

Planning Committee

18 June 2021

Agenda item number 11

Consultation responses

Report by Planning Policy Officer

Summary

This report informs the Committee of the officer's proposed response to planning policy consultations received recently, and invites members' comments and guidance.

Recommendation

To note the report and endorse the nature of the proposed response.

1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. The Committee's comments, guidance and endorsement are invited.

Author: Natalie Beal

Date of report: 01 June 2021

Appendix 1 – Planning Policy consultations received

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Organisation: Winterton Parish Council

Document: Winterton on Sea Neighbourhood Plan <https://www.great-yarmouth.gov.uk/planning-consultations>

Due: 16 July 2021

Status: Regulation 16

Proposed level: Planning Committee endorsed

Notes

Proposed response

Summary of response

The Plan is welcomed, but concerns continue to remain about conflict with national policy. Namely, the change that small-scale rural exception sites or entry-level exception site proposals for affordable housing can be reasonably related/adjacent to development boundaries; national policy says adjacent to. No clear justification for the change to national policy is given. There is also concern about the wording of policies relating to protecting grade 1 and 2 agricultural land. There are also some concerns about the design policy and the character appraisal which is now part of the document and has been brought into policy.

Comments on the Neighbourhood Plan

Main concerns

- Para 37 – rural exception/entry level sites are required to be adjacent to development boundaries as stated in the NPPF. This paragraph implies that they can be further from the development boundary. We do not think this is the same as the NPPF, para 71b that says such sites need to be ‘adjacent’ and does therefore not meet the basic conditions, namely, basic condition A as it is contrary to national policy - para 71 of the NPPF.
- HO2 a and Para 38 – we maintain that we do not support the policy wording that says development can be away from the development boundary. The word ‘adjacent’ means next to or adjoining something else, and not away from something. We consider saying that sites can be ‘reasonably related’ to development boundaries is contrary to the NPPF. Further, this approach would be open to interpretation. A developer has the potential to interpret the meaning in a way that could see development proposals far from the boundary, thus resulting in the issues set out in para 37. It is not clear how or where a need for a departure from national policy is proven. This does therefore not meet the basic conditions namely, basic condition A as it is contrary to national policy - para 71 of the NPPF.
- Policy E2 – I have just noticed that this refers to major development only. So, schemes of up to 9 dwellings or up to 0.49 Hectares, or up to 999.99 sq m could be allowed on grade 1 and 2 land. In a response to one of my comments relating to the 5 dwelling

threshold used in some policies of this Neighbourhood Plan, you responded saying that the average scheme size is 5 dwellings (see section 3 of the original evidence document). So as this policy only applies to 10 or more dwellings, 0.5Ha or 1,000 sqm or larger, it could be argued that it may not actually apply to any development in the parish and so grade 1 and 2 land will not actually be protected. Is this the intention? Should the policy apply to all development? If my interpretation is correct, this seems contrary to the Local Plan for the Broads. I do not know if it is different to the GYBC Local Plans and that may need checking. This does therefore not meet the basic condition D because the policy seeks to protect grade 1 and 2 land for the interests of sustainability, but due to the threshold used in the policy and the typical size of schemes in the area, the policy will be ineffective. This policy also does not meet the basic condition E because it is not in general conformity with policy SP4 of the Local Plan and SP4 is a strategic policy. This issue could be overcome by reconsidering the threshold used in the policy.

- HO3 – we have a few comments on this policy which are listed below. We generally think this policy can be improved. Taken together, we think that our comments relate to the policy not meeting basic conditions as follows. Basic condition A, because the importance of design is greatly emphasised in national policy (see section 12 of the NPPF) and so too is the impact of schemes on the Broads (see paragraph 172 of the NPPF) as well as basic condition D as there is lack of reference to landscape (see various parts of the NPPF, including para 170).
 - This mainly deals with the built environment and architectural design. It doesn't really make any reference to landscape either in the policy text or supporting text. I think this is something of an omission and contrasts with the BA design policy which makes clear reference to the need for high quality landscaping.
 - Para 41. *The Character Appraisal ... summarises aspects of the built-environment that are characteristic of the parish and which, individually or in combination, are considered to be essential in order to maintain the character and appearance of the parish.* I don't feel that it fully achieves this. The Character assessment is mainly descriptive, focussed on the built environment, and doesn't include much analysis or identification of key issues/aims or characteristics which are valued and should therefore be protected or enhanced. For example, it identifies important views of key landmarks but doesn't offer any prescription such as the need to protect or maintain these views. As a result, its usefulness in policy terms is perhaps rather limited.
 - A map to identify key views and landmarks would be helpful.
 - In general, landscape is not dealt with in any detail. There isn't much coverage of natural features/trees/hedgerows and open space. Given that the plan area includes countryside around Winterton, it would be useful to have some consideration of the village setting and also the importance of the setting of the Broads.

- Could say 'Alterations or extensions to buildings of heritage value, whether in the historic village centre or not, should use traditional materials and designs'; and delete 'for roofs, chimneys, porches, elevations, windows, doors etc'.
- I have concerns that in tying this Character Appraisal to the policy, and because of its suggestion that buildings are 'very diverse', it may become harder to ensure that new development does reflect the predominant character and relate well to its immediate context.
- Character Appraisal – Appendix 1.
 - I don't fully agree with the summary that states that the buildings are 'very diverse in terms of styles, heights and materials'. In terms of height they are predominantly 1 and 2 storeys. I'd also say that the predominant building material is red brick, with some flint, pebble stones and painted brickwork or render in the historic core – no mention of the render or painted brickwork is made.
 - Could the Character Assessment expand on the boundary treatments in the village?
 - Is there a Conservation Area Appraisal for the area that can also be referenced?
 - The village has quite distinct areas containing different types of development and I wonder if the document could be developed to include 'character areas' that could be described?

Comments seeking clarity

Whilst these comments may not be related to basic conditions, they are important issues that need addressing in the interest of clarity. To not address these could leave aspects of the Plan open to interpretation.

- Para 33 says 'It is recommended that the Local Planning Authority removes permitted development rights on new homes that are two or three bedrooms to prevent much needed smaller housing from being extended without appropriate consideration of the impacts'. Do you mean for this to apply to all dwellings? Or do you mean for this to apply to one bedroom dwellings as well? It seems that the point is to require planning permission to extend, rather than make it permitted development and by missing out one dwelling houses in the sentence, they could be extended and you say that small housing is much needed. As worded, it does not seem that the threshold will meet the desired effect.
- HO3 – This seems to say that development in the village centre does not have to be of high environmental standards? Is that what is intended?
- HO3 - What kind of walking route and distance would be acceptable? We say 800m for a route that can be used all year round. Not necessarily lit though because of impact on dark skies.

- Para 55 says 'A 10% net gain will be applied unless a higher standard is required by the Environment Bill'. I wonder if it would be better to say 'Environment Act, when it is finalised' rather than referring to the Bill?
- Para 58 says that all development must demonstrate no increase in flood risk, but para 1 of policy E4 only applies to schemes of 5 or more dwellings. Is that threshold needed, considering the concern locally and the supporting text referring to all development needing to not cause issues? Para 1 of E4 does say that the strategy needs to be proportionate.
- Policy E4 – a layout and formatting issue perhaps, but why are there bullet points? There does not seem to be an introductory sentence to the bullet points which is what I would expect. The first few seem to relate to the Surface Water Drainage Strategy, but the rest are about other things. They may be relevant and useful, but the format is confusing.
- Policy E4 – the last paragraph seems to refer to foul water drainage. Perhaps the title of the policy needs to say foul water drainage rather than just drainage? Reading the title as it is now does not really say that the policy also talks about foul water drainage. Could the two parts of the policy have sub titles? So, the first part is about surface water and the second is about foul water?

Typos and grammatical errors

- Para 43 says 'The socio-economic effects **of** second and holiday homes are being felt by the local community'.
- Policy numbering is a bit off – we go from E1 to E4.

General comments

- Number/letter all bullet points so they can be easily referenced by DM Officers.
- Policy E4 - last paragraph. We already cover this and set out a foul water drainage hierarchy. See Policy DM2 of the Local Plan.
- Add map of the SSSIs and CWS's as other assets, such as water and soils are mapped.
- Could a map of the potential biodiversity net gain sites or projects, or commitment to form a local action plan to identify these be mentioned. I note that a footpath connection project is mentioned, so adding the commitment for a biodiversity net gain project seem appropriate.
- Add in para 55 recognition that Winterton could potentially receive biodiversity net gain projects that occur from development outside of this neighbourhood plan area.
- In a couple of places in this document and some of the supporting documents, reference is made to locally important 'landmark' buildings, in particular the Fisherman's Rest PH, the lighthouse, the Hermanus Holiday Park roundhuts. I would suggest that these are candidates for local listing and perhaps this is an exercise that

should be considered as part of the NP process? Other candidates for consideration would be the former Methodist Chapel on Beach Road, Corner Croft on Back Road and the row of mid-20th century thatched cottages along The Lane.

Comments on the evidence base

- This does not include the Broads' Landscape Character Assessment
- Not sure of the date of figures 16 and 17. Does that need updating?

Comments on the Basic Conditions Statement

- Figure 3 still includes the old HO1
- Concern about 'reasonably' adjacent still. That is not what the NPPF says and not what GYBC policy says. This does therefore not meet the basic conditions (namely, basic condition a).

Comments on evidence base update

I note that this updates parts of the original evidence base, that was dated 2018. However, I see that this update has not updated:

- housing numbers
- GP Practice resilience
- number on roll at the school
- the situation regarding the consultation on closing the school (though I appreciate this is covered in the main Plan).

Organisation: Suffolk County Council

Document: Developers Guide to Infrastructure Contributions in Suffolk:

<https://www.suffolk.gov.uk/council-and-democracy/consultations-petitions-and-elections/consultations/developers-guide-to-infrastructure-contributions-in-suffolk>

Due: 28 June 2021

Status: Draft final

Proposed level: Planning Committee endorsed

Notes

The original Section 106 Developers Guide was first published in 2011 and has now been rewritten and updated, to reflect up-to-date costs and the mitigation required for infrastructure provisions in Suffolk.

Whenever major developments are considered, for example new housing or industrial sites, they will likely have an impact on the local community. This could result in increased demands on the local infrastructure, for example more local traffic, more people living in a community, more school places needed, and many other local services.

To make sure that new developments result in improvements to local communities, developers must make financial contributions to local authorities, known as Section 106 agreements, or through the Community Infrastructure Levy. This money can then be put towards services to support the increase in demand made by the new development.

Local infrastructure is key to local and neighbourhood plans, and this guide gives everyone a central document for how to include county council infrastructure within the planning system in Suffolk.

Proposed response

Summary of response

There are no major comments. The document could have more consistent terminology and there are some areas that need clarification.

Comments

- Throughout – you say ‘district and borough councils’. That excludes the Broads Authority. How about using ‘Suffolk Local Planning Authorities’ and ‘Suffolk LPAs’? In some instances, you use LPA, but then in others LA. Suggest a go through to check which term is best.
- Page 9: “The purpose of the Developers Guide to Infrastructure Contributions in Suffolk (is to provide” – random bracket
- Page 13 says: ‘For those district councils that have adopted CIL, what infrastructure they may wholly or partially fund through CIL is set out in their Infrastructure Funding

Statement (IFS), which can be found on the specific district websites'. This implies that only LPAs that charge CIL need to do an Infrastructure Funding Statement – but all LPAs need to do one.

- 3.1.1 says: 'Therefore, developers should discuss the potential impact of their proposed development on archaeological remains prior to submission of planning applications'. Discuss with whom? Or should it say 'assess'?
- Top of document page 40 – maybe reference that some local plans have a M4(2) standard.