

# Place Shaping Panel

## Agenda

### **Date**

Monday 4 November 2019

### **Members of the Place Shaping Panel**

Mrs L H Hempsall (Chairman)	Miss S Lawn (Vice Chairman)
Mr N J Brennan	Mr G K Nurden
Mr S M Clancy	Mrs L A Starling
Ms N J Harpley	Miss J L Thomas
Ms J A Neesam	Mr J M Ward

### **Time**

6.00 pm

### **Place**

Council Chamber  
Thorpe Lodge  
1 Yarmouth Road  
Thorpe St Andrew  
Norwich

### **Conservative Substitutes**

Mr A D Crotch  
Mr J F Fisher  
Mr R R Foulger  
Ms R M Grattan  
Mr D King  
Mr G F Peck  
Ms C E Ryman-Tubb

### **Liberal Democrat Substitutes**

Mr S Riley  
Mr D M Thomas

### **Labour Substitute**

Mrs B Cook

### **Contact**

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**If any Member wishes to clarify details relating to any matter on the agenda they are requested to contact the relevant Director / Assistant Director.**



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### **The Openness of Local Government Bodies Regulations 2014**

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.

**The Chairman will ask if anyone wishes to  
film / record this meeting**

**A G E N D A**

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<b>5</b>	<b><u><a href="#">Joint Core Strategy for Broadland, Norwich and South Norfolk: Annual Monitoring Report 2017-18</a></u></b>	<b>9 – 13</b>
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Trevor Holden  
Managing Director

## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

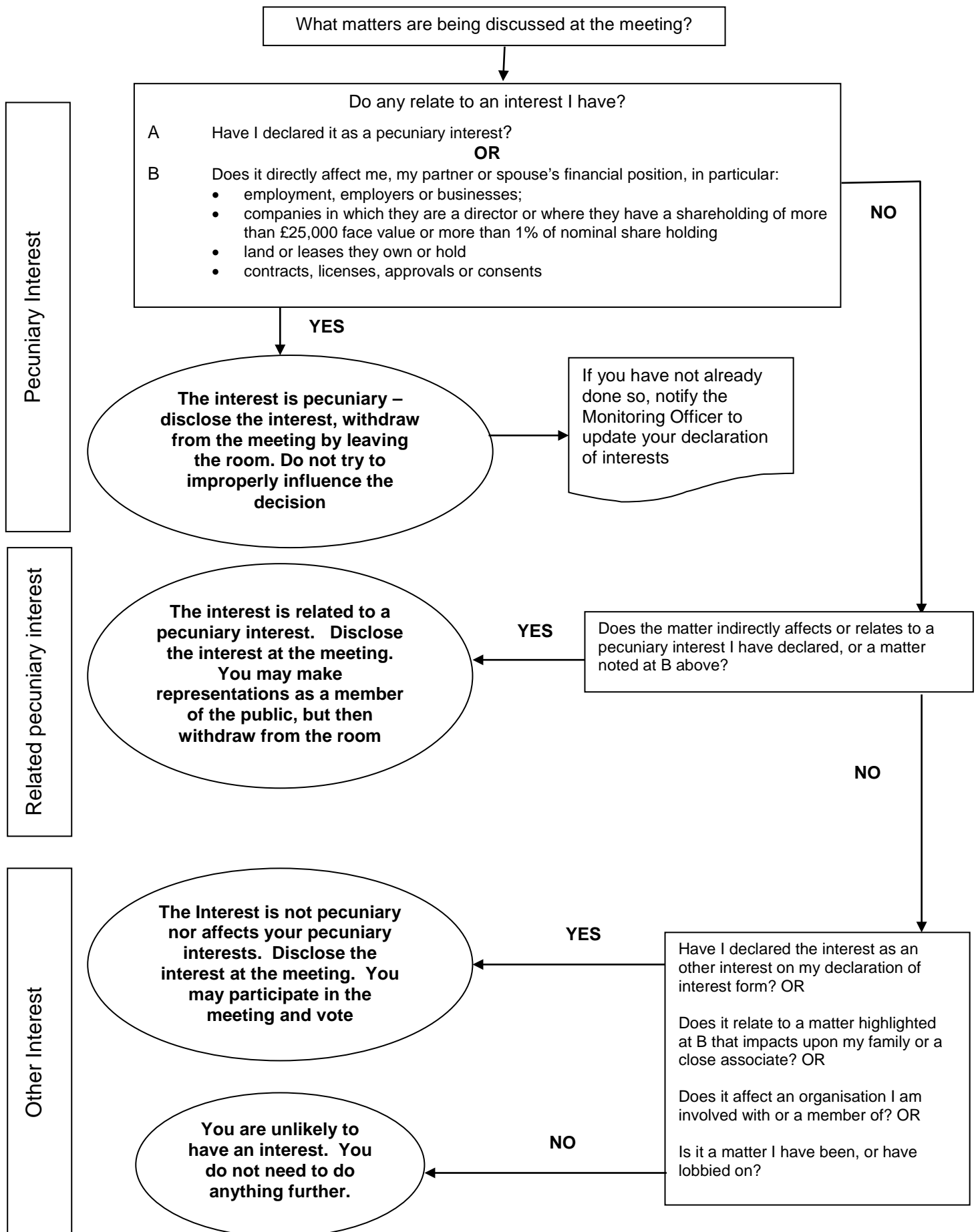
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF**

**PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE**

# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Minutes of a meeting of the **Place Shaping Panel** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Monday 1 July 2019** at **6.00pm** when there were present:

Mrs L H Hempsall – Chairman

Mr N J Brennan  
Mr S M Clancy

Ms J A Neesam  
Mr G K Nurden

Mrs L A Starling  
Mr J M Ward

Mr Adams, Mr Beadle, Ms Catchpole, Mrs Copplestone, Mr King, Mrs Karimi-Ghovanlou, Mrs Leggett, Mr Leggett, Mrs Prutton, Mr Riley, Mr Thomas, Mrs Vincent and Mr Whymark attended the meeting for item 3 - Greater Norwich Local Plan.

Also in attendance were the Director of Place, Greater Norwich Planning Policy Manager, Interim Head of Housing and Environmental Services, Housing Enabler and the Committee Officer (JO).

### **1 APOLOGIES FOR ABSENCE**

An apology for absence was received from Miss Thomas.

### **2 MINUTES**

The Minutes of the meeting held on 25 March 2019 were confirmed as a correct record and signed by the Chairman.

### **3 GREATER NORWICH LOCAL PLAN**

The Director of Place advised the meeting that the Greater Norwich Local Plan (GNLP) was drafted by the GNLP Team for Broadland, Norwich City and South Norfolk Councils in conjunction with Norfolk County Council and the Broads Authority.

The GNLP would replace the existing Joint Core Strategy when adopted in 2021 and would have a significant impact over where growth would go across the three districts, as planning applications must be determined in accordance with the GNLP unless material considerations, such as national policy, sustainability, permitted development and adequacy of infrastructure, indicated otherwise.

The GNLP would be a large document which would comprise a strategy and sites document, and would be complemented by Area Action Plans and Neighbourhood Plans. Together, these would cover the 42,000 new

dwellings required by 2036, as well as the jobs and infrastructure to support them.

The Greater Norwich Planning Policy Manager informed the meeting that the broad distribution of growth for draft Plan consultation in autumn 2019 was close to completion.

The draft Plan would show the basis for site allocation choices, ie where the broad growth would go and where the sites for growth were. The draft Plan would also include a degree of flexibility to adapt and change as it progressed to ensure delivery was achieved.

The growth needs in the Plan was evidence based. It showed that there was sufficient employment sites given expansion of committed strategic sites and some additional small sites in towns and villages.

In respect of housing, an additional 7,000 homes was required to bring the total to 42,000 by 2036. It was emphasised that the vast majority of these dwellings already had planning permission or were allocated through existing plans.

The principles set out in the plan for growth would seek to maximise brownfield growth (mainly, but not exclusively in Norwich) and broadly follow the settlement hierarchy, with the main focus on the 'strategic growth area' of the Cambridge/Norwich Tech Corridor and the north east growth area. There would also be growth in towns, key service centres and village clusters.

There would be a limited number of new large sites, but no new settlement. Small sites, with allocations of 15 plus, would be expected to provide affordable housing.

As well as a focus on delivery in the Plan, measures to address climate change would be included.

The benefits of the Plan were to produce a clear evolution of a current sustainable strategic approach, as well as the ability to access external funding and supporting a strong rural economy.

The main change in the GNLP from the JCS was some additional focus on village growth. Growth in village clusters would be based on primary school catchment areas and access to other services, as well as availability of sites.

A Member noted that the north west of Norwich lacked village clusters and requested that this be looked into, as the completion of the Western Link would make this area increasingly important.

In response to a query it was confirmed that, as currently drafted, the GNLP would allow for windfall sites in rural areas for self-build or custom build homes and for affordable housing.

The draft GNLP would be published in August and both District and Parish Councillors would be briefed on it before this date.

In response to a query, the Director of Place confirmed that the Government was encouraging the public sector to bring forward development and he was confident that Broadland and South Norfolk would continue to look for opportunities to do so. He drew Members' attention to a proposal to part fund a planning application that was for consideration at Cabinet on 9 July for a 293 hectare development site in north Rackheath as an example of this.

In response to a question, it was confirmed that integrating private and social housing was a preferred option for the Council, although a balance also had to be struck as registered providers found it more efficient to manage their properties if they were closer together.

#### **4 AFFORDABLE HOME OWNERSHIP IN BROADLAND AND SOUTH NORFOLK**

The report proposed taking a common approach to affordable home ownership eligibility in Broadland and South Norfolk.

Broadland had seen a large supply of affordable home ownership products on sites across the district and analysis of Broadland and South Norfolk affordable home ownership data had shown that the largest proportion of purchasers already lived within the local authority area in which they purchased. It was, therefore, felt that it was unnecessary to restrict home ownership eligibility to local people. It was emphasised that the proposed change in criteria was for affordable home ownership only, not social rent. Properties built under exceptions policy would also continue to be for local needs only.

The homes were currently offered on a first come, first served basis to those people registered with the Help to Buy agency, which checked their eligibility on income and current housing status. Ending the criteria for a local connection would save a significant administrative burden on officers at the Council. Members were also advised that housing associations were very supportive of the proposal to remove the local connection

It was noted that the recommendation included a clause to allow the local connection to be reintroduced by Portfolio Holder decision, if deemed necessary.

### RECOMMENDED TO CABINET

- (1) Ordinarily there will be no local connection priority for people wishing to purchase affordable home ownership, other than homes built to meet local needs under the exceptions policy (with flexibility to reintroduce local connection priority if deemed necessary); if this applies then a decision will be made by the Portfolio Holder for Housing and Wellbeing;
- (2) all applicants for affordable home ownership must register with the regional Help to Buy agency (or any successor body); and
- (3) Cabinet amends policy to introduce these changes.

*The meeting closed at 7.40 pm*



**Agenda Item: 5**

**Place Shaping Panel  
4 November 2019**

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## **JOINT CORE STRATEGY FOR BROADLAND, NORWICH AND SOUTH NORFOLK: ANNUAL MONITORING REPORT 2017 -18**

**Report Author:** John Walchester  
Spatial Planning Manager  
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**Portfolio Holder:** Planning

**Wards Affected:** All

**Purpose of the Report:** The latest version of the JCS Annual Monitoring Report for Member's information.

### **Recommendations:**

1. That the Panel considers the JCS AMR 2017-18 for information.

## 1 SUMMARY

- 1.1 The Joint Core Strategy Annual Monitoring Report for 2017-18 has been published. This sets out monitoring information on the JCS and other local plans. As such, it is a factual document and does not contain policies, but the information is used to guide future policy approaches. A key element is the information on housing land supply.

## 2 BACKGROUND

- 2.1 An annual monitoring report is produced for the Joint Core Strategy. The latest version (for the year 1 April 2017 – 31 March 2018) has recently been published; this contains information relating to the policy targets set out in the JCS. The AMR can be viewed at:  
<http://www.greaternorwichgrowth.org.uk/planning/monitoring/>.
- 2.2 It also contains monitoring information for the other local plans for the three local authorities. The Broadland Local Plan monitoring section is at Appendix E starting at page 127 of the AMR. The monitoring is used to inform future policy considerations, for example in new local plans such as the proposed Greater Norwich Local Plan.
- 2.3 A key element of the AMR is the statement on housing land supply, set out in Appendix 1 – Greater Norwich area Housing Land Supply Assessment 1 April 2018 (commencing at page 35 of the AMR). The summary for this is appended to this report. The assessment reflects the Government's new "standard methodology" for housing land supply; this shows that across the Greater Norwich area as at 1 April 2018 there was 6.54 years housing land supply. This is considerably more than the requirement of 5 years supply. The level of housing land supply is an important factor in the consideration of planning applications for housing that do not accord with the Development Plan.

## 3 PROPOSED ACTION

- 3.1 This report is for information only. Work on the AMR for 2018 – 19 is well underway and it is hoped that this will be published by the end of the year.

## 4 ISSUES AND RISKS

- 4.1 **Resource implications** – The AMR is produced under the GNLP which has an agreed budget with contributions from the three councils. In addition, work is undertaken by the individual Council's planning policy monitoring officers, under normal staffing arrangements.
- 4.2 **Legal implications** – None arising directly from this report.
- 4.3 **Equality implications** – the AMR is not a policy document and so has no equality implications.
- 4.4 **Environmental impact** – the AMR is not a policy document and so has no

environmental impacts.

- 4.5 **Crime and disorder** – the AMR is not a policy document and so has no crime and disorder implications.
- 4.6 **Risks** – The AMR is based on factual information. However, elements of it, such as the Housing Land Supply Assessment, may be relevant to the determination of applications for planning permission, and may be challenged through the planning application and appeal process.

## 5 CONCLUSION

The Annual Monitoring Report for 2017-18 provides the latest iteration of information relevant to the production of local plan documents and specific information on housing land supply that may be pertinent to the consideration of planning applications for residential development. As such, it is made available for Member's information.

## 6 RECOMMENDATIONS

- 6.1 That the Panel considers the JCS AMR 2017-18 for information.

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### Background Papers

None

### Greater Norwich Area Housing Land Supply Assessment 1 April 2018 – Summary

#### Summary

This note sets out the housing land supply position for the Greater Norwich area for the period 1 April 2018 to 31 March 2024. The Revised National Planning Policy Framework (NPPF) requires local planning authorities to:

*“identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old”.*

The Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk was adopted in March 2011, with amendments January 2014. The JCS became five years old on 10 January 2019. Although the Greater Norwich authorities have commenced work to replace the JCS, the current plan has not been reviewed in line with the PPG to demonstrate that the housing requirement does not require updating. Indeed, publication of a 2017 SHMA had already indicated the need to update the housing requirement. In accordance with NPPF paragraph 73, the Greater Norwich housing land supply must be measured against local housing need (LHN).

The revised NPPF also introduced the Housing Delivery Test (HDT) as an annual measurement of housing delivery. The results of the first HDT were published on 19 February 2019. Broadland, Norwich and South Norfolk are measured jointly for the purposes of the HDT. The results of the HDT show that Greater Norwich has delivered 133% of the number of homes required between 2015/16 and 2017/18.

Policy 4 of the JCS sets out a three-district requirement, within which a policy decision was made to focus new allocations within a Norwich Policy Area. However, the HDT is measured jointly across all of Broadland, Norwich and South Norfolk and LHN figures are only provided on a district basis, which can be aggregated up in accordance with Planning Practice Guidance. Therefore it is not possible to produce housing land supply information as measured against LHN for the Norwich Policy area. As the 2017 SHMA indicated that the majority of the three districts are within the same housing market area, it is considered appropriate to measure land supply across this area. This approach effectively replaces that of separately measuring housing land supply across the Norwich Policy Area (NPA) and Rural Policy Areas (RPA) of Broadland and South Norfolk, although these areas are still considered in the AMR in relation to monitoring objective 2.

Based upon this calculation of five year housing land supply for Greater Norwich (including the 5% buffer required by the NPPF), the Greater Norwich Authorities can demonstrate:

- 131% (6.54 years / 3,318 home surplus)

Within each of the individual districts the following HLS can be demonstrated:

- Broadland: 147% (7.33 years / 1,302 home surplus)

- Norwich: 136% (6.82 years / 1,156 home surplus)
- South Norfolk: 118% (5.90 years / 864 home surplus)

Notwithstanding the existence of a housing land supply, the Greater Norwich Authorities recognise that further housing land, above and beyond the existing commitments, need to be identified. The authorities have committed to the production of the Greater Norwich Local Plan (GNLP) to plan for these additional needs. Ahead of the adoption of the GNLP the authorities will continue to take a positive approach to development proposals that complement, rather than detract from, the existing and emerging development strategies.

## **TRANSFORMING CITIES FUNDING SUBMISSION**

**Report Author:** Ben Burgess  
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**Portfolio:** Planning

**Wards Affected:** All

**Purpose of the Report:**

To brief the Place Shaping Panel on the background, progress to date and future submission of the bid to the Department for Transport's Transforming Cities fund.

**Recommendation:**

That the Place Shaping Panel note the contents of this report.

## 1 BACKGROUND

- 1.1 In March 2018 the Department for Transport (DfT) published a call for proposals to its £1.7bn Transforming Cities Fund (TCF). The fund has the aim of driving up productivity and spreading prosperity through investment in public and sustainable transport in some of the largest English city regions. The Fund is to be focused on intra-city connectivity, making it quicker and easier for people to get around, and access jobs in, some of England's biggest cities. Mayoral city regions were awarded half of this fund and the remaining £840m is to be shared between successful city regions.

## 2 OBJECTIVES OF THE TRANSFORMING CITIES FUND

- 2.1 Aligned to the Government's Industrial Strategy, the objectives of the TCF are to improve productivity through investment in improved public and sustainable transport and improved connections between urban centres and suburbs.
- 2.2 The TCF is intended to encourage an increase in journeys made by low carbon, sustainable modes of transport, with a significant focus on public transport, cycling and walking. Additionally, the TCF aims to support wider cross-cutting priorities such as:
- Improving access to employment and delivering growth
  - Encouraging the use of new mobility systems and technology
  - Tackling air pollution and reducing carbon emissions
  - Delivering more homes
  - Delivering apprenticeships and improving skills

## 3 PROGRESS TO DATE

- 3.1 As a continuation of the long and successful working relationship a joint Greater Norwich team of officers (led by Norfolk County Council), with support from Mott MacDonald and WPS was set up to work on an initial submission to tranche 1 of the funding (total tranche 1 fund: £60m). The application was based on a vision to 'Invest in clean and shared transport, creating a healthy environment, increasing social mobility and boosting productivity through enhanced access to employment and learning.'
- 3.2 The joint team agreed on a corridor based approach with the city centre as the hub through which they would all flow through. Initially three corridors were identified, supporting Broadland Business Park, Norwich Research Park (NRP) and the airport industrial estate, as they offer the greatest potential for productivity growth due to the density of homes, jobs, education and transport services that are accessed from them. They also support the strategically planned development of homes in the major growth locations in Broadland and South Norfolk. These three corridors have since been broken down into six and the city centre for ease of labelling and scheme association, and are broadly described as follows:

**Airport to Broadland Business Park** corridor connects residents in the deprived estates at Mile Cross and Catton Grove to employment around the airport and

135,000sqm of existing and 100,000sqm of planned employment space at Broadland Business Park, as well as learning at the new International Aviation Academy. It provides interchange with the airport terminal, airport park and ride and Postwick park and ride.

**Wymondham to Sprowston corridor** connects residents in the deprived area around Sewell and those moving into 5,110 new homes at Wymondham Hethersett and Cringleford to employment at the NRP and learning at the UEA. It provides interchange with Wymondham train station and Thickthorn park and ride.

**Easton to Rackheath corridor** connects residents in the deprived Bowthorpe, Larkman, Marlpit, West Earlham and Heartsease neighbourhoods and those moving into the large number of new homes within the Broadland Growth Triangle Easton and Costessey and to employment at several industrial estates, the food enterprise zone and learning at Easton and Otley College. It provides interchange with Costessey park and ride and Salhouse rail station.

3.3 The DfT shortlisted the Norwich City Region based on this approach and in March 2019 awarded £6.1m for six schemes as part of tranche 1. These being:

- Prince of Wales Road
- Dereham Road Pedestrian Access and Safety
- Norwich Bus Station Upgrade
- Norwich Bike Share
- Blue Pedalway – Hethersett Section
- Green Pedalway – St Williams Way/Ring Road Section

3.4 The DfT praised the tranche 1 submission highly and specifically commended the deliverability of the proposals. Following this success work began immediately on the preparation of a Strategic Outline Business Case (SOBC), which is required to submit a bid to the tranche 2 of the fund. Considerable time and resource has been put into the preparation of this and the deadline for submission is 28 November 2019.

3.5 If this second tranche of funding is successful then it would represent an opportunity to receive truly transformative sums of money. As advised by DfT the working group of officers, guided by the joint Member Committee, has prepared a three tiered package of low, medium and high funding. The figures have yet to be finalised, but at the time of writing they are as follows:

Low	£72.5m
Medium	£87.5m
High	£162.5m

3.6 The breakdown of costs is based on feasibility work that has been undertaken for over 120 individual projects across the corridors and city centre. If the high funding package were to be successful then all of these projects would be funded. The medium and the low funding packages have been kept purposely close based on advice from the DfT, which is seen as a positive from officers as the intimation has been that if we can prove deliverability and others are struggling then we may



be awarded the medium funding package. Of note is that significant match funding contributions of approximately £30m (including contributions from First buses and Norfolk County Council) have been agreed as part of these funding packages. Match funding (but of no fixed amount) is a requirement of the SOBC. An announcement on the success of the bid will be received in March 2020 and the money will be given in staged payments to deliver the projects over three years.

- 3.7 Of note is that even if any projects within the submission do receive funding then they will still have to go through the usual planning and/or highways approval processes as required.

## **4 PROJECTS IN BROADLAND**

- 4.1 The TCF is very much about improving access to jobs through sustainable means across the whole city region and our bid has reflected that. Furthermore, a package of works across all corridors will return the most benefit to a greater number of residents within the Norwich City Region and beyond. However, for Members information it should be noted that whichever funding package is agreed projects within the Broadland area will be funded. These include, but are not limited to:

- The widening of Salhouse Road from Harrison's Wood to the Broadland Northway to allow for a continuous walking and cycling route to Rackheath.
- A link road from Plumstead Road over the Bittern Railway Line to the north of Broadland Business Park, resulting in the closure of Green Lane to traffic and it becoming a pedestrian/cycle greenway.
- Increasing bus priority along Yarmouth Road by removing car parking, improving the Pound Lane junction and other measures.

## **5 CONCLUSION**

- 5.1 The TCF provides the opportunity to deliver a sustainable high-quality integrated transport network for the Greater Norwich area.
- 5.2 The essence of the Transforming Norwich programme is therefore a recognition that achieving a clean and shared mobility future requires large, sustained and targeted investment in buses, cycling and walking to make shared and clean mobility options competitive with the private car in terms of time, cost and convenience.
- 5.3 Opportunities to be awarded this level of grant funding are limited and the TCF represents an exciting opportunity for the area. Whatever level of funding is achieved then the transformative benefits will be felt across residents of the whole city region and beyond.

## **6 RECOMMENDATION**

- 6.1 That the Place Shaping Panel note the contents of this report.

## **PROPOSED AMENDMENTS TO THE COUNCIL'S SCHEME OF DELEGATION RELATING TO PLANNING**

**Report Author:** Helen Mellors  
Assistant Director Planning  
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**Portfolio Holder:** Planning

**Wards Affected:** All

**Purpose of the Report:** To review the current delegated powers and to ensure the right level of applications are referred to Planning Committee.

### **Recommendations:**

That the Place Shaping Panel recommends that the Monitoring Officer proposes the following amendments to the Council's Constitution with respect to functions relating to planning to be reported to Council on 10 December 2019 for final decision:

- To allow proposals contrary to policy to be approved where they relate to the change of use of agriculture land to residential curtilage.
- To refer applications to Committee where the proposal has potential to generate employment, but the recommendation is for refusal or the proposal has potential to result in the loss of employment, but the recommendation is for approval.

## **1 SUMMARY**

- 1.1 The current delegated powers do not allow for officers to grant permission for any decisions that may be contrary to the provisions of an approved or draft Development Plan and it is proposed to explore amendments to this part of the Constitution. It is also proposed to consider adding an additional criterion relating to refusal of applications where they seek to generate or result in the loss of employment if for approval.

## **2 BACKGROUND**

- 2.1 It has become evident that over the past couple of years a number of specific applications, contrary to policy, have been referred to Planning Committee. These relate to an application for a change of use from agricultural land to extended residential curtilage for an existing dwelling which abuts this land. Since 2018 (and up until October 2019) the number of applications referred to Committee has totalled 12 which is 10.5% of the total number (114) of applications considered by Planning Committee. In all but one case the recommendation was for approval, contrary to policy, and then subsequently approved by Members. There was also one application, referred to Committee by the local Member, where the officer was recommending refusal for the change of use and Members resolved to approve the application contrary to policy.
- 2.2 At present any application that has the potential to generate employment or results in the loss of employment can be refused by officers without the need to be referred to Planning Committee.
- 2.3 This report explores the potential to update the Council's Constitution with respect to these types of applications.

## **3 CURRENT POSITION**

- 3.1 The current Constitution at paragraph 16.2 reads as follows:

### **Assistant Director of Planning**

To exercise all the Council's functions relating to planning (including without limitation trees, advertisement, listed buildings, conservations areas and planning enforcement) save for the following exceptions:

- Applications contrary to the provisions of an approved or draft Development Plan (post deposit stage) which it is intended to approve
- Applications which a Member requests is determined by Planning Committee provided the request is made in writing within 21 days of the details of the application being made available
- Applications submitted by Members, Officers or persons related to them (by birth of otherwise) to which an objection has been made

- Compulsory Purchase Orders
- Revocation Orders or Discontinuance Orders under sections 97 and 102 of the Town and Country Planning Act 1990
- Matters which the Assistant Director of Planning considers should be determined by Members as being in the public interest

3.2 The current delegated powers allow for the most contentious applications to be considered at Planning Committee and where these are contrary to policy, other than the residential curtilage proposals, relate to housing proposals and major applications. The Planning Committee has had to consider a high number of these 'minor' proposals, since 2018, which as mentioned above equates to 10.5% of all applications referred to Committee. It should be noted that all these proposals have been approved. It is therefore proposed that consideration is given for this type of application to be exempted from the Constitution. It should be noted that Members will still have the ability to refer any application type, including the proposed exempted type, to Planning Committee as the local Member.

3.3 It is also suggested that an additional type of application is referred to Planning Committee where it has the potential to generate employment and is recommended for refusal or where we are minded approving an application which will result in the loss of employment. This will ensure Members are involved in the decision making for these key types of applications.

## 4 PROPOSED ACTION AND CONCLUSION

4.1 Based on the assessment above it is proposed to recommend that the Monitoring Officer prepares a report to the next Council meeting to request the Constitution is updated as follows (amendments shown in red):

### Assistant Director of Planning

To exercise all the Council's functions relating to planning (including without limitation trees, advertisement, listed buildings, conservations areas and planning enforcement) save for the following exceptions:

- Applications contrary to the provisions of an approved or draft Development Plan (post deposit stage) which it is intended to approve, **except where they relate to the change of use of agricultural land to residential curtilage**
- Applications which a Member requests is determined by Planning Committee provided the request is made in writing within 21 days of the details of the application being made available
- Applications submitted by Members, Officers or persons related to them (by birth or otherwise) to which an objection has been made

- The proposal has potential to generate employment, but the recommendation is for refusal
- The proposal has potential to result in the loss of employment, but the recommendation is for approval
- Compulsory Purchase Orders
- Revocation Orders or Discontinuance Orders under sections 97 and 102 of the Town and Country Planning Act 1990

Matters which the Assistant Director of Planning considers should be determined by Members as being in the public interest.

## **5 RECOMMENDATIONS**

5.1 That the Place Shaping Panel recommends that the Monitoring Officer proposes the following amendments to the Council's Constitution with respect to functions relating to planning to be reported to Council on 10 December 2019 for final decision:

- To allow proposals contrary to policy to be approved where they relate to the change of use of agriculture land to residential curtilage.
- To refer applications to Committee where the proposal has potential to generate employment, but the recommendation is for refusal or the proposal has potential to result in the loss of employment, but the recommendation is for approval.