

**22 JULY 2019**

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

Ms K Ward (Chairman)  
Mrs P Grove-Jones (Vice-Chairman)

Mr N Dixon  
Mr P Fisher  
Ms V Gay

Mr P Heinrich  
Mrs M Millership  
Mr N Pearce

Mrs A Fitch-Tillett – substitute for Mr J Punchard

Observers:

Mr A Brown  
Mrs W Fredericks  
Mr R Kershaw  
Mr N Lloyd

Officers

Mr M Ashwell – Planning Policy Manager  
Miss L Yarham – Democratic Services & Governance Officer

**1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mr T Adams, Mr D Baker and Mr J Punchard. There was one substitute Member in attendance.

**2 PUBLIC QUESTIONS**

None.

**3 MINUTES**

The Minutes of a meeting of the Working Party held on 15 April 2019 were approved as a correct record and signed by the Chairman.

**4 ITEMS OF URGENT BUSINESS**

None.

**5 DECLARATIONS OF INTEREST**

None.

**6 UPDATE ON MATTERS FROM THE PREVIOUS MEETING**

None.

## 7 PURPOSE OF WORKING PARTY AND TERMS OF REFERENCE

The Planning Policy Manager presented revised Terms of Reference (TOR) for the Working Party for consideration.

The Chairman stated that one of the previous concerns was that the timetable of Council meetings meant that if an item missed Cabinet it could be some time before recommendations of the Working Party were approved. It was necessary to ensure that actions did not get held up unnecessarily.

Councillor Ms V Gay considered that the TOR were very good in terms of explaining what the Working Party did, but they needed to be more specific in terms of governance. For example, the draft TOR did not actually state that it was a Cabinet Working Party or that the Plan would be adopted by Full Council, despite these being identified in the covering report.

Councillor N Dixon also considered that clarification was needed with regard to the Working Party's links with Cabinet, Overview and Scrutiny and Full Council.

Councillor Mrs A Fitch-Tillett supported the above views. She asked if the TOR had to be considered by the Constitution Working Party.

The Chairman explained that as the Planning Policy and Built Heritage Working Party was a Cabinet working party, the TOR did not need to be considered by the Constitution Working Party. However, this would be double checked with the Monitoring Officer.

Councillor Ms V Gay considered that it would be helpful if the TOR was associated with the Constitution and all TOR documents collected together in one place on the website so they were easy to find for Councillors and members of the public.

### RESOLVED

**That subject to confirmation that the Terms of Reference do not require consideration by the Constitution Working Party, Cabinet be recommended to approve the Terms of Reference for the Working Party subject to amendments to specify the governance arrangements as outlined above.**

## 8 LOCAL PLAN CONSULTATION UPDATE

The Planning Policy Manager presented an update report on the Local Plan consultation process and gave a verbal update on the main themes which had arisen in the consultation responses and advised that details of all comments received and recommendations in relation to how to proceed would be made at later Working Parties. He stressed that he was not reporting comments at this stage for discussion.

Councillor Mrs P Grove-Jones asked how many new dwellings were likely to result from the call for sites in the villages.

The Planning Policy Manager stated that the number of new dwellings was not known at this stage. The first call for sites had been unrestrained and some sites had been put forward in villages. A second call for sites had focused on 30 shortlisted villages, however sites had been put forward in unselected settlements and additional sites had been put forward the towns. Overall, sufficient land had been put forward for 55,000 dwellings and around 10% of this land was likely to be allocated.

Councillor Mrs Grove-Jones referred to a newspaper article she had read relating to a ban on second homes in Mevagissey which had apparently backfired as housebuilding had stopped. She considered that it was interesting as the Council was considering this approach in some of the coastal towns.

The Planning Policy Manager advised that the Draft Plan had invited comments about second homes and that this issue would need to be considered further

The Planning Policy Manager outlined some of the main recurring themes arising from the consultation responses, namely:

- There were mixed views as to whether or not development should take place in villages. Some people considered that growth would save villages from 'dying', whilst others thought there should be no development as there were no services, and that it was inappropriate to declare a climate change emergency and then build in villages where residents would be dependent on long distance travel to access services.
- There was a broad theoretical acceptance of affordable housing in villages. However, views had been expressed that allocations would diminish the possibility of affordable housing coming forward as they would create hope value for landowners and take up sites which might otherwise be available for exceptions schemes. Most communities which would accept affordable housing would only do so if they were occupied by people from their own community and not used to address housing needs elsewhere.
- There was scepticism as to how the Plan would deliver supporting infrastructure in a timely manner. People were concerned that housing came first and that delivery of infrastructure such as doctors' surgeries and schools were delivered much later, if at all. These facilities were not necessarily provided by developers.
- Over 50% of representations related to individual sites, with significant objections to some of the proposals.
- There was conditional support for further development in North Walsham, but people were not persuaded that the proposals would be deliverable or were right for the town.
- There was some cynicism around the scale of growth and the need for the number of houses being proposed. However, the rate of growth over the next 20 years would not be dissimilar to the rate of growth over the past 20 years.
- Almost all developers who responded considered that there was insufficient growth proposed. It had been suggested that a contingency was needed as not all sites would be developed and that the Plan was not ambitious or flexible enough.

Councillor N Pearce stated that the Council was trying to better inform the public through websites etc. and asked if responses had been well-argued and related to policy, as opposed to "nimbyism" by those who did want development near them.

The Planning Policy Manager stated that people had heartfelt concerns about development. There was an issue with un-evidenced representations but it was unreasonable to expect the general public to read the enormous amount of information and understand it in detail. Around half of the comments received raised localised concerns about local impacts, and it was possible that people had not looked at the

alternatives to see if they were worse. Development would have impacts but they had to be mitigated to get the best Plan possible.

The Chairman stated that Members would have to help the public understand the consequences of not having a Local Plan and a plan-led approach, which were likely to be bigger and worse than having a Plan. The Plan would enable the Council to make choices about the environment etc. which would not be possible without a Plan.

Councillor Mrs W Fredericks stated that people in her Ward had been unable to get onto the Planning Portal to leave their comments. They had written to her and she had passed on the comments. She considered that there did not seem to have been a fair exchange of information.

Councillor Fredericks asked if a requirement for 40% affordable housing was being put in the Plan. People were concerned that large housing developments were being erected with little or no affordable housing.

The Planning Policy Manager explained that the Plan would require developers to contribute to affordable housing. However, there was an issue of viability and the Plan had to be deliverable, realistic and evidence based. There would be a requirement of 20-35% affordable housing depending on location. The threshold would be set at the highest point which was considered to be deliverable, but this would be challenged by developers through planning applications and it would be up to the Committee to decide the level which would be acceptable. This issue would be discussed in detail at a later meeting.

The Chairman stated that she had requested a workshop on viability for the Working Party and Development Committee so that Members could better understand it and could explain it to their constituents. There was a new requirement for viability information to be in the public domain. Developers were required to make contributions to other things such as road infrastructure, libraries etc and there was a risk this might reduce the amount of money available for affordable homes.

Councillor Ms V Gay asked if development briefs would be Supplementary Planning Documents which would come before the Working Party.

The Planning Policy Manager stated that the delivery vehicle for the North Walsham proposals would be considered by the Working Party. In terms of status, Development Briefs were more important than SPDs as they were mentioned in policy and would carry slightly more weight in the consideration of planning applications.

Councillor N Dixon considered that it was important to use the right language and terminology in building positive relationships. He considered that "inadmissible" was more appropriate than "nimby" or "un-evidenced" as it had a link to the legal framework.

The Planning Policy Manager stated that there had been comments that the Plan could not say enough about climate change as it pre-dated the Council's climate change emergency declaration. However, there was a substantial amount in the draft Plan about climate change and the management and mitigation of risk was a priority. There was a question as to whether the Council could do more, or do more progressively throughout the Plan period. However, the Plan had to be realistic and deliverable and careful thought needed to be given to this issue.

The Chairman stated that climate change was an emerging area and there had been discussion at the recent Local Government Association conference on green housing issues.

Councillor P Heinrich questioned why sites were being allocated when there were allocated sites in the current plan which had received no developer interest.

The Planning Policy Manager stated that developers wanted to build in areas where there were strong market conditions, eg. Wells or Hoveton. There was a tension between an easy Plan which was developer led, or a Plan with allocations in the right places but which might be more difficult to deliver. It was necessary to have a mix in order to deliver the right amount of growth.

Councillor N Dixon considered that the Plan needed to identify and be capable of delivering substantial steps towards carbon neutrality by 2050. The Plan period covered a substantial part of that time. He considered that it would become harder to add measures into the policies as the Plan progressed and the time to achieve the goals would reduce.

Councillor Mrs A Fitch-Tillett stated that there was a question of deliverability. She referred to the Code for Sustainable Homes which proposed a number of measures to make dwellings more sustainable. This had been removed as it was not deliverable and homes which were reliant on fossil fuels were still being built.

The Planning Policy Manager stated that the Code for Sustainable Homes had been abolished by the Government some years ago and there were no national standards to aim for. Measures to achieve sustainable dwellings had to be set through local plans and local standards. The Government was now setting targets but there was no information as to how those targets would be achieved.

Councillor Mrs P Grove-Jones asked how many of the larger villages and towns welcomed developments of 70+ new dwellings.

The Planning Policy Manager stated that he did not know the answer at this stage, but in response to the consultation some towns had argued for more and some for less development. Some had not responded.

The Chairman stated that there was a need to be mindful that directives related to climate change did not just come through policies. She referred to matters which were coming through Building Control legislation and the Community Housing Team and stated that it was important to join up the strands.

Councillor N Lloyd considered that if there was a lack of guidance coming from Central Government on climate change, the Council should take the lead and set examples for Councils elsewhere.

The Chairman stated that reports on each of the policy areas and allocations would come to the Working Party for consideration. She stated that it was Members' responsibility to engage with their communities and help them navigate the complex legal framework and statutory duties that the Council had.

## **9 HOUSING DELIVERY AND FIVE YEAR LAND SUPPLY STATEMENT**

The Planning Policy Manager presented an overview of two key housing delivery performance measures: the national Housing Delivery Test and the process for preparing a Five Year Land Supply Statement. He explained how the targets were worked out and the consequences of not meeting the targets.

Councillor N Pearce asked if there were any consequences for over-delivery against the housing delivery targets.

The Planning Policy Manager explained that there was no reward for over-delivery and there was a risk that significant over-delivery would make it more difficult to deliver sufficient numbers in future years as it would use up future land supply.

The Planning Policy Manager explained in detail how the five-year land supply was worked out. He stated that the Council's affordability uplift was 38% which was almost the maximum that could be applied.

The Chairman stated that she had been approached by other Councils with a high number of second homes to look at a business rates challenge, and that whilst North Norfolk had the third highest number of second homes in the country, none of those Councils had an affordability uplift as high as North Norfolk's.

Councillor Mrs P Grove-Jones asked how the targets could be achieved if developers did not build out their permissions.

The Planning Policy Manager explained that allocations would need to be made in areas which were attractive to developers, rather than on strategic sites which could take many years to develop. At the time of the previous housing crash the Authority had introduced a Housing Incentive Scheme which relaxed the requirement for affordable homes to incentivise developers to build.

The Planning Policy Manager explained that there were concerns that the Government's household projection figure on which the land supply calculations were based was flawed, which meant that North Norfolk would need to plan for more dwellings than necessary. He recommended that independent advice be sought on this matter prior to publication of the land supply statement.

The Chairman added that one of the reasons why it was worth seeking independent expertise was that the inward migration trend for 2016 was headed downwards and it was felt that there was a need to test the figures as it would have significant impact going forward. The Council was being asked to base its targets on figures where evidence was emerging that the figure could be wrong.

Councillor Mrs W Fredericks asked if pension income had been taken into account when calculating the affordability uplift.

The Planning Policy Manager explained that median earnings and median house prices were published by the Government. He considered that pension income would be included in the calculation but this was national evidence and would be applied consistently across the country.

Councillor Mrs P Grove-Jones supported the suggestion to seek independent evidence with regard to migration figures provided that the consultant had no Government connection.

The Planning Policy Manager stated that the consultants who had undertaken the Strategic Housing Market Assessment would be commissioned to do the work.

Councillor A Brown expressed his concern that there seemed to be a "one size fits all" policy from the Government and concerns had been raised at the LGA regarding second homes. He was surprised that there was no weighting which took into account second homes to ensure that the Council's targets were more realistic.

The Planning Policy Manager explained that there was a risk attached to arguing the issue regarding second homes, as it could result in a further uplift for second homes as they were not available for people to live in.

The Chairman stated that as a result of the discussion at the LGA a learning group had been set up to share good practice. South Hams had done a modelling exercise around loss of income to the Council from people claiming business rates on second homes and then claiming an exemption as a small business. The model would be used by other Councils and a joint cross-party submission would be made to the Housing Minister.

It was proposed by Councillor Ms V Gay, seconded and

**RESOLVED**

- 1. That the Council seeks independent advice on the potential impacts of Un-attributable Population Change on projected housing growth in the District prior to publishing this year's land supply statement.**
- 2. That pending receipt and consideration of this advice the Council continues to give full weight to adopted planning policies dealing with housing supply when determining planning applications.**

The meeting closed at 11.38 am.

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CHAIRMAN