

**18 JUNE 2018**

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)

Mrs S Bütikofer  
Mrs A Fitch-Tillett  
Ms V Gay  
Mrs A Green

Mrs P Grove-Jones  
N Pearce  
R Reynolds  
S Shaw

Mrs V Uprichard

Observers:

N Dixon (Cabinet Member for Economic Development, Business & Tourism)  
N Lloyd  
E Seward  
B Smith  
D Young

Officers

Mr M Ashwell – Planning Policy Manager  
Mr I Withington – Planning Policy Team Leader  
Mr S Harrison – Planning Policy Officer

**11. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Ms M Prior and J Punchard.

**12. PUBLIC QUESTIONS**

Questions and comments from members of the public were taken at minute 18 as they related to that item.

The Chairman accepted a comment from Councillor D Young relating to provision of housing in villages.

Councillor Young stated that he represented several small villages in the countryside which had well above the average level of second homes. It was almost impossible to find available sites which would be large enough to make a viable exceptions site. There could be no building in the countryside unless exceptions sites were available, and it was not possible to mitigate second homes and allow families to find housing in the villages. He suggested that future policy could allow small developments of one or two dwellings adjacent to village envelope. These would preferably be affordable dwellings but they could otherwise be market dwellings with restrictions that they were occupied as permanent dwellings and only available to people with a connection to North Norfolk. He considered that this would prevent those dwellings from becoming second homes and would address the situation where a landowner wanted to provide a home for a family member. He considered that such occupiers were more likely to play an active part in village life.

The Planning Policy Manager stated that the approach to development in villages and infill development would need to be revisited. Members were unhappy with the current approach which was very restrictive to growth in villages. There had been some discussion at the previous meeting and Members had been advised that it would be preferable to consider the broader issue of tenure controls rather than simply focus on second homes. A detailed paper would be brought to the Working Party in due course.

### **13. MINUTES**

The Minutes of the meeting held on 21 May 2018 were approved as a correct record and signed by the Chairman, subject to the inclusion of apologies for absence from Councillor N Dixon and the insertion of the words “as it was in the AONB” under Councillor Mrs S Bütikofer’s comments relating to C10/1.

### **14. ITEMS OF URGENT BUSINESS**

There was one item of urgent business relating to a verbal update on the Corpusty and Saxthorpe Neighbourhood Plan. The reason for urgency was to seek delegated authority to respond to the document within the prescribed consultation period in consultation with the Portfolio Holder and Chairman of the Working Party.

### **15. DECLARATIONS OF INTEREST**

None.

### **16. UPDATE ON MATTERS FROM THE PREVIOUS MEETING**

None.

### **17. FIVE YEAR LAND SUPPLY 2018-2023**

The Planning Policy Manager presented a report which compared the latest evidence in relation to the requirement for new homes in the District with the amount of deliverable housing land that is available. The report explained the approach to identifying the requirement in terms of new dwellings and how the deliverable supply is calculated.

National policy required that at all times a deliverable housing land supply of at least five years must be demonstrated. There was significant uncertainty regarding the current year’s statement due to ongoing consultation around a proposed new method for establishing housing needs and the pending publication of new Household Projections by the Office for National Statistics in September 2018. The household projections were derived from the population projections which had already been published. The population projections indicated a significant slowdown in the rate of population growth which was likely to result in a reduction in the housing requirement for the District over the next five year period. Whilst it would be possible to delay publication of the Five Year Land Supply Statement until the publication of further information in September, it was considered important that the Council understood and published its current position as it was a major consideration in determining planning applications and appeals, and in the absence of a five year housing land supply there was a presumption that planning permission should be granted on unallocated sites provided they were sustainable. The Planning Policy Manager recommended the publication of an Interim Position Statement pending the publication of the new National Housing Projections in September 2018 which were likely to impact on the local housing requirement.

The Planning Policy Manager explained that the current methodology, based on current household projections, would require 538 dwellings to be delivered per year and at this figure the five year land supply would be marginal at 5.02 years. The current target was 409 dwellings, which represented a 5.8 year supply. The expected household forecast was likely to result in a requirement to deliver around 420-430 dwellings per year.

Councillor R Reynolds asked the Planning Policy Manager to explain in detail what would happen if the 5 year land supply was lost.

The Planning Policy Manager explained that there would be a presumption that planning permission would be granted on sustainable unallocated sites until the five year supply was restored. It was likely that anyone with a potential site anywhere in the District could take the opportunity to seek planning permission. It was important to maintain a five year supply.

Councillor Mrs A Fitch-Tillett proposed that the Council should maintain its target of 409 dwellings. She expressed concern that there was too much reliance on infrastructure providers to support additional development.

The Planning Policy Manager requested that Members avoid setting numbers without understanding the detail behind it. He agreed that the target of 409 dwellings could be retained for the five-year housing supply purposes pending publication of the new methodology and that any change be published in the interim statement.

Councillor Mrs A Green asked if there could be a decrease in the target from 409 if household projections fell.

The Planning Policy Manager explained that there would still be growth but the incline would be shallower. However, it was necessary to be cautious because of wide fluctuations in the statistics and it would be wrong to rely to heavily on a single forecast to set the housing target in the Local Plan.

Councillor D Young asked if it was realistic to presume that some of the potential sites in the new Local Plan would come to fruition in five years' time.

The Planning Policy Manager explained that it was not possible at this stage to say whether or not sites would be delivered. There would be more certainty following consultation as to which sites would go through to the Local Plan and enter the deliverable supply.

Councillor N Lloyd asked how localised the current five year supply was. He was aware that the five year allocation had been reached in some areas. He also asked what impact the emerging plan currently had.

The Planning Policy Manager stated that the five year land supply requirement related to the District in its entirety. It was not necessary to demonstrate a five year supply in individual settlements. The emerging plan currently had no legal status. The emerging plan period covered 2016 – 2036 and any development which took place after 1 April 2016 would come off the target.

Councillor N Dixon emphasised that loss of supply could result in the loss of mixed sites and the opportunity to provide employment and supporting infrastructure. There was a need to think more broadly than just in terms of housing.

Councillor Mrs P Grove-Jones expressed concern that if the five year land supply were lost, there was a large number of dwellings which could potentially be put forward by developers and asked how long the problem would last.

The Planning Policy Manager explained that the impact of a shortfall in the five-year land supply would continue only until the situation was corrected by granting planning permission for a deliverable supply.

The Working Party discussed the possible annual delivery target for housing.

Councillor R Reynolds proposed that an interim position statement is published confirming that the Council has a Five Year Land Supply. This was seconded by Councillor S Shaw.

The Planning Policy Manager stated that it was important that a formal five year land supply position was published, based on the current position, but also to publish a revised statement based on the new projections.

It was proposed by Councillor Mrs A Fitch-Tillett, seconded by Councillor Ms V Gay that the interim position statement be published to confirm that the Council has a five year land supply based on the current position of 409 dwellings per year and to publish a revised statement based on the new household projections.

Councillor R Reynolds and S Shaw indicated that they accepted the suggestion. Councillor Reynolds emphasised the importance of maintaining flexibility.

#### **RESOLVED**

**That the interim position statement be published to confirm that the Council has a five year land supply based on the current position of 409 dwellings per year and to publish a revised statement based on the new household projections.**

#### **18. LOCAL PLAN – IDENTIFICATION OF PROVISIONAL HOUSING SITES IN NORTH WALSHAM FOR INCLUSION WITHIN THE EMERGING FIRST DRAFT LOCAL PLAN. (CONSULTATION VERSION)**

The Planning Policy Team Leader explained the process, methodology and criteria for selection of the provisional preferred sites for consultation. The Chairman requested that a copy of his slide presentation be circulated to Working Party Members after the meeting.

The Planning Policy Officer presented the provisional preferred and non-preferred sites in North Walsham which were fully appraised in the report.

#### Public Speakers

Mary Seward (North Walsham Town Council)  
Elaine Addison (local resident)  
Bernie Marfleet (Save our Streets)  
Michelle Banville (local resident)

Mary Seward stated that North Walsham Town Council was firmly of the view that major housing development to the west of the town, as recommended by officers, should be accompanied by appropriate infrastructure improvements, which should be reflected in the Local Plan. It was essential that a new link road was built from Norwich Road to Cromer Road and that it should be extended to the Lyngate industrial estate to remove increased traffic from the new housing development as well as removing heavy through traffic from the town centre. The link road should be built at an early stage in any new housing development and could be expected to require some form of public funding with Section 106 contributions from developers to cover much of the funding. Additional Section 106 contributions should be required, eg. for schools, traffic signage and improved health facilities. Whilst the Town Council recognised that other sites in the town would be identified for housing, at this stage it was opposed to the land at the end of Mundesley Road being allocated for housing because of poor highway access, unacceptable damage to the landscape and being outside the existing settlement boundary. The Town Council also considered that the Local Plan should require developers to provide a level of affordable housing to help meet local need. The Town Council wished to have a continuing dialogue with the District Council on the Local Plan as it considered that it would improve what was ultimately agreed for North Walsham.

The Planning Policy Manager confirmed that the options were provisionally preferred and further work was required with regard to deliverability.

Elaine Addison considered that the link road would only be used if it connected directly to the industrial estate, and if so it should result in a reduction in unsuitable traffic using the town. She requested that unsuitable roads be made "access only". She stated that retail house prices were significantly lower in North Walsham than in other parts of the region, which impacted on developers' opportunities to contribute towards planning gains. She stated that large developers had not made contributions and the lack of investment had impacted on local residents. Schools were oversubscribed and local children had to go to school in Hoveton. She considered that robust Section 106 contributions were needed with a legal obligation to ensure that commitments were met.

The Planning Policy Manager stated that Persimmon had made contributions but another developer had not.

The Planning Policy Manager stated that care was needed with phasing agreements and clear triggers were needed for infrastructure. Land value would determine what could be delivered. There may be a need for public investment and forward funding if the road had to be delivered in its entirety.

The Chairman asked if Norfolk County Council (NCC) was prepared to fund the road.

Councillor E Seward, a NCC Councillor, reported that NCC had identified 5 Norfolk market towns with projected housing growth. Studies had been authorised to look at the implications of such growth and funding of 1.7m would be available for which bids could be made. It was hoped that the study would provide evidence regarding the need for highway improvements. NCC Members representing the North Walsham area had indicated that funding may be required and evidence would be needed to bid for the money.

Bernie Marfleet welcomed the emerging Plan. He supported the views expressed by Mary Seward and Elaine Addison. North Walsham was a growth town but it needed to be taken forward in a way that suited the town and made it healthy and safe. The

main issues concerned the need for a relief road. Traffic going through the town from Cromer to the Norwich Road was a concern. A large number of schoolchildren used the road, which was not healthy or safe. Additional traffic going through the town was unacceptable. The access for HGVs was a constraint on economic development. The increase in traffic was an issue which local people felt strongly about and needed to be addressed in the proposals. Evidence was needed of traffic impacts, how the link road and traffic controls would be incorporated into the proposals, and how they could be secured.

Michelle Banville stated that she was very fearful of developers reneging on their promises and requested assurance of the legal framework and the means the Council would have to ensure that developers delivered on their promises.

The Planning Policy Manager explained that the only power the Council had was to refuse to grant planning permission until the applicants could demonstrate they could meet the requirements. It was essential not to overpromise and under-deliver. The next phase before public consultation would be very important for the Council and the promoters to show they could deliver.

Councillor Mrs V Uprichard expressed concern that sites occupied by Ladbrooks Engineering and the Garden Centre, which were successful businesses, were considered as an option for housing development. She considered that they should be removed. She also considered that the site at Mundesley Road should be removed as it was a greenfield site, a long way from the town centre, unsustainable and surrounded by countryside and would impact on Paston Way and the canal.

Councillor Ms V Gay supported the western extension, provided the link road continued to the industrial estate and included traffic restrictions, 20 mph speed limits and restricted access on residential streets. She considered that there should be a clear demonstration of sustainability and attractive development. Medical infrastructure was extremely important. She stated that the Football Club wished to remain on its current site at the moment and if the status of the land as a green area changed the club should be given a suitable alternative. She understood that there was a possibility of the businesses referred to by Councillor Mrs V Uprichard relocating from their current site and requested clarification of this matter. She supported the removal of the Mundesley Road site. She considered that the mushroom farm site to the south should not be preferred as the Highway Authority did not agree to access onto the Yarmouth Road and traffic would be channelled into the residential streets. She welcomed the removal of The Lawns site. She considered that it was very important to have a consistent strategy and to consider the sites in a holistic and sustainable manner as adjustments to one site would affect the situation elsewhere.

Councillor E Seward considered that any extension to the link road should go over the railway line and into the industrial estate. He stated that there was a speculative developer who was interested in the Mundesley Road site and considered that marking the site as a possible reserve would encourage speculative development. A Highway Engineer had advised him that a link road associated with the site would need to cross the historic Paston Way, which was not acceptable. He stated that the site was distant from the town and the local school was full.

Councillor N Lloyd stated that the western extension was the largest proposal in the District and had to be considered carefully. Incremental development around the town had had a detrimental effect. He agreed that the link road had to connect with the industrial estate. He considered that every encouragement should be given to

developers to link up as incremental development would not deliver the link road or other benefits required by the town. He stated that he lived on Mundesley Road and the proposed site was used for walking and was very picturesque. The canal was an attraction for the town. Paston Way was widely used and very peaceful and it would be a shame if a road cut through it.

Councillor Mrs P Grove-Jones considered that it might be necessary to apply for Government funding for the road given the high cost of road development. She was concerned that it was often the case that developers applied to delete some of their Section 106 obligations once they had received planning permission. She was concerned that the western extension would be built in a piecemeal fashion and that some developers might withdraw. There were some very large developers who would be able to develop out the site but she had concerns regarding the design of such developments.

Councillor N Dixon referred to a speaker's question regarding sanctions and the Planning Policy Manager's response that the Council only had power to hold back planning permission. He considered that much of the damage was done at delivery stage and there were many examples where developers built the dwellings but did not provide what was expected. It was not always in the Council's gift as to how contributions were spent, eg. it did not have power over the delivering capacity of clinical commissioning groups. He asked what sanctions the Council had at the end of the build to ensure that obligations were met.

The Planning Policy Manager explained that there were legal powers to enforce conditions and agreements, however it took a great deal of resources to pursue the requirements. He considered that one of the key issues was to ensure that the allocated sites were deliverable and viable. Delivery of large scale infrastructure in North Walsham was necessary whether or not development took place and it was therefore unreasonable to expect it to be funded in its entirety by private developers. The public sector had a role to play in delivery of the infrastructure.

Councillor N Dixon reminded the Working Party to consider the Local Enterprise Partnership.

Elaine Addison asked if alternative sites would be allocated if additional preferred sites were not included.

The Planning Policy Manager explained that the sites were not being allocated as preferred at the moment. They were additional sites which might need to be considered if a high housing target was set by the Government or if other sites could not be delivered. A clear demonstration of deliverability was essential before public consultation could take place. There was an issue across North Norfolk as to whether the Local Plan would deliver sufficient dwellings in the event of a high housing target being set and if so, it could be necessary to revisit other towns and the strategy as a whole. The Council could not risk examination of a plan with insufficient growth.

Councillor E Seward clarified that the NCC market town initiative had two funding stages. The £1.7 m to which he had referred was for early gains and not large scale long term funding. For the longer term funding it was necessary to build up evidence. The extension of the link road could become a separate funding bid over a longer period.

The Planning Policy Manager stated that the Ladbrooks Engineering and Garden Centre sites were being promoted by the owners of the sites. Ladbrooks wanted to relocate and required residential land value to fund an alternative site. He suggested that the Working Party provisionally allocate those sites subject to alternative provision within North Walsham.

#### **RESOLVED**

- 1. That NW01A (land at Norwich Road and Nursery Drive) be allocated as a provisionally preferred site subject to the relocation of the existing businesses within North Walsham.**
- 2. That NW44 (Paston College Lawns Site) and ED1 are not carried forward from the existing Local Plan.**
- 3. That site NW16/1 and NW24 & 43 are not allocated as provisional preferred sites.**
- 4. That NW62 (North Walsham Western Extension) is identified as a provisional preferred option, subject to further demonstration of deliverability and sustainability, attractive development, further consideration of the extension of the road network to serve the industrial estate which would include a traffic plan, exclusion of the football ground and that a comprehensive master plan brought back to the Working Party prior to public consultation.**
- 5. That the final policy wording and content of the consultation document be delegated to the Planning Policy Manager.**

#### **19. CORPUSTY AND SAXTHORPE DRAFT NEIGHBOURHOOD PLAN**

This matter was considered as an item of urgent business.

The Planning Policy Team Leader reported that the Corpusty and Saxthorpe Neighbourhood Plan Group had been submitted its draft plan, which would now be subject to a six week period of consultation, followed by examination. Costs associated with the process and much of the work would now fall on the District Council. The consultation period was anticipated to commence on 25 June, and the Planning Policy Team Leader outlined the publicity arrangements. An independent examiner would be appointed to carry out the examination.

The Planning Policy Team Leader outlined the legislation under which the Plan would be examined. Following the examination and receipt of the examiner's report, the Council would come to a formal view as to whether or not the draft plan met the basic condition tests and should proceed to referendum.

As part of the consultation, the Council was required to make its own representations to the inspector. The Planning Policy Team Leader recommended that authority to make representations be delegated to the Planning Policy Manager in consultation with the Portfolio Holder. He explained that it was not the Council's role at submission to judge the content or whether or not the draft plan met the basic conditions tests.

The Planning Policy Team Leader reminded the Working Party that feedback was previously provided to the Group at pre submission stage and that officers had

worked with the group to explain these. Some, but not all, of the comments had been taken on board and some new material had been added to the plan. There were no fundamental objections to the draft plan as a whole. However, there remained individual policy objections, and concerns remained which the group had not wished to address. The risks of this approach had been explained to the group. The Council's response would be to highlight these continued areas of policy concern along with areas of concern around duplication, conformity with national policy and the structure of the document, its usability and the evidence base that underpinned the document. There was a risk that the examiner would make modifications to the draft plan and it was assumed that the Group accepted the risk.

In response to a question by the Chairman the Planning Policy Team Leader confirmed that previous advice had been given to the Group in writing.

It was proposed by Councillor Mrs P Grove-Jones, seconded by Councillor Mrs A Fitch-Tillett and

**RESOLVED**

**That authority to make representations be delegated to the Planning Policy Manager in consultation with the Portfolio Holder.**

The meeting closed at 12.17 pm.

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CHAIRMAN