

**19 JUNE 2017**

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

Mrs S Arnold (Chairman)  
Mr J Punchard (Vice-Chairman)

Mrs J English  
Mrs A Green

Mrs P Grove-Jones  
S Shaw

Mrs V Uprichard

Observers:

N Dixon  
Mrs G Perry-Warnes  
R Reynolds  
Ms K Ward

Also present (speaking on Minute 67):

Professor Tony Barnett  
Dr Imogen Waterson

Officers

Mr M Ashwell – Planning Policy Manager  
Mr I Withington – Planning Policy Team Leader

**62. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Ms V Gay, N Pearce and R Shepherd.

**63. PUBLIC QUESTIONS**

None.

**64. MINUTES**

The Minutes of the meeting held on 24 April 2017 were approved as a correct record and signed by the Chairman.

**65. ITEMS OF URGENT BUSINESS**

None.

**66. DECLARATIONS OF INTEREST**

None.

## **67. CORPUSTY AND SAXTHORPE NEIGHBOURHOOD PLAN PRE-SUBMISSION**

The Chairman welcomed Professor Tony Barnett and Dr Imogen Waterson to the meeting. Professor Barnett and Dr Waterson had produced the Neighbourhood Plan.

The Planning Policy Team Leader gave an overview of the emerging Neighbourhood Plan consultation document. The Council's response to the pre-submission consultation document had been updated and circulated to Working Party Members prior to the meeting following the opportunity given across planning and housing teams to add comments to the draft response on their specific specialist areas. The neighbourhood plan remained a broad plan covering many different topic areas. Although recognising that considerable refinement had been made following a previous review of the emerging pre-submission plan and through a number of one to one sessions with Dr Waterson on policy writing there remained a number of areas of concern. Some of these areas related to the duplication and repetition of policies, while others related to the evidence base and justification of approaches. Whilst officers recognised that some aspects were included at this stage as a response to community aspirations, their advice remained that going forward the group should ensure that all policy approaches were underpinned with suitable evidence in order to justify the policy approach. In other areas, further clarity would be required to make the plan effective. He explained that the comments should not be taken as criticism; they were intended to be helpful and constructive to help shape the plan in addressing those areas in order to ensure the plan could be used as an effective decision-making document, and also to assist in ensuring the plan would meet the regulatory tests. The comments detailed in Appendix 2 represented the formal comments of the Council in response to the statutory consultation. This was the only consultation whereby statutory bodies could comment formally on the content of the plan. However the comments remained advisory. Following this stage of the pre submission neighbourhood plan, he recommended that the plan was reviewed in light of the comments received from all the statutory and non-statutory bodies and the final draft plan submitted to the Council along with the Basic Conditions Statement and other regulatory requirements. At that stage the Council's role would change and there was a requirement to undertake the necessary legal checks ahead of arranging for an independent examination.

The Planning Policy Manager explained that whilst the nature of such responses could be seen as negative, the Council's response was intended to identify areas where the effectiveness of the plan could be improved and increase its chances of success at the examination stage. Substantial progress had been made and this was the first neighbourhood plan to reach this stage. The approach taken in producing the plan had been similar to that taken by the Council in its own plan-making.

Councillor Mrs G Perry-Warnes, Member for Corpusty Ward, stated that Professor Barnett and Dr Waterson had put a great deal of expertise and work into producing the document, which had involved the community in identifying its own needs.

The Chairman commended the community for coming together to identify issues and welcome in new families. She explained that the Council's response was not meant to be critical but was intended to make the process as good as it could be. She invited Dr Waterson and Professor Barnett to address the Working Party.

Dr Waterson stated that she was the Chairman of the Corpusty and Saxthorpe Parish Council. She expressed gratitude for the Officer support and financial support which

had been given towards preparation of the Neighbourhood Plan. Many hours had been spent in the preparation of the plan and numerous consultations undertaken with the community.

Dr Waterson explained that consultants commissioned on the advice of NNDC had undertaken some work around policy wording and conformity with the Local Plan. However, on the advice of Officers following an informal review of the emerging plan it had been necessary to undertake further changes. She was disappointed in the service received from the consultants and equally she had been dismayed to receive Appendix 2 (schedule of comments) with further criticisms as she had thought all of the problems had been resolved. The intention was to produce one document which reflected the community and she considered that there had to be differences between it and NNDC documents. One criticism was that the Neighbourhood Plan should be compatible with the emerging Local Plan. However it was not possible to write a plan which was compatible with something which had not yet been written. She considered that the Neighbourhood Plan was in conformity with the existing Local Plan. There was no statutory requirement to prepare a sustainability appraisal and a great deal of time had been spent considering sustainability criteria and produce a matrix to show where the Neighbourhood Plan was in conformity.

There had been very supportive feedback from the community and consultation meetings had been well attended. The document had been tweaked as a result of comments received but there had been no negative comments. Dr Waterson stated that she would like the document to go to examination as soon as possible.

Professor Tony Barnett introduced himself. He referred to the Localism Act which had shifted power towards local communities. He explained the background to the Neighbourhood Plan. He stated that many local interest groups and individuals had been consulted and a great deal of evidence had been gathered. He had been surprised to read Appendix 2 and considered that it damned with faint praise. He considered that the response was strongly against the principle of localism and that the level of detail of the response in respect of an amateur project could appear to be obstructive. The group had a better understanding of the aspirations and goals of the community than NNDC. He was pleased to hear Officers giving the document the praise it deserved at this meeting and asked the Working Party not to undermine local effort.

The Chairman congratulated Professor Barnett and Dr Waterson on the work which had been done in producing the Plan.

The Planning Policy Manager explained that Officers were not trying to frustrate the process but were trying to work positively with Professor Barnett and Dr Waterson to a point where their plan could be supported. The comments were small and it was not being suggested that the plan should be radically changed. He stated that he understood their frustration but it would be a shame to have done so much work and fail at the examination stage.

The Chairman asked what would happen if the plan was submitted as written.

The Planning Policy Manager stated that in his opinion there was nothing in the plan as written which did not conform and he considered that it sat alongside the Core Strategy. However, there were some areas in the policy wording and justification where there were areas of risk at examination. It was for NNDC to point out those areas and the Neighbourhood Plan group could address them if they wished.

The Planning Policy Team Leader recognised that it was difficult to align with a future local plan but comments had been made to “future proof” the Neighbourhood Plan. It was necessary to ensure that its policies were not superseded by the new Local Plan by reference to the current Local Plan. It was further recognised that the neighbourhood plan was Corpusty & Saxthorpe’s plan

Councillor Mrs G Perry-Warnes considered that it would be good to get to the stage where the Neighbourhood Plan was submitted. She suggested that a sentence be added at the end of the document to address any future conflict. She requested that the plan be progressed to the next stage.

Councillor Mrs P Grove-Jones raised questions regarding timescale and the impact of the emerging Local Plan.

The Planning Policy Manager explained the likely timescales for the Neighbourhood Plan and the emerging Local Plan.

Dr Waterson stated that it was hoped to hold a referendum on the Neighbourhood Plan before the end of the year.

The Planning Policy Team Leader explained that the Neighbourhood Plan would have to be taken into account when preparing the Local Plan.

Members of the Working Party expressed support for the plan and the advice contained in the schedule and commended Professor Barnett and Dr Waterson for the work they had done.

Councillor N D Dixon referred to the mixed use area in the plan and stated that the Council would want to support the community by reserving sites for businesses to establish and existing businesses to grow.

The Planning Policy Manager stated that in making a mixed use allocation it was necessary to ensure that there were controls to ensure that the community got what it wanted. Officers could assist with the precise wording of the policy.

The Planning Policy Manager requested that the Working Party decide whether to return the schedule to the group. It was for the group to decide what to do with the comments.

Dr Waterson stated that the group had worked very closely with the Officers. She was happy to have a further session with the Planning Policy Team Leader to finalise matters but would want closure at that stage.

The Planning Policy Team Leader assured her that the comments at Appendix 2 would be the final comments and he would work with the group so they could meet the requirements to go forward to submission.

Professor Barnett confirmed that he was content with this process.

The Planning Policy Manager stated that under the terms of reference of the Working Party it was necessary to make recommendations to Cabinet. He recommended that Cabinet be requested to delegate responses to consultations on neighbourhood plans to the Working Party in future.

Councillor J Punchard supported this suggestion subject to consultation with the local Member.

**RECOMMENDED to Cabinet**

1. **That the Council welcomes and supports the progress that has been made on the Corpusty and Saxthorpe Neighbourhood Plan.**
2. **That Appendix 2 to the report is agreed as the basis for this Council's response to the consultation.**
3. **That preparation of the final detailed response is delegated to the Planning Policy Manager.**
4. **That responses to consultations on future neighbourhood plans be delegated to the Planning Policy & Built Heritage Working Party, subject to consultation with the Local Member.**

**68. NEIGHBOURHOOD PLANNING ACT**

The Planning Policy Manager updated the Working Party on the Neighbourhood Planning Act 2017.

Councillor J Punchard commented that the provisions relating to compulsory purchase would be helpful.

Councillor Mrs P Grove-Jones asked how much weight neighbourhood plans had in respect of planning applications.

The Planning Policy Manager stated that neighbourhood plans were statutory planning documents and it would be for the decision-maker to apportion weight.

The Chairman asked which plan would take precedence when determining an application which was contrary to the Countryside policy in the Local Plan but acceptable under the Neighbourhood Plan.

The Planning Policy Manager stated that the Neighbourhood Plan would take precedence as the most up to date plan.

The Working Party noted the report.

**69. LOCAL PLAN UPDATE**

The Planning Policy Manager updated the Working Party on progress on the Local Plan.

The HELAA document would be published shortly. This would include all potential sites including previously allocated but not yet developed sites, significant planning permissions which had not yet been developed and sites which came forward from the call for sites and town council workshops. The next stage was to shortlist the preferred sites and these would be brought back to the Working Party later in the year, at which time site visits would be arranged.

A more focused approach would be taken in respect of the villages and a report would be submitted to the Working Party in the near future.

The Planning Policy Manager updated the Working Party on the commissioning of evidence, which was progressing gradually.

Work on the local plan was currently 6-8 months behind schedule. A Planning Policy Officer had been successfully recruited but was unable to join the team until September. It was not helpful that the context in which the team was working had changed a great deal and would continue to do so. It was still intended to submit the plan to examination in the current administration.

The Chairman expressed appreciation for the work the team had done. The team had been 50% understaffed for a considerable amount of time and under a great deal of pressure. She asked if a response had been received in respect of the Council's consultation response on streamlining the local plan process.

The Planning Policy Manager reported that there were provisions in the White Paper relating to streamlining of the process. These were not yet in place. There were some areas of concern and a cautious approach needed to be taken as there was a risk of legal challenge. All areas of the previous plan were being revisited to avoid risks but this was time hungry. In-house experience was not available to cover all aspects but the Council had been reasonably successful with the consultants who had been appointed to do the work.

The Chairman referred to comments made by Dr Waterson regarding the consultants engaged by the Neighbourhood Plan group which did not appear to have been good value for money.

The Planning Policy Manager explained how funding for Neighbourhood Planning was allocated. The group had chosen consultants from a list to carry out the conformity test. He considered that there was a need to engage more with parishes before they submitted their plans. Significant comments were being made late in the process which could have been made at an earlier stage. He understood the frustration and stated that the comments were seen as negative when they were not intended to be.

Councillor N D Dixon referred to the difficulties involved in areas which had to consult both the Broads Authority and District Council. He expressed concern at equality issues where there was a lack of expertise. Neighbourhood plans were complex and required a great deal of resources. He considered that simplicity was better. He had concerns regarding the accessibility of neighbourhood plans.

The meeting closed at 11.42 am.

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CHAIRMAN