PLANNING POLICY & BUILT HERITAGE WORKING PARTY

Minutes of the meeting of the Planning Policy & Built Heritage Working Party held on Monday, 16 March 2020 at the Council Chamber - Council Offices, Holt Road, Cromer, NR27 9EN at 10.00 am

Committee Members Present:

Mr A Brown (Chairman)	Mrs P Grove-Jones (Vice-Chairman)
Mr N Dixon	Mr P Fisher
Ms V Gay	Mr P Heinrich
Mr N Pearce	

Officers in Attendance: Mr I Withington – Acting Planning Policy Manager
Mr J Mann – Senior Planning Officer
Mrs C Dodden – Senior Planning Officer
Miss L Yarham - Iain Withington, James Mann, Caroline Dodden and Democratic Services & Governance Officer (Regulatory)

45 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T Adams, D Baker, J Punchard and C Stockton. There were no substitute Members in attendance.

46 PUBLIC QUESTIONS

Mr Patrick Allen made a statement relating to the identification of Small Growth Villages. He questioned the suggestion that Langham did not achieve the required level of services and facilities for designation as a Small Growth Village as it did not have a village shop or a post office. He referred to a recent decision by the Development Committee to renege on a Section 106 obligation to facilitate a village shop as part of the development of a hotel complex in the village, despite objections being raised by the Parish Council, on the basis of the hotel owners' argument that a shop would not be viable and residents used supermarket delivery services instead of village shops. He did not consider that the sustainability of the village rested on whether or not it had a shop. Langham was a thriving village with a very popular school, successful pub and thriving village hall, and it would have a prestigious hotel which would create much-needed jobs. Langham Dome was a facility which no other village had, and i a shop run by volunteers. He quoted paragraphs 3.11 and 3.12 of the NPPF. He stated that small villages such as Langham were crying out for small, enhancing developments that would help to keep them alive and prospering. He urged the Working Party not to abandon Langham as it had much going for it and needed the Council's support.

The Chairman stated that the policy the Council had to make was set out in the report and it was necessary to have a structure which treated equally all villages of a similar size and resources. A village had to be sustainable in terms of its services and utilities in order to be sustainable. He stated that the removal of the shop from the hotel complex was a separate planning issue. Langham did not meet the criteria for a Small Growth Village.

Mr Allen responded that he disputed the great weight put on a village shop being the only reason a village was sustainable. He considered that the Council had given planning permission to out of town developments which were not sustainable as

people drove into the town to shop, in the same way as people would drive from Langham to visit nearby shops.

The Chairman stated that the due process had been followed with regard to the planning application, which was not a matter for discussion at this meeting.

47 MINUTES

The minutes of a meeting of the Working Party held on 10 February 2020 were approved as a correct record and signed by the Chairman.

48 ITEMS OF URGENT BUSINESS

The Chairman agreed that the Acting Planning Policy Manager would update the Working Party on issues relating to consultations on other Authorities' Local Plans, the Housing Delivery Test and announcements in the Budget relating to the future of planning under item 8 of the agenda.

49 DECLARATIONS OF INTEREST

Minute	Councillor:	Interest
51	Mr A Brown	Involved in Corpusty and Saxthorpe Neighbourhood Plan

50 UPDATE ON MATTERS FROM THE PREVIOUS MEETING

None.

51 SMALL GROWTH VILLAGES AND POLICY APPROACHES TO GROWTH IN RURAL AREAS

The Acting Planning Policy Manager presented a report relating to the identification of the final suite of Small Growth Villages under Policy SD3 and the establishment of the overarching approach to the identification and delivery of apportioned growth in Small Growth Villages, including the ratification of the approach through a suite of policies that deliver flexible and exception growth in the rural areas. The report focused on the broad distribution of growth in relation to rural development, and discussed the options available and recommended modifications to the Draft Plan for inclusion in the submission version.

The Acting Planning Policy Manager stated that paragraph 5.14 should refer to HOU3 and not HOU4 as written.

The Chairman stated that it was important to bear in mind that the Small Growth Villages represented a small percentage in terms of housing delivery.

Councillor N Dixon stated that there were limitations in the current Plan which had resulted in non-delivery of allocated sites in Service Villages and substantially closed down the routes for growth in small villages, which were restricted to exceptions schemes. With regard to the draft Plan, he considered that the approach and principles in respect of Small Growth Villages were acceptable in the main. However, he considered that the process was complex and that it needed to be kept as simple as possible so it was easy for communities to understand the best route to achieve their ambitions. There were also many villages with infrastructure constraints, such as flooding, highways and utilities. Many of these constraints

could only be resolved by funding through development and he was concerned that the proposed policies would not allow it to happen. He suggested that the proposed policies should allow flexibility for any village to promote sites that would deliver substantial community benefit and/or infrastructure improvement that would raise the level of service provision or solve significant infrastructure constraints. He considered that there was a need to engage constructively to allow villages to move forward in a measured way which was consistent with the Council's policies.

The Chairman stated that villages and their Parish Councils could make a case through Neighbourhood Plans and Community Land Trusts. He asked the Acting Planning Policy Manager to comment.

The Acting Planning Policy Manager explained that the Local Plan was the strategic planning policy for the District and had to be positively prepared, so that the policies were designed to facilitate growth. The Council's priority remained the provision of affordable housing and the exceptions policy was the main route to address local housing need in perpetuity in rural villages. Proposed policy SD2 had been added to the emerging Local Plan and consulted on at Regulation 18 consultation in order to reiterate approaches from national policy which allowed communities to bring forward their own development through community land trusts or neighbourhood planning, and to make it clear that they could take that route if they wished to grow. Councillor Dixon's point regarding improved services, improved connectivity and infrastructure could be added. There were criteria to ensure there was no significant harm and the scale of growth was appropriate to the location.

Councillor Dixon supported the principle of neighbourhood planning but he considered that neighbourhood plans were difficult to put together and steer through the system and many Parish Councils would not take that route. He stated that the Rural Exceptions policy allowed significant amounts of housing to be developed in almost any village without the requirement for an economic viability test. He considered that there was inconsistency in that the policies would allow exceptions schemes, but would not allow development which provided a significant benefit to meet the requirements of Policy SD2.

The Acting Planning Policy Manager explained that Policy SD2 was written in such a way as to negate the requirement for a neighbourhood plan in certain circumstances, provided there was community support. However, the Planning Policy Team had carried out many site appraisals as part of the emerging Local Plan and were willing to share them with any community that decided to undertake a neighbourhood plan to make the work less onerous. Communities were welcome to engage with the Team on this matter.

The Chairman stated that it was noticeable that the response from Parish Councils to the Regulation 18 consultation had been muted. He considered that some Parish Councils were more enthusiastic and capable than others which might equally have a genuine case for community led development and could fall through the gaps.

Councillor Mrs P Grove-Jones considered that the lack of response to the consultation was because people did not understand it and were therefore not engaged. The Plan would be in place for a long time and there would be many changes affecting the villages and the economic situation, therefore there was a need to be open minded.

The Acting Planning Policy Manager stated that there was a statutory duty to produce the local plan and the policies within the emerging Plan were more flexible

than they had been before. The Plan was designed to be permissive and it would provide the appropriate framework for decisions at Development Committee.

Councillor Ms V Gay stated that she was sympathetic to the issues raised by Councillor Dixon. She requested clarification as to the relationship between secondary and desirable services and the term “at this stage” used within the report.

The Senior Planning Officer explained the hierarchy of services. Small growth villages were required to have four services in the secondary and/or desirable category. “At this stage” meant Regulation 18 consultation stage.

Councillor P Heinrich supported Councillor Dixon’s views. He questioned the logic of including settlements such as Walcott which could not be developed because of flooding, whereas some settlements with a good range of services were omitted because they did not have an essential service.

The Acting Planning Policy Manager explained that some villages currently had services but were constrained, so they should and could not be relied upon to contribute to the housing target as they were highly unlikely to deliver growth. However, they met the methodology and it was necessary to have a consistent approach across the District. If a scheme were to come forward in those locations it should be considered favourably in line with the classifications and settlement hierarchy provided the necessary tests were met. Other locations were classed as unsustainable in the NPPF as they did not have the level of services to support growth, did not meet the methodology and were contrary to the climate change ethos promoted by the Council. Schemes in those locations could only come forward via the suite of policies for flexible growth, for example, as an exception designed to meet the needs of the community, affordable growth or key worker accommodation.

Councillor Dixon was concerned that allowing development of up to 30 new homes in small villages without tangible and significant benefits to infrastructure would be a disservice to those communities. It was necessary to ensure that villages had the opportunity to express a very clear opinion as to what they wanted in terms of community benefit, infrastructure etc and any development must contribute to solving those issues. He cited Sutton as an example of a village with severe infrastructure constraints which would require significant benefits to accrue from development.

The Acting Planning Policy Manager stated that any development proposals could be considered by the Development Committee where constraints would need to be dealt with at the application stage. He suggested that a further criterion could be added to Policies SD2 and SD3 to give a clear indication to developers that they would be expected to deliver substantial community benefits, including necessary infrastructure improvements and service provision through their proposals.

Councillor Dixon welcomed this suggestion and provided it was adhered to, it would allay his concerns. He considered that villages needed to be given guidance as to how they could grow to meet the criteria for small growth villages in such a way as to deliver benefits for those localities.

The Chairman asked if it would be a comfort if there was a mechanism to review the classification throughout the lifetime of the Plan.

The Acting Planning Policy Manager advised that it was not appropriate to build a

review mechanism into a policy, but such a mechanism could happen through proposals and reports. It was within the gift of Development Committee to approve an application in relation to material considerations at the time. The plan process was subject to a five-yearly review and the Annual Monitoring Report would consider the level of growth that had come forward.

Councillor Dixon stated that he wished to make the amendments to Policies SD2 and SD3 formally and that the policies be amended so that support for proposals in rural villages and policy SD2 be conditional on the delivery of substantial community benefit and or substantial infrastructure improvement which raises the level of service provision, facilities or solves significant constraints.

The Acting Planning Policy Manager stated that "substantial" was not used in the NPPF and there was the risk that such wording was likely to be amended as a result of examination.

The Working Party discussed the need to ensure that any delivery benefit was locked in, regardless of whether any housing was delivered as a single proposal by one developer or a series of proposals by a number of developers.

The Acting Planning Policy Manager stated that Policy SD5 specifically dealt with the strategic approach to developer contributions, viability and the approach to infrastructure requirements. He would take on board Members' concerns regarding infrastructure delivery when SD5 was reviewed at a later date.

It was proposed by Councillor N Dixon, seconded by Councillor Ms V Gay and

RESOLVED unanimously

1. **That the changes proposed to the list of Small Growth Villages be endorsed.**

2. **That the revised approach and policy wording be endorsed, subject to policies SD2 and SD3 (small growth villages criterion) being amended to reflect the additional consideration of substantial infrastructure / service improvements as a requirement for support, and that responsibility for drafting such an approach, including finalising the associated policies, be delegated to the Acting Planning Policy Manager.**

52 UPDATES ON PLANNING POLICY ISSUES

With the agreement of the Chairman, the Acting Planning Policy Manager updated the Working Party on the following matters:

Housing Delivery Test

There had been a slight fall in the housing delivery rate, although the Planning Monitoring Officer was confident that completions at the end of the municipal year would be close to the Council's housing target. If the delivery rate fell to 95% the Government would require an action plan to show how the Council would maintain the supply of homes. However, no action was required at the present time.

First Homes Consultation

The Government had issued a consultation paper in respect of a discount of 30% on first homes for local people. This was being considered in conjunction with the Housing Team and there were concerns regarding funding and the impact on developer contributions and house prices.

Budget Update

The Government proposed to issue a White Paper on "Planning for the Future". It was proposed that there would be more deregulation, a review of the local housing need formula, retention of the 300,000 homes target, new rules for more permissive development of high rise, high density development, the requirement for the adoption of local plans by December 2023, further reform of the New Homes Bonus and further tightening of the housing delivery test. Details were awaited.

There had been a commitment to investment in infrastructure which could open the way for the Council to bid for funding for proposals such as the North Walsham Western Extension.

Consultations from other Authorities

The Council had been consulted in respect of Great Yarmouth and the Greater Norwich Local Plans. It was not intended to respond as there were no cross-boundary issues.

The meeting ended at 12.10 pm

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Chairman