

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 20 November 2008 at 11.00 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr S. Askew	Mr M.A. Kiddle-Morris
Mrs J. Ball	Mr R.G. Kybird
Mr S.G. Bambridge	Mr J.P. Labouchere (Chairman)
Mr W.P. Borrett	Mr T.J. Lamb
Councillor Claire Bowes	Mr K. Martin
Mr A.J. Byrne	Mrs S.M. Matthews
Mrs M.P. Chapman-Allen	Mrs K. Millbank
Mr J.P. Cowen	Mrs S.R. Miller
Mr P.J. Duigan	Mr D.G. Mortimer
Mr P.S. Francis	Mr J.W. Nunn
Mr R.F. Goreham	Mrs P. Quadling
Councillor E. Gould	Mr J.D. Rogers (Vice-Chairman)
Mr M.J. Griffin	Mr B. Rose
Mr P.J. Hewett	Mr F.J. Sharpe
Mrs T. Hewett	Mr W.H.C. Smith
Mrs D.K.R. Irving	Mrs P.A. Spencer
Mr A.P. Joel	Mr A.C. Stasiak
Mr C.R. Jordan	Mrs A.L. Steward
Mr R. Kemp	Mr N.C. Wilkin

In Attendance

Sheila Cresswell	- Member Services Officer
Trevor Holden	- Chief Executive
Tim Leader	- Deputy Chief Executive
Andrea Long	- Environmental Planning Manager
Helen McAleer	- Member Services Officer
David Spencer	- Principal Planning Policy Officer
Ian Vargeson	- Member Services Manager

122/08 MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 6 November 2008 were agreed as a correct record and signed by the Chairman.

123/08 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr P Balaam, Mr S Chapman-Allen, Mr R Childerhouse, Mr P Claussen, Mr R Duffield, Mr M Fanthorpe, Lady K Fisher, Mr K Gilbert, Mr J Gretton, Mr I Monson, Mr I Sherwood, Mr M Spencer, Mrs L Turner and Mr D Williams.

124/08 DECLARATION OF INTEREST (AGENDA ITEM 3)

The Deputy Chief Executive clarified the requirements with regard to declarations of interest.

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The following declarations of interest were noted:

Mr W Borrett	Personal interest in the LDF by virtue of having a family member who has submitted land at North Elmham in the site specifics and generally as a landowner
Mr G Bambridge	Personal interest in the LDF by the nature of his employment
Mr J Labouchere	Personal interest in the LDF in North Elmham by virtue of being a landowner and as Ward Representative for Hermitage Ward.
Mr A Joel	Personal interest in anything to do with the LDF for Old Buckenham by virtue of being a Parish Councillor.
Mr S Askew	Personal interest in the LDF by virtue of having land under consideration.
Mrs D Irving	Personal interest in anything to do with Dereham being a member of Dereham Town Council
Mrs T Hewett	Personal interest as a landowner in Shipdham with land in the LDF and as a Breckland District Councillor.
Mr P Hewett	Personal interest as a Shipdham Parish Councillor and the Shipdham Ward Representative for Breckland District Council should any site specifics be discussed in Shipdham.
Mr P Duigan	Personal interest by virtue of being a Dereham Town Councillor
Mr M Griffin	Personal interest by virtue of being a Dereham Town Councillor.

The following Members declared a Personal and Prejudicial interest in the LDF, by virtue of having an interest in land under consideration, and left the room for the remainder of the meeting.

Councillor C Bowes, Mr P Cowen, Mr R Kemp, Mr R Kybird, Mr J Rogers and Mr W Smith.

125/08 LOCAL DEVELOPMENT FRAMEWORK - CORE STRATEGY AND POLICIES (AGENDA ITEM 5)

The Portfolio Holder for Planning and the Environment introduced this item and told Members that the Core Strategy document had been the subject of much debate and consultation. It had been discussed at 40 Council meetings and more than 80 meetings with Parish and Town Councils. The Strategy had also been the subject of press releases,

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workshops, road shows and drop-in events and she considered that the public had been successfully involved.

The purpose of the Strategy was to provide a vision for the District up to 2026 and an important steer for the emerging Action Plans.

The Environmental Planning Manager and the Principal Environmental Planning Officer then gave Members a presentation to cover the latest issues affecting the Core Strategy together with a summary of the process to date and the next steps. (Copy attached)

The Core Strategy needed to be broad enough to relate to national policy and specific enough to enable determination of specific issues.

The Strategy was required to provide for at least 11,000 homes and 6,000 jobs in the five towns; the proposed allocation was shown.

14 villages had also been identified as Local Service Centres (LSC) and, of those, four were promoted for growth. The others were included without growth, at their request, following consultation.

Small scale development would still be possible in other villages. It was estimated that 3,000 houses would come forward as windfall sites over the LDF period.

Throughout the process two issues had been identified: infrastructure delivery and environmental impacts. A list of identified strategic infrastructure requirements was shown.

Policy CP4 (on page 42 of Appendix A) made clear that infrastructure would need to be in place in advance of development. No growth would be allowed until this was secured. A myriad of funding sources was available. There would still be a role for developer contributions, secured through legal agreements and there was the potential to introduce tariffs and levies. The Local Strategic Partnership and EEDA also had a role to help deliver sustainable growth.

Other legal requirements had been addressed. The Habitats Regulation Assessment (HRA) had identified two types of habitat: Special Protection Areas (SPA sites) and Special Conservation Areas (SAC sites). Evidence had been required of bird populations and this work had only recently been completed.

The Assessment had concluded that the Core Strategy would have a significant effect on some birds and mitigation measures were required. The proposal was to introduce a 1500 metre buffer zone around Stone Curlew nesting sites and a 400 metre buffer zone around the nesting sites of Nightjar and Woodlark. Water related habitats would also be protected.

Maps were shown. Within the Stone Curlew buffer there were two further zones to restrict development and to ensure that where it was permitted, replacement habitat areas were provided.

Evidence of the effect of development on Stone Curlew nesting was provided in graph form. It clearly showed that nest densities declined

close to settlements.

Both Natural England and the RSPB supported the findings of the Assessment and had approved the mitigation measures proposed.

Members had to decide if they agreed with the buffer zones. If not, an alternative HRA would have to be prepared. However, it was pointed out that the consultant used for the Assessment was an acknowledged expert. Members were also told that there were only two sites in England where the Stone Curlew nested: the Brecks and Salisbury Plain.

The implications of the buffer zones were that the focus of development in Thetford would be to the north of the town, with no development north of the A11. Weeting's allocation of 50 dwellings had been removed and development would only take place where it did not extend out into open countryside.

At the Issues and Options stage of the Thetford Area Action Plan (TAAP) the sites favoured by the public and stakeholders were consistent with the area permitted by the buffer zones.

Members were informed that all materials would be published, including the supporting evidence, and there would be a further six week opportunity for comment. The document would then be submitted to the Secretary of State at the end of March 2009.

The future timetable was shown. The Examination in Public was expected to be in July 2009 and the Inspector's Report should follow in November of 2009 with proposed Adoption of the Strategy in 2010.

The Chairman thanked the Officers for their presentation and the following questions and answers were noted:

Q: Could developers actually be stopped if they did not provide infrastructure?

A: Yes, the starting point of Core Policy 4 states that development will depend on Infrastructure availability and the ability of that infrastructure to cope with the additional proposed development.

Q: Is that definitive and absolute?

A: It is as much as we can make it in policy terms.

Q: With reference to Attleborough, any development to the south of the town would require infrastructure improvement as there was presently only a level crossing over the railway line.

A: Yes, development could only come forward **on allocated sites** once the link road was put in place. The Officer suggested that a stronger reference to that was needed in Core Policy 4 on infrastructure.

Q: What was the timeline for delivery of the plan?

A: The plan was due to run to 2026; however, significant development would not commence for some considerable time as the Action Plans needed to be agreed. Realistically

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development would not commence for four to five years and was expected from 2013 onwards which gave time for the infrastructure to be provided.

Q: What mechanics had been used to decide the Local Service Centres?

A: The Regional Spatial Strategy set out five key criteria, but some villages had been included which did not meet all these but provided a valuable service function not only to their own residents but to those of neighbouring parishes. The list had been agreed through dialogue and consultation.

Q: Lots of villages did not have a Settlement Boundary. How would those Parishes be able to have extra development if they wanted it?

A: Within Core Policy 14 there were lists of the sort of development which would be allowed in smaller villages, such as affordable housing, conversion of rural buildings and development in support of rural enterprise.

Q: Had the 14 Parishes proposed as Local Service Centres all agreed?

A: Yes. The list was put together very much at their request.

Q: Were the considerations for the Stone Curlew taking precedence over the requirements of the district?

A: A good balance had been struck in the determination of the buffer zones. It could be argued that there was still an effect on Stone Curlews at 2500m but 1500m was the point at which the effect began to recede. This approach is supported by Natural England and the RSPB and presents a pragmatic and balanced approach.

Q: Would there be an opportunity to review those Service Centres proposed for service growth and no housing during the lifetime of the plan?

A: The plan would be monitored every year and parts of it could be reviewed every three to five years. Parts, or the whole document, could be changed earlier if needed.

Q: Would the proposed refurbishment of the existing Thetford estates still take place?

A: The TAAP was not just about growth. Money from Central Government would be used to make improvements and to regenerate the Town Centre during the next three years. There was also funding set aside in the Business Plan for MTF to look at improvements on existing estates.

A Member raised various questions about non-LSC village vitality; reducing reliance on motor cars and concerns that the Stone Curlew information had not been available prior to the meeting. He agreed to write in with his concerns.

The Leader of the Labour Group commended the Portfolio Holder and the whole team for their efforts. Other Members also expressed their gratitude for the hard work done.

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The Leader of the Council endorsed their sentiments, acknowledging the long and arduous process involved.

In the light of the debate, he felt that the recommendation should be amended and that the Core Strategy should come back to Council, prior to being sent away.

It was therefore **RESOLVED** to:

- (1) agree the publication of the Core Strategy and Development Control Policies document; including the Cabinet Recommendations (Cabinet Min No 139/08) and amendments necessary for Appropriate Assessment, for a period of at least 6 weeks;
- (2) return the Core Strategy and Development Control Policies to Council with any amendments, unless comments received during the 6 weeks of pre-Submission publication indicate that the document is unsound and should be withdrawn;
- (3) submit the Core Strategy and Development Control Policies document to the Secretary of State for an Examination in Public by a Government appointed Inspector whose report will be binding on the authority.

The meeting closed at 12.20 pm

CHAIRMAN