Minutes of a meeting of the **Place Shaping Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **25 July 2012** at **6.00 pm** when there were present:

Mr S A Vincent – Chairman

Mr J J Emsell	Mr P N Green	Mrs C Ward
Mr A P Findlay	Mr B A McGilvray	
Mr I G Graham	Mr J P Starling	

Also in attendance were the Deputy Chief Executive, Head of Planning, Spatial and Community Planning Manager, Interim Spatial Planning Manager, Senior Policy Officer (Spatial Planning) and the Committee Officer (JO).

14 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs Cottingham, Mr Couzens and Mrs Hempsall.

15 MINUTES

The Minutes of the meeting held on 5 July 2012 were confirmed and signed by the Chairman as a correct record.

16 JOINT CORE STRATEGY FOR BROADLAND, NORWICH AND SOUTH NORFOLK – SUSTAINABILITY APPRAISAL AND NEXT STEPS

The report described the outcomes of the work being undertaken to repair the parts of the Joint Core Strategy (JCS) remitted by High Court judgement.

The Chairman summarised the key issues that the Committee needed to satisfy itself had been addressed by the work undertaken to comply with the Court Order.

These were:

(1) had the terms of the Court Order been complied with regarding the spatial distribution of housing in the Broadland part of the Norwich Policy Area (NPA) ? The overall number of dwellings was not in question.

(2) has the process of evaluating the reasonable alternatives been robust, sound and legal?

(3) had three reasonable alternatives been evaluated and addressed in the Sustainability Appraisal?

(4) were the conclusions of the Sustainability Appraisal and officer recommendations clear that Alternative One was the preferred way forward for pre-submission consultation?

As the JCS was a joint document the appropriate action was required to be agreed by all constituent members and therefore the Greater Norwich Development Partnership (GNDP) considered the issues that were raised in the report on 19 July 2012 and made the following recommendations:

(1) that, having considered the screening of reasonable alternatives set out in section four of the draft Sustainability Appraisal and the supporting evidence base, to **RECOMMEND** to each partner Council

(a) that Alternative 1 is chosen as the most appropriate option;

(b) Alternative 1 be taken forward to pre-submission.

(2) to approve the pre-submission documents and that each partner Council be **RECOMMENDED** to

(a) approve the pre-submission publication of the remitted parts of the JCS;

(b) to delegate authority to the GNDP Directors and the GNDP Manager, in consultation with the respective portfolio holders, to make further minor changes prior to publication to reflect emerging evidence and any necessary corrections.

The Spatial and Community Planning Manager advised the meeting that the Sustainability Appraisal was a tool to be used as a guide. The final decision on the preferred alternative was for Members to decide.

The process of the Sustainability Appraisal involved establishing the scope of the appraisal, identifying reasonable alternatives and to then test the reasonable alternatives against the objectives of the Sustainability Appraisal.

It should be noted that there was no evidence to suggest that housing need in the Broadland part of the NPA had changed since the Joint Core Strategy was adopted.

In response to a query it was confirmed that although the Norwich and South Norfolk elements of the NPA had been adopted and the housing numbers or distribution in those districts could not be reduced, they could be increased, with a subsequent reduction in the allocation in Broadland. However, modification of NPA distribution across local authority areas would require more formal consultation and the agreement of Norwich City and South Norfolk Councils.

The reasonable alternatives were identified by means of an extensive process, which included consideration of the limits of deliverability for a single location; the reasonableness of a dispersal strategy identification and evaluation of different scales of strategic growth and different potential locations as well as the merits of combing locations. The parts of the Strategy remaining adopted and capacity limits in particular locations further limited the available options.

Following this work a screening process was undertaken that identified three reasonable alternatives. These were;

Alternative One (remitted parts of the JCS)

7,000 in the combined north east (inside and outside the line of the Northern Distributor Road (NDR)) sector (rising to 10,000 beyond the Plan period) including 25 hectares of employment land at Rackheath.

Alternative Two (growth focused in the north east, inside the line of the NDR)

7,000 in north east (inside the NDR) sector (rising to 10,000 beyond the Plan period) including 25 hectares of employment land at Broadland Business Park or Norwich International Airport in addition to those in the adopted policies of the JCS.

Alternative Three (growth focused in south west with the balance in the Broadland part of the NPA)

4,600 in south west (making a total of 7,000 at this location in the Plan period (rising to 10,000 beyond) when combined with growth identified in the adopted JCS). 2,400 across the Broadland part of the NPA made up of two small scale locations of at least 1,000 each in north east sector (inside NDR) and north west sector.

Officers from all three local authorities had considered the results of the Sustainability Appraisal so far and firmly believe that Alternative One remained the most appropriate option.

Alternative three was the weakest of the reasonable alternatives as:

- It was uncertain that it could deliver the required growth within the plan period. Although 7000 was considered feasible in one strategic location, it added to existing strategic growth locations and introduced the risk that there will not be sufficient focal points of development to give market choice and enable rates of delivery (essentially two, at Cringleford and Hethersett). Which was potentially a knock on effect for affordable housing delivery
- It would have a nearby competition for delivery from Wymondham and Easton/Costessey. It would have significant impacts on the character and form of the settlements on the A11 corridor in the NPA.
- The growth that would be left in the Broadland part of the NPA would support some enhanced public transport, but would not be likely to sustain high quality Bus Rapid Transport (BRT) and the spread would necessitate investment being split between two corridors.
- As noted above, depending on choice of employment location it may not make it so accessible to relatively deprived areas.

With regard to alternatives one and two the judgment was more balanced, however officers consider alternative one was the most appropriate option for the following reasons:

- Alternative One offered greater potential for a high proportion of development to be very well related to the BRT corridors this maximised the chances of future residents using sustainable modes (particularly to access employment in the City Centre).
- Alternative one proposed that the major growth was not constrained by the line of the NDR. It did bring the strategic growth closer to the Broads but this can be mitigated by the creation of a buffer zone within the growth location between development and the Broads.
- Deliverability was improved by bringing in a further focus of development at Rackheath, which will bring further choice and variety to the form of development in the north east.
- In design terms Alternative One was considered to offer more scope for creating places that functioned better, related well to both open space and transport corridors and allowed the scope for quality design creating a sense of place and character.

- Alternative One was also likely to be favoured by the market, giving scope for this option contributing to a greater extent to meet identified housing needs through the provision of affordable housing.

- Alternative One also overcame some of the disadvantages that had been shown to arise from Alternative Two. The development form can be better planned and would not be compromised by the availability of developable land. Green spaces could be better planned to link environmental assets into green corridors.

Although alternative Two has a number of good points such as a reduced incursion into the countryside, and would avoid issues of severance that it could be argued the NDR creates, it was important to note that the land take was not reduced, but the land required for development is likely to be different. The issues it raised meant that it is not considered the most appropriate option as:

- It would require a more intensive form of development. This type of intensive development would have resultant impacts in terms of landscape setting, urban form and amenity.
- This would likely mean including less well related areas (east of railway, north of public safety zone and in closer proximity to the Airport noise contours)
- It could intensify pressures on environmental assets either through direct pressure for development, or trespass/disturbance
- It may compromise the potential to link the environmental assets into strategic green corridors
- It would be likely to require land not promoted to the north and east of Thorpe End with potential to erode the identity of Thorpe End.
- It might require efforts to bring forward some land including county wildlife sites or historic park land as strategic green infrastructure. Some of this had been promoted for such uses, while other areas had been promoted more overtly for development.
- As well as housing, it would need to accommodate for the 25 hectares of employment land, unless this were relocated to the Airport.
- The overall form of the development would be more heavily dictated by its physical limits and internal constraints and rather than purely by the aim of creating high quality places which function well. The resultant spread of development was likely to take the form of a crescent shape that did not provide clear focus for development of BRT along the identified Salhouse Road corridor as Alternative One does.
- Alternative Two was less certain to deliver to the planned trajectory, as there were realistically only likely to be two points of focus for the development, one around North Walsham Road and the other around

Salhouse Road. The addition of a third focal point gave more confidence in the event of a problem arising with either of the other areas.

The Committee noted that the consultation would be held for eight weeks, from 10 August to 8 October 2012, which was two weeks longer than was legally required, as it coincided with a holiday period. Details of the consultation would be sent to the parish and town councils affected, as well as being published in *Parish Pages* and on the Council's website.

In response to a query, the Spatial and Community Planning Manager confirmed that following the process of consultation and submission, the inspector would assess if the preferred option for this part of the JCS was legally sound. However, it could still potentially be subject to legal challenge.

A Member expressed concern that more work had been carried out on Alternative One than on Alternative Two, which made it difficult to make a fair comparison between the two. He suggested that more than one option might be put forward for consultation

In response the Spatial and Community Planning Manager advised the meeting that the publication of the preferred option would be accompanied by the Sustainability Appraisal, which would show in detail the assessment of all three Alternatives and could be subject of public comment. A number of other publication documents would also need to be published. Drafts of these could then be appended to the Sustainability Appraisal report in the Members Room. Following publication the decision would then be made whether submit the JCS for Public Examination or to withdraw it.

The Head of Planning advised Members that even if Alternative One was not selected as the preferred option, Government guidance had identified 5,000 homes for the Eco-Community at Rackheath and even if Alternative Two were selected the promoters may still seek to promote this.

Having considered the Sustainability Report and the points raised by officers and following a vote, with five in favour of Alternative One and three against, it was

RESOLVED

to recommend to Council

to endorse the recommendations of the GNDP Board and to authorise the pre-submission publication of the remitted parts of the JCS and the associated pre-submission documents as a precursor to future submission for independent examination. If this course of action is chosen, the Council is asked to delegate any necessary minor amendments to pre submission publication documents to the Council's Director representative on the Greater

Norwich Development Partnership in consultation with the Portfolio Holder.

17 COMMUNITY INFRASTRUCTURE LEVY FOR BROADLAND, NORWICH AND SOUTH NORFOLK – COMMENTS ON REGULATION 16 PUBLICATION OF DRAFT CHARGING SCHEDULES AND PROPOSED SUBMISSION

The Committee report had appended to it a GNDP report on the Community Infrastructure Levy (CIL), which had been considered on 19 July 2012, and the following recommendation made:

that each partner Council be **RECOMMENDED** to

(1) agree a minor change to the CIL charging schedule for Norwich so that the £100 per sq m rate of CIL applied to flats of 5 storeys and above and publish the evidence supporting this change;

(2) publish the Statements of Modifications and evidence in accordance with Regulation 19 of the Community Infrastructure Levy Regulations 2010 (as amended) and submit these for examination by an independent examiner;

(3) continue to work together towards the indicative timetable set out in the timetable; and

(4) delegate authority to the Director representative on the GNDP Board, following discussion with the relevant portfolio holder, to agree any minor changes to any of the documents to ensure consistency and clarity.

The report that was presented to the Committee included drafts of a number of documents which would need to accompany the CIL schedules. Among these was an evidence paper that had been produced, which demonstrated that the rates of CIL were not dependent on the adoption of parts of the JCS that had been remitted. Following legal advice, as well as advice from the Planning Inspectorate the GNDP was satisfied that it could proceed with the submission of the CIL as proposed. The statement of modifications was scheduled to be published on 6 August with submission of the CIL charging schedules to follow on 10 August 2012. Any representations on the proposed modifications would be considered by the independent examiner. Members were advised that a schedule of representations received in response to the draft charging schedules together with responses by officers and GVA (who had advised on viability issues) were in the Members Room.

The Spatial and Community Planning Manager informed Members that the Council's planning software developer was creating a CIL module, so no difficulties in administering it were envisaged.

In response to a query regarding a development in progress, the Head of Planning advised the meeting that the developer's contribution should be through S106 agreement.

It was noted that S106 contributions were limited to the local area, whilst the CIL could be used for more general infrastructure over a wider area and that this might be a source of tension if communities felt they were not receiving recompense for accepting development.

The Spatial and Community Planning Manager informed Members that the GNDP had drafted a Local Investment Plan and Programme (LIPP), which aimed to identify and deliver the right infrastructure across Broadland, Norwich and South Norfolk through the CIL.

RESOLVED

to recommend to Council the following recommendations

(1) agree a minor change to the CIL charging schedule for Norwich so that the £100 per sq m rate of CIL applies to flats of 5 storeys and above and publish the evidence supporting this change;

(2) publish the Statements of Modifications and evidence in accordance with Regulation 19 of the Community Infrastructure Levy Regulations 2010 (as amended) and submit these and necessary submission documents for examination by an independent examiner;

(3) continue to work together towards the indicative timetable;

(4) agree that any minor changes to any of the documents to ensure consistency and clarity be delegated to the Director representative on the GNDP Board following discussion with the relevant portfolio holder.

18 LOCAL DEVELOPMENT SCHEME – DISCUSSION

The report considered a review of the Local Development Scheme (LDS) and the timetable for producing the documents within the Local Plan/Local Development Framework.

The LDS was out of date and needed to be revised.

The legal challenge to the JCS had delayed its adoption which also delayed other Development Plan Documents, such as the Growth Triangle Area Action Plan, the Site Allocations Document, and the Development Management Policies Document.

Because the strategic policies for the Broadland part of the Norwich Policy Area were not yet finalised it would be inappropriate to progress the documents relating to this area in advance of the final JCS. However, as the rural part of the District was unaffected by the JCS reworking, one option might be to progress the Rural Site Allocations separately from the Norwich Policy Area Site Allocations.

Members generally considered that the Rural Site Allocations Document should be progressed in a manner so that all the documents could be adopted together, as this would simplify the process and provide greater clarity about the status of Development Plan Documents.

It was noted that the Planning Committee could still give regard to unadopted Plans when making decisions although they would carry less 'weight' than formally adopted plans.

In response to query, the Interim Spatial Planning Manager informed the meeting that a five year supply of development land was available in the rural part of Broadland, though not in the Norwich Policy Area, so the urgency for a Site Allocations Document was less vital for the rural area.

RESOLVED

that production of the Development Plan Documents be coordinated, particularly in terms of the timing of the latter stages, and keeping the rural and Norwich Policy Area elements of the Site Allocations in one Development Plan Document.

19 PLACE SHAPING: A GUIDE TO UNDERTAKING DEVELOPMENT IN BROADLAND

The report introduced *Place shaping: a guide to undertaking development in Broadland* and outlined the options available for the Council.

Building Research Establishment (BRE) had produced the paper for the Council as a guide for developers, officers and communities on how development could be undertaken in a sustainable, well-designed and cost-effective way.

Two options were available; the document could be adopted as 'informal' planning guidance or as a Supplementary Planning Document. The latter alternative would necessitate a period of consultation ahead of formal adoption.

It was confirmed that the document did not conflict with any existing policies and was more of a guide rather than a prescriptive policy document.

Members suggested that the guide should be adopted as informal guidance rather than a formal document that might be too prescriptive.

It was requested that the cover of the document be replaced with one that had English and not American spelling.

RESOLVED

to recommend to Cabinet that *Place shaping: a guide to undertaking development in Broadland* be adopted by the Council as informal guidance, subject to the above amendment.

The meeting closed at 8.35 pm.