

**30 JANUARY 2019**

Minutes of a meeting of the **PLANNING POLICY & BUILT HERITAGE WORKING PARTY** held in the Council Chamber, Council Offices, Holt Road, Cromer at 9.30 am when there were present:

Councillors

Ms V Gay (Chairman)

Mrs S Arnold	Ms M Prior
Mrs A Green	Mr D Young
Mrs P Grove-Jones	Mr R Shepherd
Mr N Pearce	Mr R Reynolds

Mr J Rest as substitute for Mr J Punchard

Observers:

Mr N Dixon  
Mr S Hester  
Mr M Knowles

Officers

Mr M Ashwell – Planning Policy Manager  
Mr I Withington – Planning Policy Team Leader  
Mr S Harrison – Senior Planning Officer  
Mr J Mann - Senior Planning Officer  
Miss S Tudhope – Senior Planning Officer  
Mrs J Rhymes – Senior Planning Officer  
Mr M Stembrowicz – Democratic Services and Governance Officer  
Ms N Debbage - Local Housing Enabler

**78. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs J Punchard, S Shaw and V Uprichard.

**79. CHAIRMAN'S ANNOUNCEMENT**

The Chairman informed Members of the Working Group that if necessary, she would aim to end the meeting at 12.30pm to allow Members to attend other meetings.

The Working Group were informed that a suggestion had been made to create to a small editorial group of Members to review the draft Plan prior to its publication. It was suggested that Cllrs D Young, V Gay and S Arnold would be assigned to the group. Cllr D Young stated that he was happy to help edit the draft Plan, though he was conscious of the fact that he hadn't been a Member of the Working Group for very long. He then requested that any changes and/or rewrites be highlighted. The Planning Policy Manager replied that at present the draft Plan was only comprised of collated Reports, and confirmed that he would highlight any changes once they were made. He then reminded the Working Group that there were lots of items on the agenda, and that decisions must be made on these items for them to be included in the draft Plan.

It was confirmed, following a question from the Chairman, that all Members that wished to see their town centre boundaries had now done so.

## 80. PUBLIC QUESTIONS

The Chairman informed Members that a Ms K Walker had submitted several questions concerning Hoveton, the questions have been included below:

### 'Context to Questions

#### **Hoveton Infrastructure & Flooding Issues**

1. NNDC have had a series of meetings with Anglian Water about the ongoing sewerage infrastructure issues at Hoveton. These meetings revolve around the ability of AW to support future development in Hoveton given the serious sewerage and flooding issues in the village.

#### **Current & Future Planning Applications - Additional Requirements & Possible Use of Holding Tanks**

2. The developer for Church Fields Hoveton (PF17/1802) was required to submit details of their surface water drainage scheme for the LPA's approval in consultation with the Lead Local Flood Authority. A condition of approval requires details of the foul water scheme to be agreed by the LPA in consultation with Anglian Water. While the NNDC councillors approved the development over 12 months ago the applicant cannot proceed until these issues have been resolved. This is rather like closing the barn door after the horse has bolted.

#### **Strategic Planning & Waste Water Treatment Capacity**

3. From Anglian Water's capacity tool database a 'gold' standard process assessment the current assessed capacity of Belaugh WRC is 10,178pe, and the current connected total population (resident + non-resident + trade) is 9817pe.

Anglian Water state that growth projections indicate that the capacity limit at Belaugh could be breached by the year 2027 and so investment may be required at Belaugh WRC during the next AMP period and is therefore been included in their business plan (submitted to OFWAT). AW have stated that they will only invest at Belaugh if the growth happens as AW expect.

#### Questions:

A. What is the outcome of the meetings that NNDC and AW have had in respect to addressing the current sewerage problems?

B. If the meetings between NNDC and AW have not resulted in an agreed plan of action (including investment for resolving the sewerage and flooding issues in Hoveton) then what assurances are there that proposed 150 houses at HV01 will not compound the current sewerage problems? [If Norfolk Homes are to challenge the plan and an extra 300 dwellings are permitted, this will take Hoveton's allocation to 450 dwellings in the plan period].

C. The duration of the emerging NNDC Local Plan is from 2016-2036.

AW have indicated that from their 'growth projections' capacity at the Belaugh Waste Water Treatment Plan will reach capacity in 2027.

C.1. Consequently, does NNDC's emerging Local plan for Hoveton take into consideration and agree with AW's 'growth projections' outlined in its Business plan submitted by AW to OFWAT?

C.2 If NNDC's emerging Local Plan has not taken into consideration or accord with AW's 'growth projections' how has the district council:

(a) Calculated the upper limit to development (e.g. potentially 450 dwellings + non-resident + trade) that in totality will result in a breach of capacity at Belaugh Waste Water Treatment Plant?

(b) If a breach were to occur, in what year of the NNDC's Local plan does the authority anticipate this could happen?

### Response

The Planning Policy Manager thanked Ms Walker for her questions and stated that in the draft Plan it was possible that an allocation could be made for up to 150 dwellings in Hoveton. As a result of this proposal, a number of concerns had been raised regarding drainage that would need to be addressed before any building could take place. Within the drainage concerns, it was stated that were two separate issues that related to either the drainage network, i.e the underground pipework, or the recycling centre i.e the water treatment facility in Belaugh.

On the adequacy of the network, it was noted that these issues would need to be addressed prior to any development taking place. Members were informed that conditions to ensure that drainage networks were adequate was commonplace, and that when these conditions were imposed, it would be the responsibility of the developer to fund any required network improvements. In addition, it was stated that there were a number of ways in which network improvements could be regulated through planning consents.

With regards to the recycling centre, it was stated that this facility was run by Anglian Water, and its purpose was to manage the quantity and quality of the discharge in accordance with an Environment Agency license. In this case it was stated that it would not be the responsibility of the developer to make any necessary improvements, but rather be the responsibility of Anglian Water. It was stated that Anglian Water were aware of the possibility of further development in the Hoveton area, and future investment was a possibility at the Belaugh facility. As a result, it was stated that the key point was that NNDC would be in direct consultation with Anglian Water to ensure that any issues would be resolved, should the Hoveton site be included in the draft Plan. Cllr N Dixon stated that he agreed with the answer given by the Planning Policy Manager and added that he could advise that Anglian Water were considering their position statement on what work would be carried out to accommodate new homes. He added that the basic problem was the ingress of river water into the network, and it was possible still that the organisation may or may not support the level of development being proposed.

Cllr S Arnold referred to the pipework issues and asked whether the development conditions could be expanded to ensure that adequate network improvements are made before any building took place. The Planning Policy Manager replied that the

conditions would ensure that any necessary improvements would be implemented prior to or during the development process.

Cllr P Grove-Jones stated that she had encountered problems with surface water drainage in her ward, and that developers had not complied with drainage related conditions on the Broadreach development. Therefore she questioned whether NNDC could rely so heavily on the conditions.

Cllr N Dixon stated that as local Member for Hoveton he hoped to be in attendance when Item 10 was discussed, but had another meeting to attend. It was agreed that Item 10 would be brought forward so that Cllr N Dixon could observe the discussion.

**81. ITEMS OF URGENT BUSINESS**

None.

**82. DECLARATIONS OF INTEREST**

None.

**83. UPDATE ON MATTERS FROM THE PREVIOUS MEETING**

None.

**84. LOCAL PLAN – IDENTIFICATION OF PROVISIONAL HOUSING SITES IN MUNDESLEY AND HOVETON FOR INCLUSION WITHIN THE EMERGING FIRST DRAFT LOCAL PLAN (CONSULTATION VERSION)**

The Report presented further information on issues that had been deferred at previous meetings, namely for Mundesley and Hoveton.

Questions and Discussion

The Senior Planning Officer (SH) stated that there had been a lot of discussion around the proposed site in Hoveton that was adjacent to the school, where concerns had been raised that the school might require some of the land for extension work. He informed Members that he had since had discussions with the education authority and had received confirmation that the current expansion plans for Broadland High School could be achieved on the existing land, meaning that there would be no need for further land allocation.

Members were informed that the HV01 site proposed would be an allocation for 150 dwellings, and would be accessed via Tunstead road for better connections. In addition, after discussions with the landowner, it was suggested that at least one hectare of the land could be used for elderly accommodation. Cllr N Dixon stated that as it stood, he had no substantial recommendations to make, though he did wish to add that NCC had not, to his knowledge, given full assurances that no more land would be needed for educational purposes. The Planning Policy Manager confirmed that he had not had any more correspondence on this matter, but added that the conversation would continue with NCC whilst the Plan was still in its draft form through the consultation period.

On the proposed site for Mundesley, the Senior Planning Officer (SH) stated that officers were now proposing a new third option, as the landowner of the previous sites had decided that the land at the previously chosen location was not suitable for

development, and were no longer available as an option during the Plan period. As most sites within the area were owned by the same landowner, this meant that there was very limited choice remaining for Mundesley. These were MUN11, MUN08, MUN09 and MUN03. It was confirmed that three out of the remaining five sites available were considered unsuitable for a number of reasons. It was confirmed that site MUN03 had been combined with MUN04/1 to create MUN03A, and that this site had the potential to deliver up to 45 dwellings and was the preferred site.

Cllr D Young raised concerns that the parcels outlined in the policy for MUN03A were not marked on the map and asked if this could be done. He then referred to the sustainability appraisal summary and noted that the provision of high speed broadband was uncertain, and suggested that he would have expected that this would be guaranteed for a development of this size. The Senior Planning Officer (ST) replied that when checking the ISP website, there was no service listed as available at present, therefore it was listed as uncertain in the sustainability appraisal, though it could become a condition for development to include FTTH where possible. The Senior Planning Officer (SH) confirmed that he would ensure that this was reflected in the consultation document.

Cllr S Arnold stated that the open space identified as the Llama field was a very important open space for Mundesley, and asked if it would remain in perpetuity. The Planning Policy Manager suggested that it could be conditioned to remain, but he could not necessarily guarantee that it would remain forever. He added that on the consultation document the area could be shown in green as opposed to red, to highlight that this would be a mixed use allocation with a defined requirement for open space.

Cllr J Rest stated that the Report suggested that 3.5 hectares would be allocated for the 45 dwelling development, and asked if this was a generous allocation. The Senior Planning Officer (SH) replied that the area also included the previously mentioned open space and the railway site, hence it would appear generous. The Planning Policy Manager added that housing numbers attributed to each site were also approximate, and used to inform members of the public and account towards the dwelling target that makes up the Local Plan. It was stated that the number was arrived at using a density multiplier based on the amount of land available, but there could be various adjustments made to arrive at a final number.

With regards to Cromer, the Senior Planning Officer (JR) informed Members that there had been no changes proposed to the Cromer sites, but the three that remained were considered non-preferred and the Working Party were required to confirm this. The three sites were comprised of C44, which was a combination of C18 and C9, C42 which was a combination of C42/1 and C42/2, and finally C43 including -1 and -2. It was explained that these sites were considered non-preferred sites for a variety of reasons, such as being detached from the existing settlements in the area, remote from services, highly visible in the landscape and in the AONB. It was also suggested that they would have an adverse impact on the traffic situation on Roughton Road. Following a request for clarification from Cllr S Arnold, it was confirmed that the location of the sites was Roughton, not Cromer. The Planning Policy Manager reminded Members that they were required to make a clear decision on whether to designate the site as non-preferred.

The Chairman asked for the Working Party to take the recommendations outlined on page 40 en bloc, with the Hoveton site proposals subject to the additional drainage conditions. The vote was proposed by Cllr D Young and seconded by Cllr S Arnold.

## **RESOLVED**

- 1. That Members consider the contents of this report and confirm the provisional preferred housing sites to be included within the First Draft Local Plan for consultation for Mundesley and Hoveton, with a requirement for drainage conditions to be strengthened for the Hoveton proposals.**
- 2. That the additional smaller parcels of sites outlined in the Roughton (Formerly Cromer) section of this report are identified as non-preferred sites.**
- 3. The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**

## **85. APPROACH TO THE NATURAL AND BUILT ENVIRONMENT**

The Senior Planning Officer (ST) introduced the Report, and stated that there were six policies outlined, of which five would be highly familiar to Members of the Working Group and as a result, were recommended to continue, having been revised to align with the new NPPF. The new policy being recommended was on trees and hedgerows, and would cover gaps in the existing policy and give more strength to help protect them. In addition, it would help with determination in applications and improve awareness for developers.

### Questions and Discussion

Cllr D Young referred to the Biodiversity and Geology Policy on page 25 of the Report and asked for clarification of the term 'European Sites'. The Planning Policy Manager replied that European Sites was a generic term applied to natura 2000 designations which covered multiple environmental designations that were all covered by European legislation, and additional requirements to demonstrate no significant impact. He added that it would be a well-known term for Planning Officers, but not to the public, therefore it was useful that it had been highlighted for clarification purposes in the draft Plan.

Cllr D Young referred to the 'local list' on page 27, and asked whether there was any experience of using the list to help determine planning decisions. He added that he understood that the local list would not be as useful as policy EN8. The Planning Policy Manager replied that he did not have any direct experience of whether the local list had added any substantial value to the local development process, though he suggested that it likely would have, as it was a relevant consideration as part of planning policy. He then stated that he would review the wording to determine whether it could be strengthened. Cllr D Young replied that Policy EN8 suggested that demolition could only take place in exceptional circumstances, and was therefore stronger than the local list that suggested that re-use must be encouraged. The Planning Policy Manager confirmed that he would look to strengthen the wording before the draft Plan went to consultation.

Cllr D Young asked whether it was necessary to define what was a designated heritage asset. The Planning Policy Manager explained that there was a pre-existing glossary of terms that would be issued with the Local Plan. He added that he felt that the current wording could be changed to a more accurate representation.

Cllr D Young referred to page 28 and stated that he was pleased to see the reference to dark skies, but noted that there was no detail mentioned on whether external lighting, roof lights or picture windows would affect dark skies. The Planning Policy Manager

replied that the pre-amble had not been given alongside the quoted policy, then read it aloud for the benefit of Members as follows, 'consideration should always be given to ways of minimising light pollution from large glazed areas'. He suggested that this statement would be included in the Local Plan when published. External lighting was then discussed as being different to glazed areas, and Members were informed that it did not require planning permission, though developers could be encouraged to act responsibly in this respect.

Cllr S Arnold referred to the local list, and stated that she only recalled one occasion where this had been used in Mundesley during her time as Chair of development Committee. She noted that the designation did not carry the same weight as a listed building. The Chairman agreed and stated that the local list should be strengthened if possible.

Cllr R Reynolds said that the Council needed to introduce a definition of light pollution to clarify the position for all developers. The Planning Policy Manager replied that it would not be possible to include a definition in the Plan as the issue was too subjective, and whilst it could be measured, a definitive prescriptive policy would be extremely difficult to implement. Members accepted the difficulties that implementing such a policy would create.

The Chairman asked what would happen to the previously discussed European Sites post-Brexit. The Planning Policy Manager replied that it was expected that all European legislation would be transposed into British legislation, meaning that they would remain in place in the immediate future, but he could not be sure whether there would be future changes. The Chairman then referred to the 'protect conserve and where possible enhance' statement on page 27, and asked what the difference was between preserving and conserving, as the latter was used far more frequently. The Planning Policy Manager replied that preserve suggested that areas should be left exactly as is, whereas conserve would allow for some change or modification. He added that legislation tends to revert to preservation as opposed to conservation, but noted that he would ensure that the correct terms were used in the draft Plan. It was suggested that the editorial group would need to pay close attention to the use of this wording. Cllr A Green asked if the use of 'detract' would be useful. The Planning Policy Manager replied that various language would be helpful for different policies, and this was why delegated authority had been sought to allow control over the exact wording used in the draft Plan. He added that consistency of approach was key, considering that the draft Plan would be written by a team of individuals. Moreover, it was suggested that the use of subjective language in policy wording was often unavoidable, but it was the aim of the Planning Team to ensure that there were clear rules defined in order to inform all decisions. The Planning Policy Team Leader stated that some terms had been purposefully left ambiguous, such as 'where possible' to allow for flexibility, and that many of the perceived ambiguities that had been raised at the meeting would be covered by the preambles that were yet to be seen by Members.

The Chairman asked Members to consider the recommendations outlined in the Report, which were then proposed by Cllr S Arnold and seconded by Cllr D young.

## **RESOLVED**

**1. Members considered the contents of this report and confirm the provisional preferred policy approaches to be included within the First Draft Local Plan for consultation.**

**2. The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**

**86. LOCAL PLAN – APPROACH TO GREEN INFRASTRUCTURE**

The Senior Planning Officer (SH) introduced the Report and stated that at present the Council's approach to green infrastructure was mentioned in the current core policy, but there was no discrete policy, therefore the aim was to bring together a number of issues under a green infrastructure strategy.

Questions and Discussion

The Senior Planning Officer (SH) informed Members that the NPPF stated that strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for the conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure. He added that the NPPF also suggests that to assist in planning positively for green infrastructure, that local authorities may wish to prepare an authority-wide green infrastructure framework or strategy. As a result, it was the aim of the Council to implement a discrete green infrastructure strategy for North Norfolk that would be influenced by district wide issues, then focus on the three key growth areas of Cromer, Fakenham and North Walsham. It was suggested that the strategy could then be used to apply key principles to site specific allocations.

Cllr P Grove-Jones asked whether the strategy would include any mention of green corridors, as she noted that hedgerows and field verges, that acted as natural habitats for wildlife were often lost during development. The Senior Planning Officer (SH) replied that the green infrastructure strategy would be a broad document with overarching principles that would potentially cover these issues, but it would not necessarily be part of the planning regime to implement these rules, in which case partner organisations might be expected to help deliver these principles. Cllr P Grove-Jones replied that as Chair of the Development Committee, she was aware that when big developments were approved hedgerows or tress were often lost, and she asked whether protection of these areas could be made into a mandatory condition of development to be contained in the strategy.

Cllr M Prior raised the issue of green spaces in Holt, and stated that the allocation for Holt had resulted in many of the remaining green spaces being private land, to which public access was not always guaranteed. As a result, she stated that the town was left with very little public green spaces, and suggested that developers needed to be made more aware of this issue if any more development took place. The Planning Policy Manager replied that quantifying open space was slightly separate to the green infrastructure strategy, which would be a wider reaching strategy that would cover the whole district. He added that whilst the broad principles would cover all towns in the district, any focus would primarily be centred around key growth areas. Members were then informed that open space issues would be covered by a discrete policy and separate piece of work. The Planning Policy Manager agreed that he would confirm for Cllr M Prior that the private land in Holt would not be subsumed for a different purpose other than for open space.

Cllr R Reynolds stated that whilst he agreed with the policy, he assumed that Fakenham would remain in flux, as conversations were ongoing about green spaces in the areas surrounding the proposed Fakenham allocations. The Planning Policy Manager replied that Fakenham was a good example as the current Core Strategy was fairly limited on green infrastructure issues with large scale developments. As



such, the Planning Team often centred their focus on specific sites, whereas the new strategy would allow for greater consideration of wider issues, such as there being no proper passing place over the A148.

Cllr D Young stated that the minutes from the December meeting of the PP&BH Working Party had suggested that the Planning Policy Manager would report back to Members on Greshams and green space. The Planning Policy Manager apologised that he had not replied sooner on the issue. He then stated that he had discussed the issue with the Leisure and Locality Services Manager who dealt with the sports study, and it was made clear that a distinction was needed between publicly owned open space, and privately owned sports facilities that might have access restrictions. It was confirmed that this distinction would be reflected in the study, and he would pass this information on to local Members.

In reference to the policy, Cllr D Young stated that it was suggested that only the relevant growth towns would be considered, hence it might be worth making note of that. He then asked if there would be a draft green infrastructure strategy that went out to alongside the draft Plan for consultation. The Planning Policy Manager replied that there would not be a consultation document for the emerging green infrastructure strategy, but the policy wording would be considered alongside other proposals. He then suggested that the final strategy document would be alluded to as upcoming in the draft Plan.

Cllr S Hester informed Members that he had been involved in a consultation the previous week on an exemption site that was planned in his ward. It was suggested that any work on the area would involve the loss of a substantial number of hedgerows. Furthermore, it was suggested that up to 95% of meadows had been lost since 1950. As a result, he asked if there was anything that could be done to protect existing meadows, from a policy perspective. The Planning Policy Manager replied that he hoped these policies were in place already, though they would likely not be in place specifically for the protection of meadows. He added that whilst there would be tensions due to the need for development growth, one of the significant strengths of British planning policy was the protection of natural habitats, and suggested that the approach needed to be maintained.

Cllr J Rest referred to Fakenham and asked who would maintain the green spaces in the long term once they had been designated. It was suggested that at present there were at least three different organisations managing green spaces in the town. The Planning Policy Manager said that he agreed with the concerns regarding future management of these areas, but unfortunately it was not an issue covered by planning policy. He added that all that the Planning Department required was a plan for ongoing maintenance, which could result in various organisations being obligated to take responsibility or in the worst case scenario, the areas being left unmanaged.

The Chairman referred to the wording of the policy on pages 16 and 17, and stated that the language was not as robust as had been hoped. The Planning Policy Manager agreed and stated that he would ensure that the wording was strengthened and included operative policy clauses. In response to a question from the Chairman, it was agreed that market town green infrastructure would be a constituent part of the green infrastructure strategy.

The vote was proposed by Cllr R Reynolds and seconded by Cllr P Grove-Jones.

## **RESOLVED**

- 1. Members considered the contents of this report and confirmed the approach to Green Infrastructure and the draft policy to be included within the First Draft Local Plan for consultation.**
- 2. The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**

### **87. DISCUSSION ON PUBLICATION OF CONSULTATION DATE FOR DRAFT LOCAL PLAN**

A discussion was held to determine whether the Working Party would seek to publish the notice of consultation on the draft Local Plan in-line with the Council-tax bill mail-out. Members were informed that if they did want to uphold this timescale, it would be contingent on decisions being resolved for the remaining items on the agenda, which would take a considerable amount of time.

#### Questions and Discussion

The Planning Policy Manager asked Members if they would like to amend the date of consultation in consideration of the amount of work that remained outstanding for the Working Party. He added that it was possible to begin consultation in early May, and that this would not have any significant impact on the process. Cllr D young asked which other policies would need to be resolved in order to maintain the current timeline of beginning the consultation in March. The Planning Policy Manager replied that the meeting's agenda included all the relevant policies that would need to be agreed, but noted that agreement on the Design Guide would not be necessary to maintain the March timeframe. He then informed Members that the decisions were needed in order for the prescribed work to be carried out prior to commencement of the consultation process, in addition to a full report being required to carry-out the Habitat Regulation Assessment.

In response to a question from the Chairman, it was confirmed that the Council-tax mail-out had originally been planned for the week commencing the 11<sup>th</sup> March, but this had now been delayed to the following week commencing 18<sup>th</sup> March. It was stated that this would be the earliest start date for the consultation, but the letter could state any date within reason. The Planning Policy Manager warned Members that once the consultation date had been published, it could not be changed.

Cllr S Arnold stated that the Committee had worked hard for three years to wrap-up the draft Plan prior to the election taking place in May, and it would be regrettable to see this timeframe delayed. Cllr P Grove-Jones stated that she was happy to continue until the required amount of work was complete.

It was confirmed that if the consultation was delayed until after the election, then it was possible that the Working Party that would consider the Local Plan could be comprised of entirely new Members. The Planning Policy Manager reiterated that if all agenda items were resolved today, it would be possible to begin the consultation from the 18<sup>th</sup> March, though it would put pressure on the Planning Policy Team. Alternately, it was stated that there was no risk associated with waiting until early May to begin the consultation.

It was proposed by Cllr S Arnold that the consultation start date be set for 18<sup>th</sup> March and was seconded by Cllr R Reynolds.

## **RESOLVED**

**Publication of the consultation date for the draft plan be set for the week commencing 18<sup>th</sup> March 2019.**

### **88. LOCAL PLAN – RESIDENTIAL DEVELOPMENT OUTSIDE OF SELECTED SETTLEMENTS**

The Planning Policy Manager introduced the Report and stated that it had come at the Working Party's request to review small scale development beyond the district's main towns and key service villages. He informed Members that the Report focused on infill policies, and would consider areas such as brownfield sites with existing dwellings, whilst discouraging development on private land.

#### Questions and Discussion

The Planning Policy Manager raised the issue of how development elsewhere in the countryside would be managed. This was referred to as common-sense infill plots, for which he had drafted a policy outlined in the Report. This would allow opportunities for small scale infill development of up to five dwellings on previously developed land, such as brownfield sites. It was suggested that development of this kind would not be allowed on private land, or in peoples gardens for example, as this could undermine existing policy surrounding access to services, which was key to identifying development locations. Members were informed that this would avoid development proposals being determined solely on whether or not their appearance was acceptable in the area. He added that the existing Local Plan already allowed significant scope for development in the countryside. Concerns were raised that increasing the possibility of infill development could diminish the amount of land available for affordable housing by raising the land value to a 'hope' value that would make affordable homes unfeasible for developers.

Cllr D Young noted that he had some concerns with the policy, and said that it might be useful to hear from the Local Housing Enabler on the issue. The Local Housing Enabler noted that several concerns had already been addressed by the Planning Policy Manager but reiterated that the unintended consequences of opening up further development outside of settlements and removing the exception scheme, could increase the possibility of raising the 'hope' value of land. Furthermore, by removing a number of cases where the only option for development would have been the exception scheme, developers may see this as a green light for market development that again could raise land values and make affordable housing unfeasible.

Cllr D Young asked whether the rural exception scheme would continue to apply alongside the updated policy. The Planning Policy Manager replied that the exception schemes could remain in place, but the ability to deliver on such schemes depends on land availability, and if land was not available as owners felt it was more beneficial to hold on to in the hopes of a future relaxation in policy, then it could significantly limit availability. Cllr D Young stated that Parish Councils had raised concerns that local residents were not able to compete with property investors from outside of the district, and as a result, villages were being left to wither. He then referred to statistics that suggested that the proportion of affordable and second homes in the district was 11%. He added that if 20% was used as a margin then this would open up to 26 villages, which seemed a reasonable number.

Cllr D Young suggested that the five dwelling maximum outlined in the policy could have a large impact on small villages, and suggested that a maximum of two might be more appropriate. With regards to the concerns of affordability he asked whether a St. Ives style restriction could again be considered that would restrict sales to permanent residents of the district only, though he did take into account the previously noted reservations regarding the policy. He accepted that such policies would limit the market value of land, but reassured Members that land with these restrictions would still be worth considerably more than agricultural plots. He then proposed that the maximum number of dwellings in the policy be limited to two. His second proposal was for a fourth bullet point to be added to the policy that stated that developments in parishes where holiday and second home ownership exceeds 20%, that dwellings must be occupied in perpetuity by those in permanent residence and with a strong connection to North Norfolk. At the very least, he hoped that the policy would mention the issue of affordability of homes in areas with a high percentage of holiday or second home ownership, for the Council to publicly note its awareness of the issue. The Planning Policy Manager replied that restricting the maximum number of dwellings in the small scale infill developments would not necessarily address the impact or possibility of large dwellings being built that could have a larger impact on the affordability of homes in the affected parishes. In addition, any principal that set to restrict the ownership of new homes would simply serve to pass the issue onto pre-existing dwellings, to which the policy would not apply. Therefore it appeared as though there were some fundamental flaws in the proposals.

Cllr S Arnold stated that sometimes areas of land designated for exception sites included market development, and asked whether in these cases the value of the land would increase. The Local Housing Enabler replied that this shouldn't be the case, however in reality it quite often did raise land prices. Cllr S Arnold then stated that whilst she respected Cllr D Young's proposals, she felt that the draft policy outlined in the Report was adequate, and therefore proposed that it remain unchanged.

In defence of his proposals, Cllr D Young stated that it should be possible to limit exceptionally large dwellings being built in small villages with the design guide or another policy already in place. He added that second home ownership could be addressed if the caveat to restrict new dwellings being used as permanent residence only was included. The Planning Policy Manager agreed that conditions could be imposed to restrict the development of exceptionally large dwellings in small villages, however, the policy proposals would still not address second home ownership in existing dwellings. Therefore it was highly likely that the issues of second home and holiday home ownership would continue, being passed on to pre-existing dwellings within these villages. He added that he did understand the importance of such restrictions to improve the reputation of the Council, but it would not address the underlying problem. The Planning Policy Manager then stated that his largest concern was undermining the sustainability of the overarching strategy by limiting the development of settlements in some areas but not others. It was suggested that opinions could be sought on the proposals during the consultation period, but he did not expect that they would be identified within the preferred options. Cllr D Young replied that if his proposals were not supported then he would welcome any mention of them in the draft Plan. He added that he did not see why his proposals should limit development in some areas but not others. The Planning Policy Manager replied that he had misinterpreted the proposal and had thought that they would only apply to developments within the AONB due to the particular pressures of building within that area.

The Planning Policy Team Leader stated that there were several potential consequences of adding to the policy that must be taken into account. First and foremost, this was the least sustainable option for growth in the district, and open ended dispersed growth had already been considered and dismissed. On the potential to undermine affordable housing, exception sites were currently the only option available to deliver local affordable housing. The Planning Policy Team Leader then stated that one aspect that had not yet been considered was community led development. He advised Members that the Council was supportive of such development as it would allow communities that wished to address growth the ability to do so.

Cllr S Hester referred to housing exemption sites and stated that it was his understanding that a small number of market dwellings may be built if the developer is in accordance with requirements to build social and affordable housing, and that these applications would be passed if a 50% ratio of development was met. He then questioned whether developers would continue to adhere to their obligations to build affordable homes if market housing did not sell. Finally, he asked why Broadland Housing continued to build with homes with bricks and mortar when they could build cheaper and more energy efficient affordable homes from different materials.

The Senior Planning Officer (JM) informed Members that he had worked on a similar policy at Breckland District Council, and that in his opinion the NNDC version was a better-worded policy. However, he warned that under examination from the Planning Inspector, the Council had found it difficult to justify the limit on the number of dwellings and it was subsequently removed, meaning that the Council could end up with a policy that they do not necessarily want.

Cllr R Reynolds stated that whilst he agreed with much of Cllr D Young's statement, he would second Cllr S Arnold's proposal as he felt that overcomplicating the policy with additional requirements would confuse the policy.

## **RESOLVED**

- 1. That the approach to development outside the defined settlement boundaries be limited to the criteria set out in the revised Settlement Hierarchy Policy within Appendix B.**
- 2. That the revised list of Small Growth Villages set out within the revised Settlement Hierarchy Policy within Appendix B be identified as Small Growth Villages within the settlement hierarchy.**
- 3. That the Community-led development policy and revised Settlement Hierarchy Policy in Appendix B are published for consultation.**
- 4. The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**

## **89. LOCAL PLAN PREPARATION – RENEWABLE ENERGY**

The Senior Planning Officer (JR) introduced the Report; she informed Members that the policy covered multiple varieties of renewable energy, and that all of these would have a role to play in meeting the Government's CO2 reduction targets. She then stated that the existing core strategy included policy EN7.

## Questions and Discussion

Members were then informed that since the adoption of the core strategy, there had been a shift in national policy. As a result, local authorities were now advised that they should only grant planning permission for proposals of wind energy development in areas that were identified as suitable and had the support of local residents. The 2018 NPPF was adapted to include these changes and stated that Council's should have a positive strategy for renewable energy that identifies potential sites, whilst ensuring that adverse impacts are addressed satisfactorily. The Senior Planning Officer (JR) reminded Members that this policy was presented to the Working Group last year, and that a number of options were considered. A Landscape Sensitivity Study was completed that had been used to inform the policy wording and help identify potential sites. The study showed that the district had high sensitivity to large-scale wind energy developments, and as a result, all wind turbines would be ruled out in the AONB as well as large-scale wind turbine developments across the whole district. It would not however be a blanket ban, so some small to medium developments could be approved in principle.

Cllr S Arnold stated that the policy appeared to be suitable for the area and that she felt the existing provision that any application must go to the Development Committee must remain in place. The Planning Policy Manager confirmed that this would continue as part of the usual call-in procedure, then added a note of caution that the draft policy proposed would have a default position of rejecting wind turbine applications, but this did not mean that the Council could not receive applications that challenged the policy.

Cllr J Rest asked if any work had been carried-out on wave energy, as North Norfolk had a significant amount of coastline to consider. The Planning Policy Manager stated that this may well be considered, however anything below the waterline was not the responsibility of NNDC. He added that wave, biomass and solar energy were generally supported.

Cllr R Reynolds stated that concerns had been raised about wood burners, and asked if there had been any consideration of this. The Planning Policy Manager replied that he expected the policy on wood burners to change over time.

Cllr P Grove-Jones stated that she agreed with Cllr J Rest's statement on wave energy, but acknowledged that unfortunately NNDC did not own the shoreline and could not influence development. She added that she did expect the technology to appear in the future.

The Chairman noted that on page 18 of the Report, it stated that the Council were supportive of community led developments and asked for clarification. The Planning Policy Manager confirmed that the Council would be supportive of community led renewable energy schemes, and that there had been examples of such schemes being developed around the country.

The recommendations were proposed by Cllr S Arnold and seconded by Cllr D Young.

## **RESOLVED**

- 1. Members consider the contents of this report and confirm the provisional preferred policy approaches to be included within the First Draft Local Plan for consultation.**

**2. The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**

**90. DRAFT LOCAL PLAN POLICES FOR CONSIDERATION**

The Planning Policy Manager introduced the Report and informed Members that it was intended to cover gaps in other policies. This was working on the assumption that many of the policies included would remain unchanged.

Questions and Discussion

The Transport Impact of New Developments on page 51 was considered first, and it was noted to be an exact replica of the existing policy. There were no questions on the Safeguarding Land for Sustainable Transport Uses policy or the Parking Provision Policy.

On the Electric Vehicle Charging policy, Cllr R Reynolds asked whether any costs or charges had been considered. The Planning Policy Manager replied that it was being considered, but would be part of the development phase and he expected that it would eventually end up as part of building regulations. Cllr D Young stated that the Government's zero emissions targets were due to be achieved shortly after the expiration date of the proposed Plan; therefore he questioned whether the targets outlined in the policy were high enough. He then asked why passive charging points would be installed and asked whether developers could be asked to make these active. The Senior Planning Officer (ST) replied that she had looked at vehicle charging policies elsewhere, and expected that the consultation process would provide more information on the percentage of charging points needed, but it was worth noting that not all vehicles were expected to be electric by this point. Cllr D Young asked in reference to the communal parking, whether big bills could be expected to turn passive points into active charging stations.

Cllr S Arnold added that there would be several opportunities for the policies to be updated in the future. The Planning Policy Manager reiterated this point and informed Members that the plan would need revisiting every five years to ensure it was up to date.

The Chairman asked what constitutes a travel plan and was informed by the Planning Policy Manager that this was a specific requirement that the Highways Authority would ask for, that included a plan for items such as bus stops and routes. He informed Members that the travel plan would be tied into developments via conditions and carry significant weight, then added that it was already commonplace on significant developments.

Cllr J Rest warned that the Council must consider how quickly electric vehicle charging technology could progress, and the Plan would need to take this into consideration. The Planning Policy Team Leader replied that the policy only sought to ensure that the infrastructure was at least considered.

The Planning Policy Manager then outlined the policies under the approach to housing. He noted that there was no change to the Agricultural, Forestry and Other Occupational Dwellings in the Countryside policy. On the Sites for Gypsy and Travellers, and Travelling Show People policy he informed Members that there was very low need in North Norfolk and that the Council very rarely received applications

for this type of development, but the policy essentially aimed to ensure that conditions were met.

On the Housing Extensions, Replacement Dwellings and Annexed Accommodation policy, the Planning Policy Manager informed Members that this extended to all forms of extensions and was intended to bring controls to all locations. It would also help to clarify definitions such as annexes. Members were informed that the current policy aimed to ensure that property additions were always subordinate to the principal residence, though many applications were approved where this was not the case, so the policy had been adjusted to allow this. Cllr S Arnold replied that she did not have any objection to the changes and Cllr D Young Agreed; he then asked whether there was any further wording to be added, as the policy appeared unfinished. The Planning Policy Manager replied that he had intended to add details about the material increase in impact, that would look to identify the prominence of the site, the character of the area, and proximity to other sites. In these cases, he informed Members that planning permission would often require reference to the design guide. Cllr D Young agreed that it was important to clarify this point if possible, and noted that Parish Councils often made reference to proportions and expressed disappointment in cases where it did not have a significant impact on planning permission being granted. He then referred to ancillary use, and asked if there was anything further to add. The Planning Policy Manager replied that it was likely that the wording would change from ancillary to incidental, as this would be more appropriate. The Chairman asked for clarification on whether the subordination principle would remain in the design guide. The Planning Policy Manager confirmed that this would remain in the design guide, though he warned that by excluding it from the policy, it would make it clear that it would not be a determining factor when granting planning permission.

The Planning Policy Manager introduced the Developer Obligations policy, he noted that at present the policy was included in the core strategy, but stated that it was silent on viability. As a result, the updated policy was intended to adopt wording that included reference to viability and seek to remove any existing ambiguity. He added that it was unavoidable that there would always be a process by which developers could challenge their obligations if circumstances had changed, though this policy would aim to narrow down the opportunities for these challenges. The Planning Policy Team Leader added that whilst the policy was not accompanied by its preamble, he wanted to make clear that the price of land should not be used as an excuse not to meet their obligations. He added that the policy would state that the viability assessment must align with the Local Plan, and that the overall aim of the policy was to make clear what was expected as part of a viability assessment.

Cllr S Arnold referred to existing obligations that required developers to build affordable housing alongside market properties, and asked whether reference had been made to this in the policy, as developers often attempted to avoid this obligation. The Planning Policy Manager replied that it would be covered by the affordable housing policy, though he could not rule out occasions where financial contributions were given instead. Cllr S Arnold stated that she was satisfied with the policy and proposed approving the recommendations. Cllr M Prior asked whether the number or percentage of affordable homes that had to be provided on developments could be further fixed in any way. The Planning Policy Manager replied that it was not possible to guarantee a number or percentage that could not be challenged, but the purpose of the policy was to narrow the scope from which these challenges could be made. He then explained to Members that 90% of the value of the land purchase must take place at the time of changeover, and it would be the landowners' responsibility to help developers if affordable housing obligations lowered profit margins to the point of unfeasibility.



Cllr D Young asked whether any reference was required to the level of evidence needed for the viability studies. The Planning Policy Team Leader replied that the viability study that would be carried out by developers would need to coincide with the requirements of the authority's viability assessment. He added that the policy requirements should be achievable. The Planning Policy Manager reassured Members that the policy would be clear when the pre-amble was included.

Cllr P Grove-Jones stated that developers often failed to meet their obligations and asked if there was anything that could be done to improve this. The Planning Policy Manager replied that often the Council had to accept a compromise when this occurred, but it was the aim of the Council to limit the use of routine excuses which often appeared.

The Chairman noted that the transparency principle was important and she was happy to see it included in the policy. She then referred to the fourth bullet point in the policy on the delivery of community infrastructure, and asked if public amenity could be added to the list. The Planning Policy Team Leader replied that the Plan would be clear on telling developers to carry-out appropriate landscaping. The Chairman asked how specific these requirements could be, to which it was suggested that the new design guide would improve landscaping guidance.

The recommendations covered all the policy approaches outlined in the discussion; they were proposed by Cllr S Arnold and seconded by Cllr D Young.

#### **RESOLVED**

- 1. Members consider the contents of this report and confirm the provisional preferred policy approaches to be included within the First Draft Local Plan for consultation.**
- 2. The final policy wording and content of the consultation document is delegated to the Planning Policy Manager.**

#### **91. CONSIDERATION OF MATTERS FOR NEXT MEETING**

The Chairman informed Members that the design guide report and plans for conducting the consultation would go to the next meeting.

It was confirmed following a question from Cllr M Prior that enough items had been resolved for the Planning Policy Team to meet the March deadline

Cllr S Arnold asked when Members would receive the edited policy excerpts. The Chairman added that it would be helpful to receive these in the order that they would appear in the draft Plan. The Planning Policy Manager replied that he would aim to release the updated document in thirds, with the first of these being sent to Members by the end of the week on paper and electronically.

The meeting closed at 1.28pm

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CHAIRMAN