, being one of openness as part of the larger pastures, which had subsequently changed with the land owner forming boundaries around the curtilage of their property, altering the character of that area from the date of its original designation under the core strategy. He advised that Officers have since specifically reviewed each designated open land area and had formed the opinion that the land continued to deserve designation, and concluded that the fairest approach would be for the Local Plan Inspector to come to a decision as part of the examination process.
- viii. Cllr N Dixon considered that he was not sufficiently well informed of both arguments, including pros and cons to make a decision either way, and stated he was content to accept the PPM's recommendation.
- ix. The PPM noted that the public speaker's representation was contained within a later item, and should Members accept the Officers recommendations, the modification would not be accepted and would be put before the Local Plan Inspector for consideration.

The PPM advised that all written representations made at the Regulation-19 (Reg-19) stage would be presented to the Local Plan Inspector, along with working party papers, minutes, transcripts of the meetings and others. He

further added that, as part of the process it was often the case that the Inspector invited individuals to make representations at hearing sessions. It was at the Inspector's discretion to allow representations, with the PPM advising these were public meetings which anyone was able to view.

39 MINUTES

The Minutes of the Planning Policy & Built Heritage Working Party held 14th November 2022 were approved as a correct record.

40 ITEMS OF URGENT BUSINESS

None.

41 DECLARATIONS OF INTEREST

None.

42 UPDATE ON MATTERS FROM THE PREVIOUS MEETING (IF ANY)

- i. The Chairman noted that the Infrastructure Delivery Plan (IDP) had been circulated to Members, as requested at the last meeting, on 3rd December by email.
- ii. Cllr N Dixon stated that he was pleased to have received the IDP and asked when the working party would be considering this document. He commented it would be a missed opportunity if the IDP was not considered in a timely manner.
- iii. The PPM clarified that the IDP was originally presented to the working party for information only, and it was not asked that Members adopt or endorse its contents in any way.
- iv. Cllr N Dixon considered that the IDP was fundamental and stressed that this document should be discussed and debated. He stated that the failure to recognise the importance and be able to deliver on infrastructure, would let down the new Local Plan and its deliverability, and concluded that the salient points of the IDP need to be presented to the working party at an appropriate stage.
- v. The PPM agreed to bring the IDP to the February 2023 working party meeting.
- vi. Cllr N Pearce endorsed Cllr N Dixons comments, and thanked the PPM and his team for providing the IDP as requested. He considered that that the IDP was a fundamental piece of work and welcomed the PPM's comments that the IDP would be brought to the working party in February.

43 ANY OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE

None.

44 LOCAL PLAN AND NEIGHBOURHOOD PLANS UPDATE (VERBAL UPDATE AND PRESENTATION)

- i. The PPM advised that a revised Local Plan timetable had been published and supplied an update on the process. He commented that the Reg-19 consultation had been undertaken earlier in the year, however since the consultation Nutrient Neutrality (N.N) guidance had been published which had further delayed the programme.
- ii. The PPM added that a library of live background evidence since the Regulation 18 consultation, including alternatives which were considered, all representations that were made, sustainability appraisal reports, all of the technical evidence such as viability assessments would be submitted as part of the examination process. Officers were in the process of preparing additional background papers for the Inspector which would explain in detail how the evidence had been used, and provide reasoned justification for the different policy approaches adopted.
- iii. He advised that Officers considered the plan to be sound, meriting submission, and welcomed Members questions at the next meeting about associated risks, noting that it was important that the working party address such issues. He further added that Members may wish for advice at the next meeting about what might appear in the next version of the NPPF, to be published around Christmas, which may bring in some radical changes to the plan making process and what could be included in Local Plans.
- iv. Nevertheless, the PPM remained optimistic about the Local Plan which he considered to be in a good place, though accepted and acknowledged that between now and examination that there were various factors outside the Council's control, which were at play.

45 LOCAL CYCLING AND WALKING INFRASTRUCTURE DELIVERY PLAN

- i. The PPM introduced the local cycling and walking infrastructure delivery plan report, which was for information only, and advised that Norfolk County Council (NCC) would soon be launching a full public consultation on walking and cycling strategies which affected different areas of the District. He commented that there was the option, in the New Year, for NNDC to form a collective response rather than each individual ward Member responding.
- ii. Cllr J Punchard welcomed the consultation and reflected on a route located from Little Ryburgh, through Fakenham to Wells-next-the-sea which he considered to be poorly maintained, and noted the difficulties faced by Fakenham Town Council in getting Norfolk County Council to carry out repair works.
- iii. The PPM advised this was an early consultation on options, and there would be an opportunity to comment on things missing, and commented that he was uncertain of the timeline for when consultation would be launched, though it was expected within the first quarter of 2023. Officers had engaged in conversations with NCC, who were aware of growth strategies contained in the Local Plan, which would aid to inform their work.
- iv. Cllr J Toye expressed his support for the consultation, and in Members being able to make their own individual representations, noting that focus was concentrated on towns which in some respect already had infrastructure for people to use. He considered that 40% of North Norfolk residents lived in the

countryside, which he felt had been neglected, in terms of the health and well-being and the benefits of being in the countryside, and because much of the Districts affordable housing was contained on exception sites, in rural localities, in need of better linkage. Cllr J Toye welcomed future discussion on this matter.

- v. Cllr R Kershaw supported the comments made by Cllr J Toye, and considered it important that electric bikes be considered as it would aid to de-risk cycling, would help aid tourism, and access of older generations.

46 LOCAL DEVELOPMENT SCHEME

- i. The PPM introduced the Local Development Scheme and advised that it was a formal requirement when submitting the Local Plan for examination that the timetable be submitted as well as the stages followed when preparing the plan. He noted that there had been earlier timetables which had been stalled by the introduction of the White Paper and NN guidance, and advised that the main changes were alterations to submission dates (February/ March 2023) with the expectation that recommendations would be agreed by Council. The PPM stated that after submission there would be a year or more delay until adoption, pending the Local Plan Inspector's decision. It would be for the new administration to adopt the Local Plan based on the timetable as set out.
- ii. Cllr J Punchard asked if Officers knew what the impact the County Deal would have on the Local Plan.
- iii. The PPM advised this was unknown, but that he had not seen anything which could indicate that the Local Plan process would be adversely impacted.
- iv. Cllr J Toye noted s.26, p.23 of the report, 'significant risks' and asked what constituted as a significant risk?
- v. The PPM advised the current Local Plan provided a sound basis for day to day decision-making, with the new Local Plan introducing some significant changes to deliver growth in the District. Site allocations contained in the last plan in 2011 were largely built out, with the exception of Fakenham, and the new plan also introduced a suite of environmental policies including bio-diversity net-gain, energy efficient construction and others. The PPM commented that the longer it took for the new plan to be submitted and adopted, the longer it would take to address housing need, deliver homes, introduce those new standards, and the greater the risk would be around the 5 year housing land supply. The longer the Council were without an up-to-date plan, the greater potential there would be for unplanned growth. Further, as government policy changes, the work which had been undertaken on the Local Plan begins to become outdated. The PPM stated there would be financial and reputational risks should the Council need to re-consult.
- vi. Cllr J Toye stated that, whilst he was happy with the scheme, it was important not to rush the Local Plan through to examination if it was not considered adequate.
- vii. The PPM advised if Members considered that more time and consideration were required into aspects of the Local Plan resulting in changes to main

modifications, this would result in a delay to the timeline.

- viii. The Chairman commented that one significant risk was the impact of the Levelling Up and Regeneration Bill, and expressed his desire to see the Local Plan submitted before this bill was passed.
- ix. Cllr P Heinrich noted that press reports indicated that the rigid housing targets would disappear through the Levelling Up regeneration Bill, though acknowledged this was not guaranteed. He asked how this may impact on the 5 year housing land supply and on future housing targets.
- x. The PPM commented that press coverage related to a letter sent by Michael Gove, the Secretary of State for Levelling Up, Housing and Communities, to backbench MPs which announced the intention to get rid of centralised methodology for establishing housing targets. However, the language used in the letter expressed the intention to consult on an alternative to the centralised target system. The PPM considered that the formulaic approach contained within the NPPF would likely soon be gone, and what it would be replaced with was a matter of conjecture. He commented that targets would still need to be evidence based and establish a sensible need figure, likely tethered to ONS population figures. The PPM commented that NNDC departed from the standard methodology, instead considering local evidence, which resulted in around 1,500 dwellings fewer than the standard methodology procedures recommended. He considered there to be a clear correlation between market housing growth and delivery of affordable housing, stating that the need for accommodation would not disappear because the government considered that a different formula should be applied. The PPM affirmed that there remained significant inward migration, and 2,500 people on the waiting list for affordable housing, and advised it was these figures which determined the housing figures in the emerging Local Plan.
- xi. Cllr V Gay observed there was not a direct relationship between housing targets and house building. She asked if, after the Regulation 22 stage' submission of the plan, whether it strengthened the case for the reliance upon the emerging local plan, as she understood that greater weight could be applied to emerging Local Plans as they passed through various stages.

The PPM affirmed that as each stage was passed, and as the plan got closer to adoption, greater weight could be attributed to the emerging Local Plan. He advised that two principal factors need to be taken into account, 1. The extent to which the emerging Local Plan was subject to challenge, and 2. Whether emerging policies aligned with the NPPF.

- xii. Cllr R Kershaw proposed the Officers recommendation. Cllr V Gay seconded.

IT WAS UNANIMOUSLY RESOLVED by 11 votes for.

Members of the Planning Policy & Built Heritage Working Party recommend to Cabinet the revised timetable for the submission, examination and adoption of the North Norfolk Local Plan and that the Local Development Scheme be brought into effect as of the date of the next meeting and published as required by section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).

47 LOCAL PLAN SUBMISSION: PROPOSED MODIFICATIONS (POLICIES)

- i. The Chairman introduced this item, and reflected prior working party meetings culminating in this report. He cautioned Members against seeking to make substantial modifications at this stage and argued that Members had been afforded opportunities prior.
- ii. Cllr J Punchard sought clarity over the recommendation, and the process the recommendation would take through the Councils Democratic process.
- iii. The Chairman advised that the recommendation was for the Working Party to recommend to Cabinet that the schedules of the proposed modifications along with the proposed submission version of the Local Plan be submitted for independent examination. This would then be brought to Full Council as a recommendation from Cabinet, pending its approval.
- iv. The PPM introduced the item and Officers recommendations. He confirmed that schedule 4 was formed of modifications which Officers considered merited consideration by the Planning Inspector, as they improved the plan. The PPM advised that vast majority of proposed modifications did not alter the substance of the plan, rather they made clearer for the reader the intention of what the Council wished to achieve, making it easier for the decision maker.

He advised that there were other changes consisting of typographical errors, consistency and presentational issues, which were proposed to be included for consideration by the Inspector en bloc, as these were uncontentious presentational changes.

The PPM noted that Members had been provided the schedule of representations in full around 8 weeks prior, with the information also being made available on the portal. Within the Agenda Papers, Members had been provided with schedule 3 – containing a summary of the key issues and Officer's responses, schedule 4 – the proposed minor modifications, and a separate main modification on NN.

With Regards NN, the PPM advised that the Council must meet the habitat regulations requirement as this was a legal requirement of the Local Plan. In order to meet this requirement, the proposals contained within the plan must mitigate their impact on the receiving watercourses, in this instance the impact of phosphorus and nitrogen pollution on the river Wensum and the Broads. The PPM advised that a policy requirement had been added to the Local Plan that no development take place unless it demonstrated NN, in addition to some contextual background information explaining what this issue was, and how it impacted on the development industry, effectively serving as an embargo on specific development in those catchment areas which failed to address NN. Had the Local Plan been submitted 6 months prior, he considered that it would have been challenging to get through examination as the Council did know what mitigation may look like or what the financial impact may be. Mitigation strategies were now much clearer, and costs were anticipated to be around £5,000 per dwelling as an average. That costs had been averaged in an update of the viability assessment, ensuring that those costs did not undermine the deliverability of other policy considerations. The PPM considered this policy fix was sufficient, though

acknowledged the Planning Inspector would still ask questions about mitigation strategies.

The PPM did not propose to discuss schedule 3 verbatim, rather, he proposed to address the key issues of the report under each topic area.

- v. Cllr J Punchard whilst agreeing with the PPM's approach, challenged the lack of scrutiny of schedule 3 by Members, though commented he personally did not consider there to be issue with the recommendations set out by Officers in schedule 3.
- vi. The PPM advised he would refer to key representations, and trusted that Members had thoroughly considered the document and understood its contents.
- vii. The PPM proceeded to go through the key issues of the plan:

Climate Change (P.52 of the Agenda Pack, s 2.3 onwards)

The PPM advised there were two opinions on this matter, the first from the development industry, which considered the requirements to be excessive. The second, which considered that the policies in the emerging Local Plan did not push the agenda far enough, particularly in regard to matters such as energy efficient construction and biodiversity net gain, but explained that there is a whole suite of new 'green' policies all of which are significant steps forward, which are seen to be as far as we can go at the moment but, in terms of deliverability and viability, it would allow for further changes, particularly in regard to the Council's net zero carbon target by 2030.

He reflected that nowadays Local Plans do not last 15 years and would be in a 5 year cycle of review. It was reasonable to believe that what was written today would not be in place in 10 years' time and is likely to be subject to fairly significant review in 5 years' time.

Housing Allowance (P.53 of the Agenda Pack, s 2.7)

The PPM reflected on the differences of opinion with respect of housing target, with those in the development industry considering more could and should be done, and that the housing target provided by the Council would not address housing need and the Council should be allocating more land. Such representations considered that the departure from the standard methodologies was not justified, and questioned the achievability of the Local Plan with respect of housing delivery.

Officers considered the Council's housing target to be reasonably justified, based on a well evidenced approach, and accepted that much of the large scale growth in North Walsham and Fakenham would not occur prior to 2036.

Significantly, if the standardised methodology was removed, as had been eluded by press following publication of the letter sent by Michael Gove, the Secretary of State for Levelling Up, Housing and Communities to backbench MPs, the argument to adopt the standard methodology was weaker. This would make the Council's position more defensible.

Distribution of Growth. (P.53 of the Agenda Pack, s 2.8 and 2.9)

The PPM stated that the contentious debate largely focused on small growth villages, with growth in the towns broadly supported. He noted that there were arguments against individual sites but nothing against the logic of putting growth in the larger settlements in the District. The Policy approach for Small Growth Villages is to allow 6% growth on small unallocated sites, allowing for infill development and development outside the settlement boundaries subject to compliance with a range of criteria.

Whilst it was anticipated that only 400 dwellings would be produced through the small growth villages, the arguments against were critical on service provision in those areas, considering it to be unsustainable growth, or occupied by 2nd home owners. Officers were satisfied that the approach was the correct one for the reasons outlined.

Infrastructure provision and viability (P.53 of the Agenda Pack, s 2.10)

The PPM advised that Officers considered that the plan sets out an ambitious growth strategy, well supported by infrastructure, and the approach was considered to be necessary, reasonable, proportionate and costed. In order to ensure the right information is submitted, Officers have introduced a range of validation requirements which would aid the Development Committee to reach decisions, help the Local Authority register applications, noting this would be at a cost when making a planning application.

Employment (P.55 of the Agenda Pack, s 2.16 and 2.17)

The PPM considered there to be some debate about the adequacy of employment land supply, and stated that Officers had identified in the Local Plan a supply of land that, based on historic take-up rates would be suitable for around 50 or 60 years. However, this did not tell the full picture as the land was distributed across the district and was concentrated in some locations.

The PPM commented that policy E3 of the plan addressed development outside of designated employment land and was analogous to the rural exceptions policy, but for employment development. He was satisfied that as the Council had a flexible policy allowing for employment development away from Employment Land, absolute supply was less critical with respect of consideration, and Officers did not believe there was a compelling need for more Employment Land than had been specified.

Regarding Tourism policy issues, the emerging Local Plan takes the view that the Council would not support new build tourism accommodation, including static caravans, in the countryside policy area. He reflected that this was a deliberate policy choice, previously debated at the Working Party, and noted historic placement of caravan sites in the district in the 1960's.

- viii. Cllr N Dixon stated that whilst he broadly agreed with the argument set out by the PPM, he considered there to be scope for beneficial change particularly with respect to the allocation of employment land. Cllr N Dixon commented that there should be some provision which allowed flexibility in locations where it is known that there was a demand for high quality employment development, and acknowledged this may not be suitable for all areas. He further argued that, if the Council were committed to its desire to create sustainable communities, having employment close to housing development was important. Failure to include the above within policy, in a sufficiently clear and deliverable way, would result in developers walking

away.

Cllr N Dixon sought confirmation whether, on existing tourist accommodation sites (which otherwise would have been excluded from the emerging Local Plan), if replacement was permitted for those sites of a lower quality.

- ix. The PPM advised that the new tourism policy would not prevent replacement, upgrading, or expansion of existing businesses. He argued that by focusing the policy on improving and putting investment in existing sites, it would maximise the benefit of what there already was.

He recited Policy E3, and added that first priority would be given to allocated, designated employment sites, before then being opened to alternative sites, with a positive presumption for permission.

Cllr N Pearce left the meeting at 11.42am.

- x. Cllr N Dixon sought to ensure that the route to alternative employment sites was eased, noting it had been a challenge in the past which risked opportunities and stressed the importance of being policy agile.
- xi. Cllr P Grove-Jones reflected that there had always been a huge push for residential accommodation but employment land was often pushed into the background. She asked the PPM what was the percentage of built out employment land when compared to residential, and noted that within the east of the district residents were often forced to travel for work due to the lack of employment sites.
- xii. The PPM commented that he was unaware of the percentage asked and advised that there was not a direct correlation between house building and employment. He noted that the work force was shrinking due to an aging population in the district who were retired, and further reflected that North Norfolk traditionally had lower unemployment figures when compared to the rest of the country. The PPM commented that one of the key issues surrounding employment was not the prevalence of employment land supply, rather it was the low wage economy. The PPM stated that there was an extremely modest appetite for inward investment and acknowledged several designated employment land sites remain undeveloped for 20 years.
- xiii. Cllr J Toye highlighted a formatting issue with p.54 of the Officers report, 213 and 215 were duplicated and asked this be correct before the report was considered by Cabinet.

Cllr J Toye commented that small growth villages provided employment through way of village shops, garages and pubs, employing local people, and spoke favourably of these businesses growing and expanding and the need for increased housing to sustain these communities. He was assured that this had been covered off within the emerging Local Plan.

- xiv. Cllr G Mancini-Boyle sought the current position of Natural England with regard to Nutrient Neutrality.
- xv. The PPM advised that the position had shifted, and Natural England along with it, with a raft of work on catchment areas being completed, and developers beginning to offer up mitigation proposals.

- xvi. Cllr J Toye ask if at the next meeting, when site allocations were to be discussed, if Members would be asked to consider the allocation of sites for mitigation schemes.
- xvii. The PPM stated that he would shy away from identifying specific areas and allocations for mitigation.
- xviii. The ADP advised that a report was being discussed by the Corporate Leadership team in December which would outline how the Norfolk Councils were preparing for a joint venture with Anglian Water. He noted that the mitigation may include remedial actions in terms of water efficiencies for properties owned or managed by Housing Associations or Councils, and there may be instances in which agreements were made in relation to existing septic tanks that discharge into special areas of conservation. Short term measures may be inclusive of delivery of catch crop cover, crops on areas of land that take agriculture out of discharges of nitrates and phosphorus into the sensitive environments. It was anticipated that this report be discussed by Cabinet in January 2023, with the venture of joint Councils to be looking at the delivery of mitigation as early as March 2023 going hand in hand with developers securing their own bespoke mitigation funded by themselves, and Natural England's scheme of mitigation, funded by central government. The ADP stated that the difficulty of allocating mitigation sites is that some schemes may not require land to be made available.
- xix. Cllr N Dixon spoke on policy E3 and in particular mixed allocations, he commented that one of the issues was when landowners were unprepared to release land at commercial value without an additional, enabling residential development, providing a recovery of land value.
- xx. The PPM advised that he would be reluctant to offer up the policy change asked for at the meeting, but that he would reflect on Members comments that they would like an item on policy E3, in particular how Employment Development outside of development boundaries may work, at the next meeting.
- xxi. Cllr N Dixon advised that he would be content with this approach and welcomed this item being brought to the next meeting.
- xxii. The PPM affirmed that he would bring this item back, after proper consideration of the policy in full. He advised that he would circulate any proposed amendments to Members in advance of the next meeting.

The Meeting took a break at 12.05pm and resumed at 12.18pm.

The ADP left the meeting at 12.05pm.

- xxiii. The PPM advised that he would not go through schedule 3 line by line, and noted that there were a few key themes which appeared through the representations. The first theme, was the need or otherwise for one policy to repeat the requirement of another policy, however the PPM considered in rebuttal that there was no need to do so, and that all development proposals have to comply with all of the policies in the plan. To repeat each policy would result in reams and reams of policy requirements. The second theme was around language and effectiveness, with it being a matter of judgement

for the decision maker, rather than the use of objective measurements. The PPM stressed the importance of context when making planning judgements, against a set of criteria and not prescriptive measurements.

- xxiv. Cllr V Gay queried the submission for Historic England 'undesigned' vs 'non-designated' (schedule 3 p.64 of the Agenda Pack) noting that the undesigned formula had been used later in schedule 4, and asked for clarity if undesigned implied that a decision had been taken not to designate something, whereas non-designated was a factual observation that something was not designated. She wanted to ensure that the implication was understood.
- xxv. The PPM commented that he would take this matter away and would clarify the use of language and the difference between non-designated and undesigned, to ensure it was properly aligned through the document.

The PPM advised of the distinction between schedules 3 and 4, with schedule 4 including the proposed minor modifications. He noted that there was no distinction in the legislation between minor and main modifications and it was a matter of judgement. It was broadly understood that in labelling something as a 'main modification' it would be a matter in which the Planning Inspector for the Local Plan would consult on publically, at their discretion. Minor modifications proposed amendments to correct grammatical or typographical anomalies, or small tweaks to policy without changing the intention of the policy. The PPM advised there may be instances in which the Inspector considered something presented as a minor modification to be a main modification, worthy of consultation.

- xxvi. Cllr J Punchard sought clarification for table two, p.215, small growth villages, he understood that the figures marked in red were the amended figures but questioned why some had the amended figure, with another figure in brackets next to it.
- xxvii. The PPM advised that the 0 figure was where there were no allowance in the village because it was highly constrained by something, i.e. flood risk area, despite these settlements meeting the qualifying criteria.

The PPM proceeded to go through schedule 3 from p.187 onwards and discussed the distinction between spatial strategic policies and other policies in the plan as required by the NPPF. He noted that an appendix would be included within the plan listing whether a policy was strategic or not, importantly Local Neighbourhood Plans had to comply with strategic policies of a Local Plan. He further commented on other minor modifications including the inclusion of references to the East Marine Plan and updates to the Glasgow Climate Pact (post Reg-19) providing contextual information.

The PPM continued to go through the schedule from page 192, and highlighted that additional information had been introduced to explain the distinction between small, medium and high turbine, which would aid applicants and decision makers. Page 193 included textual updates and clarifications, nothing which changed policies themselves. The PPM noted changes on page 194, Coastal Management Adaptation, providing clarity that the policy is about reducing risk but offering a degree of flexibility with its wording. On Page 195 the PPM noted the submission pertaining to Bio-diversity net-gain (modification 3.10.10) which related to the type of

development necessary to demonstrate net biodiversity gain, he commented that the policy as drafted in the plan referred to 'all development should deliver 10% biodiversity net gain' and the intention of the legislation, when published, would be to exempt small scale development proposals from the requirement. The PPM proposed that there should be a development threshold, i.e if building a new house this would need to demonstrate bio diversity net-gain but not for a minor porch extension.

Cllr P Fisher left the meeting at 12.40pm

- xxviii. Cllr N Dixon sought clarity for instances in which a building plot held a substantial bio-diversity value to it, but was designated as a development plot and built upon, would that scheme have to demonstrate that it had achieved or would achieve 10% bio-diversity net gain over and above the starting point.
- xxix. The PPM advised as this was for a new dwelling it would need to demonstrate 10% improvement. It was understood that a matrix would be introduced by the government which would ensure 'like of like' biomass replacement i.e replacement of an oak tree for an oak tree, rather than a wildflower meadow. The PPM noted this may include on and offsite schemes.
- xxx. Cllr J Toye commented that a potential downside was that not all sites had been mapped and therefore it would be difficult to measure.
- xxxi. Cllr V Gay agreed with Cllr J Toye and added that she had noted the growing support for biodiversity within representations, which had not been the case upon creation of the core strategy. Cllr V Gay reflected that England was one of the least biodiverse nations.
- xxxii. The PPM continued going through schedule 3 from p.198, and advised that the section of red text effectively recorded the current position with drainage at Horning. P.199 included a change of wording from substantial to proportionate as requested, and separately special strategy changes to offer greater clarity to avoid applicants splitting parcel of land to resist affordable housing development, undermining policy obligations. P.200 largely consisted of technical updates referring to various organisations which now exists, as well as Health Impact Assessments which were a new requirement within the policies where developers of significant development proposals had to complete an assessment and checklist of the impact of the development on health. Considerations include access to footpaths, cycleway, bus routes and possible contributions through S106 contributions to doctor's surgeries, to name a few. The threshold had been set at 500 dwellings, however this had been lowered following representations.
- xxiii. Cllr V Gay supported the reduction in the threshold to 250 dwellings, and sought confirmation that the Council would defend the proposed modification during the planning inspectorate process.
- xxiv. The PPM advised that, as the Council were tabling the modifications, the Council would support and defend the modifications during the inspection process, positively promoting their incorporation in the Local Plan.

The PPM continued to go through schedule 3 from p. 201 and noted the

proposed modifications and included some slight rewording and the inclusion of clearer criteria. P.204 referenced the NNPF which may be subject to change with the new NPPF which would require Officers to go through and align references, and a change in wording from 'should' to 'must' strengthening the language. P.209 included changes to working from 'entirety of the structural elements' to 'a substantial proportion of the structural elements' allowing for greater flexibility.

Cllr P Grove Jones left the meeting at 12.58pm.

P.212 included considerations for policy E3, which the PPM advised would be returned to the working party as requested earlier in the meeting. The PPM continued to note the changes from p.13 – 215 before reiterating the Officers recommendation.

- xxxv. Cllr V Gay requested a change to the recommendation could be amended to include 'in consultation with the Portfolio Holder'.
- xxxvi. Cllr R Kershaw proposed acceptance of both of the Officers Recommendation subject to the amendment put forward by Cllr V Gay, Cllr V Gay seconded.

IT WAS UNANIMOUSLY RESOLVED by 8 votes for.

Members of the Planning Policy & Built Heritage Working Party recommend to Cabinet that the Schedules of proposed modifications along with the Proposed Submission version of the Local Plan be submitted for independent examination.

To delegate minor amendments in the finalisation of the submission version & Schedules and associated documents to the Planning Policy Manager in conjunction with the Policy Team Leader and Portfolio Holder.

48 EXCLUSION OF PRESS AND PUBLIC

None.

49 TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA

None.

50 ANY OTHER URGENT EXEMPT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE

None.

The meeting ended at 1.10 pm.

Chairman