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**BRECKLAND COUNCIL**

**At a Meeting of the**

**LOCAL PLAN WORKING GROUP**

**Held on Wednesday, 15 March 2017 at 1.00 pm in  
Anglia Room, The Conference Suite, Dereham**

**PRESENT**

Mr S.G. Bambridge (Chairman)      Mr M. S. Robinson  
Mr S H Chapman-Allen                Mrs A M Webb

**Also Present**

Mr K. Martin                              Mr P.D. Claussen  
Mr W.P. Borrett                         Mrs L.H. Monument  
Mr P.J. Duigan

**In Attendance**

Stephen Ottewell                        - Director Capita Planning & Building Control  
Sarah Robertson                       - Senior Planning Policy Officer\*  
Julie Britton                              - Democratic Services Officer  
Phil Mileham                             - Strategic Planning Manager  
Tim Mills                                  - Executive Manager Growth

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By**

**17/17 MINUTES (AGENDA ITEM 1)**

**(a) 3 February 2017**

NP4Yaxham had proposed the following amendments:

1. Progress Report on Pre-Submission Local Plan Preparation  
(Minute No. 8/17)

a) Yaxham

2<sup>nd</sup> paragraph to amend the word lied to lay, to read:  
....where the responsibility *lay* in relation to school  
admissions....

3<sup>rd</sup> paragraph to remove the title 'JP' as Mrs Margaret  
Oechsle was speaking as Chairman of the  
NP4Yaxham Working Group

4<sup>th</sup> paragraph to remove the words 'NHP' Working  
Group and replace with 'NP4Yaxham' Working Group

Final paragraph on page 45 of the agenda pack  
commencing Councillor Sam Chapman-Allen to read:  
Referring to the 5 required LSC criteria, all Members

and Officers were in agreement that “On employment a line had to be drawn in the sand, public transport and the shop we agree on and in relation to the school we have a black and white decision.

2. Local Plan and CIL Viability Assessment (Minute No. 10/17)

Roger Atterwill, Chairman of Swanton Morley Parish Council said that under this item he had asked a specific question on the affordable housing target as to what Breckland Council had actually achieved. He had been informed by the Officer concerned that 20.8% had been achieved and not 40% as listed in the Minutes. The Chairman of the LPWG advised that the matter of affordable housing was very important and there would be a recommendation from this Group to Council in due course.

3. Adoption

Subject to the aforementioned amendments, and subject to Councillor Duigan being added to the list of those present, the Minutes of the Local Plan Working Group meeting held on 3 February 2017 were agreed as a correct record.

**(b) 21 February 2017**

The Minutes of the Local Plan Working Group meeting held on 21 February 2017 were agreed as a correct record.

**18/17 APOLOGIES (AGENDA ITEM 2)**

None.

**19/17 DECLARATIONS OF INTEREST (AGENDA ITEM 3)**

None.

**20/17 URGENT BUSINESS (AGENDA ITEM 4)**

None.

**21/17 NON MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)**

Councillors Borrett, Claussen, Duigan, Martin and L Monument.

**22/17 CHAIRMAN'S ANNOUNCEMENTS (IF ANY) (AGENDA ITEM 6)**

All those present were welcomed to the meeting.

The Chairman classed Dereham as his local town and knew that a great deal had been said in the press and social media in recent weeks but felt that much of what he had seen had been less than helpful and misleading.

Many residents from the town were present and he asked them to remember that they also represented Breckland and their thoughts should be balanced to the needs of the whole community.

750 dwellings were being proposed for allocation within the town over the next 20 years. Homes for workers young and old; for children – 354 of whom would be leaving schools this year followed by a similar number every year and in about 5 years they would need homes of their own. In context, what was being proposed was one house per week for the life of this Plan.

He urged those in attendance to listen to what Officers had to say and although he welcomed comments he asked everyone to recognise that this was for the good of all that this development took place.

### **23/17 DEVELOPMENT STRATEGY FOR DEREHAM (AGENDA ITEM 7)**

Stephen Ottewell, the Director of Planning and Building Control (Capita) presented the report. Members were being asked to agree Option 2 of the report to support the approach towards Dereham as the basis of preparing the final iteration of the Local Plan (development levels and sites) and recommend to Cabinet that:

- The Council work with the Town Council and Norfolk County Council outside the Local Plan process to undertake additional transport modelling to inform mitigations for existing and potential future pressures not related to development.
- The Council work with the Town Council to develop its long term vision and aspirations for Dereham beyond the current proposed Local Plan.

A presentation was provided.

Members were informed that the Planning Inspector who would review the Local Plan would be looking at the following tests:

- Has it been positively prepared
- Is it justified
- Will it be efficient
- Is it consistent with National Policy.

The Inspector would be looking at the economic growth and aspirations and whether there were sufficient new homes in support of these aspirations. The first test under the presentation slide titled “Positively Prepared” was highlighted and explained.

Councillor Duigan asked if the wider areas around Dereham had been included such as Swanton Morley and the Scarning Estate etc. The Director of Planning and Building Control (Capita) explained that the Plan to support economic growth related to the DEFRA definition and he would be able to clarify that question forthwith.

The second test related to whether the overall strategy was justified and whether this approach could be delivered. 750 homes for Dereham was justified and was proportionally lower than Attleborough and Thetford.

Mr Atterwill queried Table 1 of the report. He believed that a number of errors had been made; firstly in relation to the Census which should read 2011 Census and not 2001 Census and secondly in relation to the figures under the heading population increase from 2011 in percentage terms for Swanton Morley it should be 19.7% and not 16.47% and for Dereham it should be 19.2% and not 16.11%. Members were informed that these figures would be checked. The Chairman apologised if these percentages were indeed incorrect.

Under the next test, effectiveness, the specific challenge which would be posed by the Inspector was whether or not the impacts arising from the level of development proposed could be mitigated. Attention was drawn to the recent Transport Study and the further work that had been carried out that had been attached as an addendum to the agenda. The previous concerns raised had been addressed in the report and recent correspondence had been confirmed. Members were informed that, in summary, the Dereham Transport Study had provided evidence to the Local Plan process to show that the principle of the scale of growth and allocations was sound provided that highway mitigation was made to the network and the need for development to provide that mitigation was included in the Policy wording of the Local Plan. In future, every major planning application would have to be accompanied by a detailed traffic survey to establish the impact on the locality and the mitigation measures required. Discussions would also be had with the Town Council accordingly.

Tony Needham, the Clerk to Dereham Town Council, stated that the recent Transport Study was part of the problem and should not be used to support planning applications. The Director of Planning and Building Control (Capita) advised that the said Study was a piece of evidence that was in the public domain but in terms of what would be required, a robust transport assessment in would need to be put in place. Mr Needham accepted that this Study was a piece of evidence to support the Local Plan but it was not a good piece of evidence to determine planning applications which should be determined with individual transport assessments.

Tim Mills, the Executive Manager for Growth & Prosperity advised that this matter would be taken and discussed outside of the meeting between the Planning Policy Team and Planning Officers.

Councillor Borrett was aware that Norfolk County Council had refused to undertake the Transport Plan and was confused by the mechanism as to how Breckland Council could force County to compel them to cooperate.

The Chairman advised that he believed Norfolk County Council (NCC) was now being more open to discussion. The Executive Manager for Growth explained that the original impetus stemmed from Breckland Council but NCC did not fully engage with the development of the Study and had not confirmed its adequacy with the Local Plan. NCC had also confirmed that additional funding would be available and it would be working with Breckland in future and would engage in a much more

whole hearted way. Councillor Borrett asked if this would mean that NCC would pay for any further studies and would this mean that more weight would be given to Breckland Council in the future. Phil Mileham, the Strategic Planning Manager advised that Officers had been having discussions with NCC about their aspirations and that there would be a great deal more significant work carried out in future. The Chairman pointed out that there were a number of meetings planned with NCC over the coming weeks.

Mr Needham agreed with the Executive Manager for Growth. NCC was working and cooperating with all, including the Town Council. Dereham Town Council had allocated a budget of £60k towards another Transport Study and therefore felt that everyone was moving in the right direction. The Chairman stated that this was welcome news.

Councillor Claussen was reminded of the fact that what Members had been told by NCC in recent Planning Committee meetings had been a complete farce.

Councillor Martin reminded Members that Attleborough had support from NCC on their Neighbourhood Plan; many meetings had been held and £4.6m had been granted for infrastructure in the town.

Councillor Duigan felt relieved that Dereham Town Council had not completed its Neighbourhood Plan any earlier as a great deal of work would have been done for nothing and congratulated Breckland for providing reasons why Dereham needed growth in the town.

The Director of Planning and Building Control (Capita) highlighted the 4<sup>th</sup> and final test which was the consistency with National Policy. A fundamental element of National Policy was that the Local Plan provided for a 5 year supply of housing land; this he felt was the most challenging of tests. Going forward, Officers would have to come up with an approach and a strategy to be able to deliver that at each stage which would help to control uncontrolled applications that were submitted. Clearly early delivery of larger allocations within the market towns was necessary to safeguard the five year land supply and prevent further development on sites not identified within the Local Plan.

Under section 6 of the report, the Director of Planning and Building Control (Capita) advised that the preferred sites and settlement boundaries consultation in September/October had identified five sites that would accommodate the 750 dwellings requirement for Dereham; however, the world kept turning and whilst this Plan came to fruition a further 48 dwellings had come forward on another site. However, allocations from other sites could not be removed until the information on housing need came forward. The Chairman asked everyone in attendance if they understood what had been said and explained that this five year housing land supply would provide the Council with some protection and that was why he was keen to get this Local Plan accepted. The Housing Needs Assessment was imminent and he expected to be provided with this information in due course.

The Chairman mentioned that the next meeting being held was for the Local Plan Steering Group this was a private meeting for Breckland

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Councillors only; there would be no agenda and no minutes would be taken. The next LPWG meeting was on 17 March followed by a Special Overview & Scrutiny Committee meeting on 6 April 2017 both of which would be open to the public. This timetable was subject to confirmation based on an internal review of the draft document.

Mr Needham had been assured that the maintenance of the five year land supply would not be subject to hostile planning applications; however, it had been said that Dereham was being asked to accept development in place of other market towns. The Chairman felt that this was not unreasonable. Councillor Duigan disagreed with this remark due to the fact that the Council did not have these targets in place earlier but should have had an idea that Dereham was going to need more houses and no time had been given to respond to the developers. Mr Atterwill felt that these large sites were going to be a problem for Dereham but it seemed as if they had to be accepted. The Chairman disagreed and pointed out that the Government would be spending a great deal of money in Norfolk and therefore there was potential for the town.

Councillor Monument drew attention to table 2 of the report and asked if the line for Dereham was to be believed as she could foresee that there would be many more dwellings built when development commenced accompanied by what she felt was the most unreliable Transport Study. She and many others were desperate to stop the big developments from being built and drew attention to paragraph 4.3.9 of the report. This she felt was too late to solve the problems and that was the reason everyone was so worried. Mr Needham agreed, the Town Council was not against development but it had to be in the right place and at the right time.

Mr Atterwill drew attention to Table 2 of the report (page 11 of the agenda) and asked for it to be clarified as to whether the large sites proposed had been included in the figures under the extant large sites from the 5 year land supply. The Strategic Planning Manager advised that these figures stemmed from the Five Year Land Supply Statement dated 30 September 2016 and the Table had set out what was thought to come forward. He drew Members' attention to section 5.2 of the report and explained that the row in question showing the figure of 2,942 dwellings was for the whole of Breckland. The Chairman asked if this figure included any for Dereham. Members were informed that it did and the details were available on the Council's website.

Councillor Claussen who represented parishes to the south of Dereham echoed Councillor Monument's comments. The A47 was already gridlocked and most of the traffic ended up travelling through the villages.

Councillor Duigan mentioned the Scot's Field Planning Appeal which had not, as yet, been determined and which could put another 100 dwellings into the mix. He also mentioned the two large planning applications from Hopkins Homes and Orbit Homes both of which wanted to increase the number of dwellings on those sites and asked how these additional figures would affect the Table in relation to housing

numbers. The Executive Manager for Growth & Prosperity advised that the outcome of the aforementioned Appeal was still awaited and Officers and Members alike would have to make many judgements dependent on where the Local Plan was at up until the examination period.

Mr Atterwill asked what cumulative effect all these sites that had to be maintained would have on the town and were there any mitigation measures in place particularly in relation to drainage/sewage issues. The Director of Planning & Building Control (Capita) advised that this would be where the Infrastructure Development Plan came into effect.

Councillor Webb pointed out that Breckland Council was putting an enormous amount of pressure on Anglian Water and a report was expected. She assured Members that all these large planning applications could be conditioned to enable the sewage matters to be installed prior to occupation.

A short comfort break followed.

The meeting re-convened and referring to Table 2 of the report that Mr Atterwill had drew attention to earlier in the meeting, the Director of Planning & Building Control (Capita) advised that the calculations in the table were correct but the column had been incorrectly labelled (the figures were expressing how much each settlement would have grown over the Plan period based on forecast dwelling stock in 2036). He confirmed that another table would be sent out after the meeting which corrected the column headings and another column would be added to express the growth as a percentage increase in the baseline 2011 figure.

Mr Needham mentioned the Transport Study again as there were still a number of fundamental issues of concern particularly in relation to how the extra traffic counts had been calculated. Referring to the Tavern Lane junction, he explained that pneumatic counters placed in the road did not work well and therefore he was doubtful of the data collected. He pointed out that all that was being measured was the volume of traffic not the congestion and felt that the queue analysis should be measured. Photographs together with an analysis of the queuing traffic were shown (provided by Dereham Town Council) demonstrating that the current Transport Study was clearly flawed. Mr Atterwill agreed and informed Members that whilst in attendance at a Planning Committee meeting it was highlighted that there was an error in the software on how this information had been calibrated. Mr Needham advised that many of these software programmes used dealt with free flowing situations and not with congestion. The Director of Planning & Building Control (Capita) assured Members that there was technical information in the main Transport Study and surveys had been taken at different times. Councillor Monument said that she regularly shopped at the supermarket on Station Road and the line on the data showing 1pm, in her opinion, was not depicting free flow traffic as the traffic at that time of day moved at about 3mph and therefore misrepresented the information. She asked if all this information would be regarded when planning applications were submitted in future. The Chairman advised

that there was a possibility that further traffic surveys would be undertaken. Hilary Bushell, another Member of Dereham Town Council, had carried out a survey from the other end of the town where the queues started in Swanton Road and into Kings Road. The traffic was always jammed and she implored Members not to let this continue as it would kill the town. The Executive Manager for Growth and Prosperity explained that many concerns were about the flow of traffic; however, Norfolk County Council had considered that the Study and the addendum were satisfactory for the Local Plan. A major concern that Councillor Monument drew attention to was Figure 5 on page 24 of the report as it gave the wrong impression as it had not taken account of the potential development. Councillor Claussen mentioned his recent visit to the town centre and the queues he encountered on Station Road and he urged Members to keep up the pressure with Norfolk County Council. Members were reassured that together with Dereham Town Council the pressure on Norfolk County Council would remain. Mr Atterwill felt that Breckland Council should remind Norfolk County Council of the opposition to this Transport Study and he pleaded with Officers and Members to go back to County to question the quality of the data produced. He believed that Dereham could accept a great deal more development subject to the infrastructure being in place and subject to having a proper vision for the transport in the town. He asked what was happening with development in the North East of the town and suggested a link road from Corners Nursery to the Football ground; this would also open up land for commercial benefit. The Chairman advised that the vision for the town needed to come from the Town Council not from Breckland Council hence the Town Council's Neighbourhood Plan.

The Executive Manager for Growth & Prosperity recognised the outstanding matters with Norfolk County Council and Dereham Town Council; however, he reminded those in attendance that the timescale for this vision would be over a 7 to 10 year period and during this time Breckland Council would be delighted to work with both the Town and the County to develop this vision; however, these matters were not for the Local Plan and he drew attention to the recommendations within the report.

Councillor Monument encouraged Members to consider Option 2 of the report but to remove the last four words from the first recommendation.

Referring to the recommendations, Mr Needham stated that Dereham Town Council would make comments on the Local Plan during the consultation process. He alluded to a number of the key requirements within the National Planning Policy Framework (NPPF) and felt that the evidence gathered in relation to economy, growth and the employment land study was out of date and needed to be refreshed. The Strategic Planning Manager advised that evidence did become outdated and there was a balance to be struck.

Mr Needham referred to the allocations on page 12 of the agenda and asked how many jobs would be lost as there were a number of businesses located on that site LP(025)011 and asked if it would be better to retain employment. Mrs Bushell said that no-one was against

additional housing but it should be about how and where it was done. The information, in her opinion, was not clear or transparent and Breckland Council needed to ensure that it was fully aufait with what was being said. The Chairman disagreed with the aforementioned comments as this process had been more open and transparent than the previous Local Plan. The Director of Planning & Building Control (Capita) apologised if people felt that these reports were not easily understood in parts and as the author wanted them to be clear and transparent for the Inspector. Mrs Bushell said that she was not saying that the information was incorrect but to the person in the street it was not clear and everyone was unclear as to when these meetings were being held. The Chairman advised that the latter was always available on the Council's website. Mr Atterwill said that it would have been useful if an email had been sent to all Parish and Town Councils informing them of this meeting.

Councillor Webb was very relieved and reassured that this Transport Plan would not be used for every planning application and was pleased that Breckland Council was going to work together with Dereham Town Council on a new Transport Plan.

On another matter Councillor Duigan asked if Members/Officers could work with developers to build starter homes and asked if this aspiration could be secured. Members were informed that this could be dealt with through the planning process particularly since the publication of the Government's Housing White Paper.

The Chairman advised that the preparation of a Local Plan was a serious piece of work which took a great deal of time and he mentioned Neighbourhood Plans of which there were grants available. Mr Needham pointed out that Dereham Town Council had already received such a grant from Breckland Council but had been disappointed that the grant amount was the same for a town as it was for a village.

Subject to the last four words of the first recommendation being removed, it was:

**RECOMMENDED** to Cabinet that:

- Breckland Council works with the Town Council and Norfolk County Council outside the Local Plan process to undertake additional transport modelling to inform mitigations for existing and potential future pressures; and
- Breckland Council works with the Town Council to develop its long term vision and aspirations for Dereham beyond the current proposed Local Plan.

The meeting closed at 3.35 pm

CHAIRMAN