

PLANNING POLICY & BUILT HERITAGE WORKING PARTY

Minutes of the meeting of the Planning Policy & Built Heritage Working Party held on Thursday, 10 October 2024 at the Council Chamber - Council Offices at 10.00 am

Committee

Members Present:

Cllr M Hankins (Chairman)	Cllr A Varley (Vice-Chairman)
Cllr M Batey	Cllr A Brown
Cllr N Dixon	Cllr V Holliday
Cllr P Heinrich	
Cllr J Toye	

Members also attending:

Cllr K Toye

Officers in Attendance:

Director for Place and Climate Change
Acting Planning Policy Manager
Senior Planning

Apologies for Absence:

Cllr H Blathwayt
Cllr L Paterson
Cllr J Punchard
Cllr P Fisher

10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr L Paterson, Cllr J Punchard, Cllr H Blathwayt and Cllr P Fisher.

11 PUBLIC QUESTIONS

None received.

12 MINUTES

The Minutes of the Planning Policy & Built Heritage Working Party meeting held Thursday 18th July were approved as a correct record.

13 ITEMS OF URGENT BUSINESS

None.

14 DECLARATIONS OF INTEREST

None.

15 LOCAL PLAN EXAMINATION: MAIN SOUNDNESS ISSUES & ACTION PLAN

The Acting Planning Policy Manager introduced the Officer's report and recommendations. Regarding the Action Plan (Appendix 2), the Acting Planning Policy Manager advised that this Plan sought to address the

soundness issues raised by the Planning Inspector. Subject to Member endorsement, the Team intended to conduct a further six weeks of public consultation starting around the 6th of November. Following the proposed public consultation, additional hearings would be held with the Inspector, at which time all the main and additionally proposed modifications would be consolidated and subjected to sustainability appraisals and habitat regulations assessments.

The Acting Planning Policy Manager stressed that the Action Plan presented to the Committee was the minimum approach necessary. Further options had been considered, which were outlined in section four of the Officer's report.

The Acting Planning Policy Manager provided the recent history behind the Local Plan and updated the Working Party on developments since the 18th of July meeting. He noted that in the Inspector's July Letter (Appendix 1), the Inspector advised of three main soundness issues that needed to be addressed before the examination could proceed. These issues, detailed in 2.2 of the Officer's report, included a shortfall in housing provision, a challenge to small growth village provision, and updates required to the Gypsy and Traveller evidence base to reflect a change in definition used by the Government in 2023.

Regarding the shortfall in overall dwellings, the Acting Planning Policy Manager advised that this was due to changes to the plan period, which had shifted at the Inspector's request from 2016–2036 to 2024–2040. The Inspector had discounted those sites delivered in the intervening years and had further moved some of those sites back in the period due to concerns about when delivery might start. Planning permission had been granted for some of the sites included within the emerging Plan but would achieve fewer dwellings than had been allocated. Other sites had been deleted, including Weybourne Road, Sheringham (West Wood), which had been built. Critically, the Acting Planning Policy Manager advised that the Council's argument regarding deviation from the Standard Methodology had been lost. As a consequence, the dwelling requirement per annum had increased from 480 dwellings per year to 557 dwellings per year.

In terms of small growth villages, the Acting Planning Policy Manager stated that the Inspector accepted that the approach taken was potentially sound. The Acting Planning Policy Manager noted that similar approaches were taken by neighbouring authorities in Norfolk. However, the Inspector had concerns regarding the effectiveness of this approach in delivering growth and supporting the rural economy.

Regarding the Gypsy and Traveller policy, the Inspector considered the evidence supplied to be insufficiently up to date due to the change in definition. He requested the Council to commission a new study and identify

more current data based on the revised 2023 definition.

The Acting Planning Policy Manager made it clear to the Working Party that there was only one opportunity to get the Plan sound and address the issues raised. He confirmed that the new Housing Minister had written to the Planning Inspectorate advising of a change in practice regarding Local Plans. Previously, it was understood that the Inspectorate was broadly supportive to the extent of whatever it took to get a plan approved. Consequently, some Local Authorities had taken advantage of this position and went years without having an adopted Local Plan. The Acting Planning Policy Manager affirmed that following the exchange of letters, it was considered that a pragmatic view had its limits, and the Inspectorate was instructed to take a harder line: 'Pragmatism should not be used to address fundamental issues with the soundness of a plan which would likely require pausing or delaying the examination process for more than six months overall'. Copies of the letters were provided in Appendix 1.D.

The Acting Planning Policy Manager confirmed that the Inspector had seen the Working Party Agenda and was cautiously encouraged by the proposals, noting that much work had been undertaken to address the main soundness issues. He considered the additional housing allocation, if supported by Members and upheld to public scrutiny, would be a good basis for the examination to proceed. In particular, the additional extended allocations and additional small growth villages should be reliable sources for extra housing. Furthermore, the Inspector emphasized the limits to pragmatism, meaning there was really only one chance for the soundness issues to be addressed. The Acting Planning Policy Manager affirmed it was important that the Council move forward with the Local Plan, and at pace.

The Acting Planning Policy Manager detailed each of the Appendices provided.

The Inspector considered that 1,000 dwellings would be required to address the shortfall and strongly indicated that this would be seen as a minimum, expressing a preference for a higher number. The Inspector sought certainty of delivery, which would be best achieved through allocated sites. The Acting Planning Policy Manager agreed that it would be sensible to include a higher target figure to accommodate any unforeseen slippages in delivery, and emphasized the need for flexibility, noting that ongoing issues with Nutrient Neutrality might cause delays.

The Acting Planning Policy Manager stressed the importance of addressing the 5-year housing land supply and the need to deliver sites early in the plan period. Failure to address the 5-year housing land supply position would be an issue at examination.

At this stage of the Local Plan, the Working Party was asked to consider the principle of allocations rather than specific details, which would come at the planning application stage. Some sites were being progressed through pre-application advice, which is a separate process that would be scrutinized separately at the Development Committee. The Acting Planning Policy Manager confirmed that all the sites outlined in the Action Plan were considered by officers to be necessary to provide a sound basis for progressing with the next hearing sessions. He acknowledged that some of the sites were controversial and confirmed that the consultation feedback received would be provided to the Inspector and discussed at examination hearings

Members debate

- a. Cllr N Dixon confirmed that it was made clear a pragmatic and timely approach was required, and acknowledged the risks should the Plan fail to be delivered in time. He considered these risks to be paramount. Failing to deliver the plan, which had been over six years in the making, would not serve the residents or businesses of North Norfolk well and might lead to chaos. Cllr N Dixon stressed the need to expedite the Local Plan with minimum delay. He confirmed that he was content with the suggested approach and the outlined action plan.

Cllr N Dixon suggested that each Ward Member be asked to study the Action Plan and the proposals located within their Ward, particularly those small growth villages which were late additions to the Plan and had not been subject to the same degree of examination. He noted that within his own Ward, there were some small discrepancies with the maps that required amendments before being consulted upon, but he considered there to be enough time for this to be sorted before the 6th November target date.

- b. Cllr P Heinrich endorsed the views expressed by Cllr N Dixon regarding the need to act swiftly and acknowledged the risks associated with failing to have a Local Plan in place.

As a Local Member for North Walsham, he expressed his grave concerns for site NW16. He noted that North Walsham was expected to take an additional 2,200 new dwellings without this new proposed site. He reflected that the essential access from Cromer Road into the industrial estate was not viable at this time, which would impact economic growth in the town and be exacerbated by further population growth. Cllr P Heinrich noted this site had been previously rejected,

having been considered remote from the Town Centre and associated services, located within the designated countryside, and it was felt that development would have an adverse effect on the landscape. He considered that this development would place additional pressures on the local GP surgery, which could not accommodate existing demand, and argued there was not a safe walking route to local schools, the medical centre, or town centre from the site, resulting in reliance on private vehicles which would congest the medieval streets. In addition, further pressures would be placed on Coltishall on top of the increased traffic movements anticipated for North Walsham West, with many residents seeking employment in Norwich. Cllr P Heinrich argued that traffic assessment modelling for North Walsham West might need to be revisited if NW16 were allocated, which would be at a cost. The Local Member stressed the need for affordable housing and argued the Local Plan should prioritize homes for local people.

He expressed some sympathy with the Planning Inspector, who was responding to the mandate issued by central government, but concluded it was unreasonable and unrealistic to increase the housing target so significantly, particularly with North Walsham set to accommodate a significant proportion of Local Plan development already.

Cllr P Heinrich accepted additional growth for small villages, which may help bring vitality to rural communities through the influx of younger families.

- c. The Chairman agreed infrastructure considerations were important and affirmed that views could be expressed through the 6-week consultation period.
- d. Cllr V Holliday accepted the need for pragmatism and the need to proceed with the Local Plan consultation. However, she reflected that additional growth in Blakeney and Weybourne would be unpopular, and the loss of Clifton Park was regrettable. With respect to the Gypsy and Travellers policy, Cllr V Holliday considered more could have been detailed regarding the difference in longevity for travellers and reduced educational attainments. She asked that thought be given to this matter when considering the locality of Gypsy and Traveller sites.
- e. Cllr A Brown extended a warm welcome to the Chairman and wished him success in his role.

Cllr A Brown endorsed the Officer recommendation and expressed his frustration with the seismic change in methodology mandated by the new government, which he felt took power away from Local Authorities to determine their own housing need. He felt the prescriptive housing targets were unrealistic and stated it was developers and not the Local Authority who would provide new housing and ensure delivery. Cllr A Brown noted that between 2001 and 2024, a total of 8,604 new dwellings were delivered in the district, equating to 374 per annum. Officers had, through the emerging Local Plan, sought to challenge the standard methodology, to use the 2016 census figures as opposed to the 2014 figures, establishing a 480 dwellings per annum delivery target. This then increased to 557 dwellings during the Plan process, with the Inspector subsequently communicating that 943 dwellings per annum should be delivered.

Cllr A Brown questioned the government's justification for the 70% increase for North Norfolk, noting that London had a minus target, though recognized the issue was worse in West Norfolk with an 80% increase. He felt central government failed to give proper consideration to the constraints in North Norfolk – 45 miles of coastline, 35% of the district located within the designated national landscape, 81 conservation areas, and 56% of the district affected by Nutrient Neutrality. He argued that the prescriptive approach mandated did not allow local communities to make their own decisions and devalued the power of consultation. This was further exacerbated by the 6-month timeframe to adopt the plan.

Cllr A Brown thanked officers for their hard work and noted the immense pressure the team had been under since July.

- f. Cllr J Toye noted the increase in housing was government-driven and recognized the risks which would arise if the Local Authority failed to have a Local Plan. He reflected that the Plan period had been changed, allowing more time to develop the Plan, and considered that the pressures noted with respect to infrastructure were pre-existing. Cllr J Toye stated it was incumbent on the Local Authority, outside of the Working Party, through devolution deal discussions to forge links and work collaboratively to ensure a connected infrastructure network. With respect to small growth villages, Cllr J Toye felt consideration needed to be given to transport and reflected that while it would not be realistic for there to be a bus in every village, a bus in the neighboring village a mile away might be sufficient. He considered a holistic approach was required.

- g. The Chairman encouraged engagement by Local Members with parish councils regarding the Local Plan.
- h. Cllr M Batey stated the Council had little choice but to proceed with the consultation and reflected that there might well be local residents who were dissatisfied with the proposed changes.
- i. Cllr A Varley thanked Officers for their fantastic work. He stated that it was important Local Members engaged with their communities on this matter to ensure local knowledge and views were shared through the public consultation. As Local Member for Ludham, he stated that he was broadly in support of the proposal but stressed the need for affordable housing, cautioning that developers had historically watered down the amount of affordable housing through viability assessments. Within the Ludham and Hoveton area, there was local concern about existing foul drainage capacity, with views expressed that additional development might exacerbate this issue
- j. Cllr N Dixon advised that his views expressed at the Working Party were as an appointee of the Working Party, giving due consideration to the district as a whole, rather than speaking as a Local Ward Member for Hoveton and Tunstead. While he shared the concerns expressed by Cllr P Heinrich regarding North Walsham and transport links, he recognized the need to assess the Plan more broadly. Local Members would be afforded the opportunity to share their views through the consultation. Cllr N Dixon noted that the delivery of the Plan was a separate matter, presenting challenges that the Local Authority did not have direct control over. Developers and the market more broadly would steer what was delivered and when. Cllr N Dixon stated that the risks associated with not adopting a Plan were unacceptable and remained paramount in his mind.

Cllr N Dixon considered there might be some merit in clustering small villages together, recognizing that they could support and contribute to one another, ensuring greater viability.

Cllr N Dixon stressed the importance of Local Ward Members engaging with the Local Plan, reviewing the Action Plan, verifying if details were correct, and communicating the proposals with their Local Communities and Parish Councils.

- k. The Acting Planning Policy Manager thanked Cllr N Dixon for his comments. He stated this was a strategic plan that sets the framework

for the Council and emphasized the importance of moving the Plan forward to allow policy changes to be introduced. He confirmed the documents provided to the Working Party were working documents, with ongoing work to finalize them until the consultation was launched. The Acting Planning Policy Manager advised he would write to all Members and Parish Councils advising them of the changes.

- i. Cllr V Holliday considered the need for pragmatism and noted that the rush for Local Plan adoption did not serve North Norfolk well with respect to homelessness, pointing out that the prescriptive housing targets did not address matters of affordability.
- m. The Senior Planning Officer outlined the site proposals and provided a brief overview of the methodology behind the choices made. He confirmed the sites now included had previously been discussed. Given the acute time constraints, the approach was not taken to undertake a call for new sites, as it was recognized that such sites might not ultimately be considered suitable. He noted that many promoters of the sites had continued to pursue the sites even though they had not been included in the Plan, so a significant amount of technical information was available.

Category A sites were those which had been previously assessed and considered suitable but not selected for allocation due to strategic reasons. This allocation also included sites already detailed in the emerging Plan which had been proposed for extension.

Category B sites required a more detailed review of the site assessment process, considering those sites which had been previously discounted from the original process but which had some capacity to come forward, albeit on a smaller scale. The Senior Planning Officer advised that C19 (Land at Compit Hills, Cromer) was discounted on highways grounds, and H35 (Land at Horning Road, Hoveton) was discounted due to its countryside designation and lack of evidence to justify whether mitigation would be able to overcome this policy constraint. He noted that the site promoters for Land at Horning Road had keenly pursued the site's inclusion in the Plan in recent weeks. Officers were open to reviewing the inclusion of the site upon Member instruction.

The Senior Planning Officer advised that some of the site boundary maps had been updated and summarized the proposed changes.

- n. The Senior Planning Officer (CD) outlined the changes to the small growth villages and reiterated the Inspector's guidance that the Council explore this particular tier of distribution growth across the district. A review of small growth villages had been undertaken based on the Inspector's advice, details of which were set out in Appendix 4. It was noted that Beeston Regis was an anomaly to the methodology, as the key services were located in the adjacent settlement (Sheringham). However, given these services were within accessible range, this scored Beeston Regis as being suitable for inclusion. Two sites had been discounted out of the 12 detailed in the review, with details contained in the appendix.

The Senior Planning Officer (CD) advised that 9% growth was proposed for the small growth villages. It was noted that the NPPF sought approximately 10% growth on small to medium scale development sites. The inclusion of the 10 additional small growth sites to the existing list at 9% growth would provide approximately 873 dwellings.

Alternative villages were considered which offered secondary level services, but not enough to qualify at this time for inclusion in the small growth village strategy. The Senior Planning Officer (CD) commented that these villages might be considered appropriate for infill development, should this be of interest to members.

- o. The Acting Planning Policy Manager stressed that exploring additional options at this stage might risk the Plan, given that additional work would be required, causing a time delay. He confirmed that clustering (dispersed growth) of villages had been considered as an option in the Local Plan but had been rejected some time ago. The Acting Planning Policy Manager welcomed consideration of clustering with future Local Plans, noting that this would be beneficial in meeting higher targets anticipated to come through the NPPF.
- p. Cllr N Dixon considered it important, as a matter of contingency planning, to have a variety of options available should issues with deliverability occur at some of the designated sites.
- q. Cllr J Toye asked if services located outside the district, but in close proximity to villages and towns within the district, were considered for their service value.
- r. The Senior Planning Officer (CD) advised that while officers were spatially aware of the nearest towns to small settlements, this wasn't

given a great deal of consideration. Officers instead focused on matters of sustainability and whether residents would be reliant on private cars to access day-to-day services. The Senior Planning Officer (CD) confirmed the 'main road' descriptor for secondary services incorporated public transport links.

- s. Cllr P Heinrich reflected that it was important to consider where residents of small growth villages perceived their main services to come from, as while the Local Authority might consider residents would use the services in one place, the residents might instead use services elsewhere.

Cllr P Heinrich agreed the Working Party must consider the whole district in its recommendation, and while he held reservations about specific sites, he acknowledged the need to act quickly and proceed with public consultation.

- t. Cllr J Toye advised that as Portfolio Holder for Sustainable Growth, work was underway for a rural strategy. He agreed it was important to understand where residents used services.
- u. The Acting Planning Policy Manager outlined the Gypsy and Traveller changes detailed in the officer's report.

The Acting Planning Policy Manager confirmed the consultation arrangements. The dates provided were designed to ensure responses were received before Christmas, allowing time for comments to be summarized and provided to the Inspector. It was hoped this would expedite dates for hearings early in 2025. Online responses to the consultation would be preferred, though written responses would be accepted.

- v. Cllr A Brown asked where the statutory notices would be located.
- w. The Acting Planning Policy Manager advised these would be located on the Council's website, issued to all those who had contributed to the Plan, sent to Town and Parish Councils, and advertised in the local press.
- x. Cllr V Holliday asked if paper versions of the consultation document and response form would be available.
- y. The Acting Planning Policy Manager advised the documents would be

available from the council offices in library form. If a request was received from a parish council for a hard copy, this would typically be accepted. Hard copies of the response form were available as standard.

Cllr N Dixon proposed the Officer's recommendation. Cllr J Toye seconded the motion.

UNANIMOUSLY RESOLVED

Members of the Planning Policy & Built Heritage Working Party recommend to Cabinet that:

- I. the draft Action Plan is endorsed and taken forward to the timelines outlined;**
- II. the updated evidence and background papers are endorsed;**
- III. the consultation arrangements and communication Plan are endorsed;**
- IV. that delegated authority is given to the Acting Planning Policy Manager in consultation with the Planning Portfolio Holder to finalise the Action Plan and consultation material and continue to respond to the Inspectors questions during the Examination period and hearing(s)**

16 PLANNING REFORM UPDATE

The Acting Planning Policy Manager introduced the report, which was for information only.

17 NPPF CONSULTATION RESPONSE

The Acting Planning Policy Manager introduced report, which was for information only. A summary of the response to the public consultation was detailed within the agenda. The most consequential change related to a revised approach for housing growth, referred to by Cllr A Brown in the prior item.

18 EXCLUSION OF PRESS AND PUBLIC

The meeting ended at 11.42 am.

Chairman