

BRECKLAND COUNCIL

At a Meeting of the

POLICY DEVELOPMENT AND REVIEW PANEL 1

**Held on Tuesday, 15 July 2008 at 10.00 am in
The Anglia Room, Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr J.D. Rogers (Chairman)	Mr I.A.C. Monson
Mrs M.P. Chapman-Allen	Mrs P.A. Spencer
Mr P.J. Duigan	Mrs L.S. Turner
Mr A.P. Joel (Vice-Chairman)	

Also Present

Mr W.P. Borrett	Mr J.P. Labouchere
Councillor Claire Bowes	Mr A.C. Stasiak
Mrs D.K.R. Irving	Mrs A.L. Steward
Mr M.A. Kiddle-Morris	

In Attendance

Mark Broughton	- Member Development Officer
Sam Hubbard	- Planning Policy Assistant
Andrea Long	- Environmental Planning Manager
Phil Mileham	- Senior Planning Policy Officer
David Spencer	- Principal Planning Policy Officer
Elaine Wilkes	- Senior Member Services Officer

38/08 MINUTES

In answer to a question regarding Minute 34/08 (LDF: Site Specifics Policies and Proposals), it was confirmed that the amendment to Option 1 in relation to the review of site boundaries had been made as recommended by the Panel.

The minutes of the meeting held on 3 June 2008 were confirmed as a correct record and signed by the Chairman.

39/08 APOLOGIES

Apologies for absence were received from Mr. R. Childerhouse, Mr. K. Martin and Mrs. P. Quadling.

40/08 DECLARATION OF INTEREST

The following declarations were made:

1. Mr. W.P. Borrett – Personal and prejudicial interest in regard to LDF matters relating to North Elmham as landowner and a family member has land submitted under the LDF.
2. Mr. A.P. Joel – Personal interest in regard to LDF matters as a member of Old Buckenham Parish Council and has a friend and knows others who have submitted applications under the LDF.
3. Mr. I.A.C. Monson – Personal and prejudicial interest in relation to LDF site specifics relating to Oxborough.

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4. Councillor C. Bowes – Personal interest in regard to LDF and site specific matters relating to Watton, Saham Toney and Hilborough.
5. Mr. M. Kiddle-Morris – Personal interest in regard to LDF matters relating to his Launditch Ward.
6. Mr. J.P. Labouchere – Personal interest in regard to LDF matters relating to North Elmham and Hermitage ward generally.
7. Mr. J.D. Rogers – Personal and prejudicial interest in regard to LDF and site specific matters as landowner in Carbrooke and with knowledge of other people who have submitted applications under the LDF.
8. Mr. A.C. Stasiak – Personal interest as a close associate of the above-named Members.

41/08 NON-MEMBERS WISHING TO ADDRESS THE MEETING

The following Members were in attendance:

Mr W.P. Borrett	Mr J.P. Labouchere
Councillor Claire Bowes	Mr A.C. Stasiak
Mrs D.K.R. Irving	Mrs A.L. Steward
Mr M.A. Kiddle-Morris	

42/08 INTERIM BRECKLAND LOCAL DEVELOPMENT SCHEME (AGENDA ITEM 6)

The Principal Planning Policy Officer presented the report, which informed Members of proposed revisions to the timetable for the preparation of the Breckland Local Development Framework (LDF) to reflect new Government policy on the preparation of LDF. In line with Government Office advice, an interim timetable (known as the Local Development Scheme) had been prepared so that those with an interest in the LDF could see the latest changes and monitor progress on the LDF.

It was explained that the Government had issued a new Planning Policy Statement 12 (PPS12) setting out the policies for spatial planning in England which, together with accompanying Regulations, significantly changed the process for preparing LDF documents (full details of which were contained in the following report at agenda item 7). The key changes in PPS12 were:

- Introduction of a new Issues and Options stage to seek comment on the content of the emerging document and to work more closely with those influential in its delivery. This consultation would focus on issues arising from the Sustainable Community Strategy and dialogue with service and infrastructure providers.
- Removal of the Preferred Options stage of consultation.
- Re-aligning consultation around the submission of the document so that the consultation takes place before, rather than after, the submission of the document to Government. Consultation at this stage would be on the soundness of the document. Authorities now had the ability to withdraw a document prior to submission without the formal intervention of the Secretary of State.
- The Core Strategy is now the only development plan document that the authority is obliged to produce.

As a consequence, the main changes to the Breckland LDF timetable were:

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- **Core Strategy and Development Control Policies Document –** Submission date moved to February 2009 but in accordance with the new regulations, the consultation on the submission document will take place at the end of 2008.
- **Site Specifics Document –** “Issues and Options” stage extended to incorporate latest guidance and enable greater dialogue with developers, Parish Councils and infrastructure providers. Includes a further round of consultation, provisionally timed for April 2009. A “preferred options” stage would be incorporated into the consultation process, as it was felt the public and stakeholders would still need guidance.
- **Thetford Area Action Plan –** Largely unchanged other than for publishing the document for consultation prior to submission in Autumn 2009.
- **Attleborough and Snetterton Area Action Plan –** An expanded Area Action Plan to replace the Snetterton Area Action Plan, which was originally due for preparation from early 2009 to guide development at the strategic employment location. In the light of the comments received on the Core Strategy in early 2008, it was now apparent that there would be merit in adopting a stronger spatial approach to the northern half of the A11 corridor in Breckland, particularly given the amount of growth earmarked for Attleborough. As a result, it was now proposed to produce a wider Attleborough and Snetterton Area Action Plan to co-ordinate and enable the delivery of sustainable development at these two strategic locations. The expanded document would be prepared along similar timelines as the original Snetterton Area Action Plan. Appendix B of the report outlined the proposed content of the combined Action Plan.

Some Members questioned the need to put back the timetable to 2011 if the existing programme of work was proceeding anyway and were concerned at the slippage in the timetable.

It was explained that, although there was a statutory consultation period of six weeks, a 12 week consultation period had been built into Breckland’s programme. While the Council could reduce this to the statutory six week period, there were practical reasons which made it undesirable to do so. The work programme for 2009 was fully committed and included continuing work on site specifics, public inquiry examination of the Core Strategy and progressing work on the Thetford and Attleborough and Snetterton Area Action Plans. All of these processes also needed to be co-ordinated into the Council’s committee cycle. The timing allowed for the Planning Inspector was based on knowledge of the length of time currently being taken in the case of other authorities’ inspections. However, wherever the officers were able to move the programme forward, they would do so.

Other Members supported adhering to the 12 week consultation period as essential to ensuring as full a consultation as possible. While it was acknowledged that there would be frustration at the length of time involved in the process, provided the public were kept well-informed and up to date on progress, it was felt they would understand the position.

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RESOLVED to support the interim Local Development Scheme and the report be noted.

43/08 PLANNING POLICY STATEMENT 12 – LOCAL SPATIAL PLANNING (2008) (AGENDA ITEM 7)

The Senior Planning Policy Officer presented the report, which informed Members of the Government's revised Planning Policy Statement 12 (PPS 12) – Local Spatial Planning and Statutory Instrument 2008 No. 1371 Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008.

The Senior Planning Policy Officer explained the key implications for the Council arising from the revised PPS12 and Regulations as outlined in the report and as referred to in the preceding item.

In answer to a question, it was explained that the evidence and statements provided by the various service and infrastructure providers would form part of the Council's evidence base to support delivery of its LDF Core Strategy. In the event that the situation on infrastructure delivery changed, there would be opportunities to review the Development Plan to take account of any changes.

A member referred to paragraph 4.32 in PPS12 relating to the application of local circumstances and asked what weight this would carry in Breckland's Core Strategy.

It was explained that the strength of the Council's evidence base could be used to justify a departure from national or regional policy and highlighted the essential nature of that evidence base. Examples of where the Council's LDF was taking a local approach to inform its policies included the areas of affordable housing, car parks, conservation, Local Service Centres. It was agreed this could be highlighted in future reports.

In answer to a further question, it was clarified that the revised procedures allowed that, where there was a need to address a specific issue or undertake additional consultation, the Council would be able to do so without having to repeat earlier stages in the process.

So far as the issue of a Community Infrastructure Levy (CIL) (or tariff) approach to funding infrastructure contributions from developers was concerned, it was noted that Government guidance on this was still awaited. However, provision for this had been made in the Core Strategy and the Council was continuing to gather evidence that could support such an approach.

In respect of the Extension of Saved Policies (PPS12, paragraph 9.1), it was confirmed that the Core Strategy would continue in use until such time as it should be formally superseded by something else.

RESOLVED that the report be noted.

**44/08 THE REGIONAL SPATIAL STRATEGY: THE EAST OF ENGLAND PLAN
(AGENDA ITEM 8)**

The Principal Planning Policy Officer presented the report which detailed the key features of the East of England Plan as it related to Breckland and the production of the LDF.

The Secretary of State for Communities and Local Government had published the Regional Spatial Strategy (RSS) for the East of England known as The East of England Plan. The East of England Plan is the top tier of the Statutory Development Plan for the region and was therefore relevant to the production of Breckland's Local Development Framework (LDF) and the determination of planning applications. The East of England Plan provides a consistent regional framework that informs the preparation of Breckland's LDF, which itself must be in general conformity with the East of England Plan. The East of England Plan set out a vision and objectives for the region, defined the overarching spatial strategy for the region and set out specific policies across a range of topics.

The East of England Plan's Vision for the region (covering the Counties of Norfolk, Suffolk, Essex, Hertfordshire and Bedfordshire) was: *"By 2021 the East of England will be realising its economic potential and providing a high quality of life for its people, including by meeting their housing needs in sustainable inclusive communities. At the same time, it will reduce its impact on climate change and the environment, including through savings in energy and water use and by strengthening its stock of environmental assets"*.

The Plan set out five objectives, as follows:

1. To reduce the region's impact upon, and exposure to, the effects of climate change.
2. To address housing shortages in the region.
3. To realise the economic potential of the region and its people.
4. To improve the quality of life for the people of the region.
5. To improve and conserve the region's environment.

The Principal Planning Policy Officer highlighted details of the individual policies forming the Core Strategy and overall framework for development in the region, covering the areas of: Economic Development; Housing; Culture; Regional Transport; Environment; Carbon Dioxide Emissions and Renewable Energy; Water; Waste; Minerals; and Sub-Areas and Key Centres for Development and Change.

A member expressed his concern at the emphasis in the Plan's Regional Transport Strategy for a shift away from car use, which he felt held implications for Breckland.

Another member noted that the regional affordable housing target was 35% compared to that of 40% that the Council had previously been considering, which he felt was too high.

In reply to these questions, the Principal Planning Policy Officer explained that the regional plan affordable housing target was a minimum. The Council had consulted on a proposed target of 40% as part of the Core Strategy and a number of comments had been received and had yet to be

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considered by Members. Breckland's housing evidence indicated that a 40% target could be supported.

So far as car use and parking was concerned, the regional plan favoured a strict policy but, given the size of the region covering six Counties, local standards would still apply and a case had been made to justify the local circumstances in the Council's Core Strategy.

In answer to a question about development in the rural villages, it was confirmed that Breckland's Core Strategy was in line with the regional plan that local policies should support the viability of agriculture and other economic activities, economic diversification, the provision of housing for local needs and the sustainability of local services. In this connection, it was noted that there was a housing allocation of 3,000 for windfall sites in the villages.

RESOLVED that the report be noted.

45/08 BRECKLAND FIVE-YEAR SUPPLY OF HOUSING LAND ASSESSMENT (AGENDA ITEM 9)

The Planning Policy Assistant presented this report, which was also to be considered by the Development Control Committee on 21 July 2008.

The report explained that authorities were required to identify and maintain a rolling five-year supply of deliverable land for housing in accordance with national and regional planning policies.

Under Policy H1 of the East of England Plan (the RSS), Breckland was required to deliver at least 15,200 dwellings over the period from 2001 to 2021. This equated to 760 a year. As this annual target had not been met in the years 2001/02 to 2007/08, the annual target for housing delivery in Breckland was now 815 dwellings a year, equating to a five year requirement of deliverable land for 4075 dwellings. Therefore Breckland's housing supply for the next five years needed to be assessed against this higher figure.

The latest assessment identified that Breckland currently had a 2.8 year supply of deliverable housing sites and showed that Breckland was 1786 dwellings short of its five-year target and was therefore unable to demonstrate a five-year supply of housing.

To be classified as 'deliverable', Paragraph 54 of PPS3 required housing sites to be:

- Available – The site is available for development now
- Suitable – The site offers a suitable location for development and would contribute to the creation of sustainable mixed communities
- Achievable – There is a reasonable prospect that housing will be delivered on the site within five years

The assessment took into account only those sites with planning permission and therefore all identified sites were considered to be suitable and available. However, it was possible that not all sites would be achieved within the five year period.

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On this basis, the assessment revealed that as of April 2008, there were 2,142 dwellings with the benefit of planning permission, plus a further three larger sites with permissions for a total of 611 dwellings where the principle of development was accepted but where a Section 106 Agreement was awaited.

To help remedy the situation, the Council would be able to favourably consider applications for housing, which was provided for under national planning policies (PPS3, paragraphs 69 and 71). This might involve making a departure from the current development plan, in particular in regard to the requirements of Policy HOU.6 of the saved policies of the Breckland Adopted Local Plan (1999).

To justify a departure from this policy, an applicant for housing development would have to justify the proposal by providing the following evidence:

- A statement of how the proposal meets the requirements of Paragraph 69 of PPS3 (i.e. achieving high quality housing, ensuring developments achieve a mix of housing, the environmental sustainability and the suitability of the site for housing, using land efficiently and effectively).
- A statement which confirms that housing on the site is **deliverable** under the requirements of PPS3 (Paragraph 54) within the five year assessment period and that it is **available, suitable and achievable**.
- An assessment of any saved policies of the Breckland Adopted Local Plan (1999) under which the proposal is contrary, explaining why, in sustainability terms, the development should proceed contrary to the development plan.

The assessment concluded that as the Council did not have a sufficient five-year supply of deliverable sites for housing, planning applications for housing would be assessed against the strategy outlined above.

It also noted that a Site Specific Policies and Proposals Development Plan Document was expected to be in place by the end of 2010, so that it was likely that further completions would be achieved on allocated sites towards the end of the five-year period.

The Council was also committed to producing a Strategic Housing Land Availability Assessment (SHLAA) prior to submission of the LDF Core Strategy. The SHLAA would identify further areas of deliverable housing land that would contribute to the five-year requirement.

The housing land assessment would be monitored and updated annually and be linked to the results of the Annual Monitoring Report. When completed, the results of the SHLAA would also be incorporated to update this assessment.

During discussion, it was stressed that, while there could be a number of ad hoc applications and speculative applications seeking to take advantage of the situation, they would still have to satisfy the tests of deliverability, availability, suitability and achievability. The process would not enable an existing 'bad' site to become a good one but it might mean that an existing

'good' site might be brought forward. It was expected that all such application sites would go forward for determination by the Development Control Committee as 'exception' sites.

RESOLVED that the report be noted.

46/08 WORK PROGRAMME (AGENDA ITEM 10)

It was confirmed that both of the meetings currently scheduled in the Committee timetable for 2nd and 23rd September 2008 would be required for the Panel to consider the next stage of the LDF Core Strategy and Development Control Policies Document.

Additionally, an extra meeting was agreed to be held on Wednesday, 20 August 2008 to facilitate timely reports on Local Service Centres and Rural Areas as part of the ongoing LDF process.

47/08 NEXT MEETING

The arrangements for future meetings were as noted in the preceding item.

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The meeting closed at 12.10 pm

CHAIRMAN