

## **BROADLAND COMMUNITIES, HOUSING AND PLANNING POLICY DEVELOPMENT PANEL**

**Minutes of a meeting of the Broadland Communities, Housing and Planning Policy Development Panel of Broadland District Council, held on Wednesday, 4 January 2023 at 6.00 pm.**

**Committee Members Present:** Councillors: J Ward (Vice-Chair), A Crotch, E Laming, K Leggett, M Murrell, J Neesam and D Thomas

**Apologies for Absence:** Councillor: Cllr F Whymark (ex-officio).

**Officers in Attendance:** P Courtier (Director of Place), H Mellors (Assistant Director of Planning), A Banham (Principal Planning Policy Officer) and D Matthews (Democratic Services Officer)

### **PERSONAL REFERENCE**

The Chairman referred to the recent sad death of Cllr S Prutton, Chairman of the Panel. Members stood for a minutes silence in tribute to Cllr Prutton.

### **5. DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **6. APOLOGIES FOR ABSENCE**

An apology for absence was received from Cllr F Whymark (ex-officio).

### **7. MINUTES**

The minutes of the meeting held on 2 November 2022 were agreed as a correct record and signed by the Chairman.

A member requested an update on the number of payments made under the discretionary fund scheme (Minute no 3 – Minutes refers). In the absence of the Assistant Director of Individuals and Families, it was noted that an update would be sent to members via email after the meeting.

**8. TO ESTABLISH AND ENTER INTO A JOINT VENTURE TO DELIVER A PROGRAMME OF MITIGATION FOR NUTRIENT NEUTRALITY;**

The Director of Place presented the report which explained how the nutrient neutrality constraints imposed by Natural England in March 2022 would be overcome through the establishment of a Joint Venture which would source the mitigation required to get the housing market moving and sell credits to developers to enable them to demonstrate housing schemes were nutrient neutral. Currently planning applications for new overnight accommodation were on hold in many parts of the district due to the constraints.

The Joint Venture would be established with the potential to provide a range of environmental projects credits, initially focussing on nutrient neutrality. In order to provide seed funding for the establishment of the Joint Venture it was proposed to use £150k from the Environmental Projects Reserve which would be repaid from the Joint Venture in due course.

The Director of Place went on to explain that the aim was for the Joint Venture to secure large scale mitigation projects and sell credits for these to developers. This would assist smaller developers without the resources to provide their own mitigation measures to demonstrate that they had made a contribution to an approved mitigation scheme. It was anticipated that this proposal would address approximately 40% of the total mitigation needed. It was likely as time progressed that other providers would emerge. In addition to addressing nutrient neutrality matters, the providers of large scale mitigation measures could potentially address other issues including carbon offsetting and biodiversity in response to a growing desire to offset the environmental impact of growth by way of a “cost” to development.

Approximately 20 different types of mitigation measures could potentially be considered by the Joint Venture including: improvements to water recycling and sewage treatment works, retrofitting the existing housing stock, nature based solutions (such as reed beds, wetlands, tree and hedge belts, sediment tracks) and agricultural proposals and cover crops.

The Director of Place then answered members’ questions. He confirmed that although it would be possible for a small developer to enter into an agreement with a local landowner to “purchase” mitigation directly, he emphasised that any measures would need to be approved by the Local Planning Authority and Natural England as part of the consideration of the associated planning application and would need to demonstrate that the measures could be effectively maintained for 80 years. This would be challenging for most small developers. With regard to nature based mitigation measures, the need to ensure these were maintained and effective for 80 years could be an onerous undertaking as opposed to ‘grey infrastructure’ proposals e.g. to convert a septic tank to a private treatment plant which was a lower maintenance option. It was therefore important that a wide range of mitigation measures were available.

In response to a question regarding the location of mitigation measures in relation to developments, it was noted that the Joint Venture would be a catchment-wide venture; nutrient neutrality issues did not align with district boundaries. Mitigation

could potentially be provided in one district for a development in an adjoining district but there was a need to ensure the location of the mitigation was effective. It was unlikely that nutrient neutrality mitigations would be extended beyond the county. Going forward, there was potential for other mitigations types to be secured such as carbon offsetting.

A concern was raised about potential issues regarding future management of onsite treatment plants for groups of residents and it was noted that in the main, private on site treatment plants usually catered for individual properties.

A concern was also raised about the impact on nutrient neutrality from agriculture and if the council should be lobbying the government to address this. It was noted that, at the present time, the restrictions arising from nutrient neutrality requirements only applied to public decision making bodies.

With regard to a query about who was responsible for managing mitigation projects, the Director of Planning explained that the Joint Venture would procure large scale projects from providers to sell to developers but would not be responsible for the ongoing management of particular projects. This would rest with the project provider. It would be prudent for the Joint Venture to avoid overselling credits and ensure that a buffer existed to allow for projects that did not deliver as planned.

Reference was made to the suggestion of the Overview and Scrutiny Committee, who had considered the same report earlier in the week, that the initial Joint Venture seed funding loan for 2022/23 of £150,000 from the Environmental Projects Reserve should be made up of £30,000 from each of the five local authorities.

In response, the Director of Place explained that the current proposal allowed for the establishment of the Joint Venture to be expedited which would not be possible if agreement was needed from each council to share liability for the loan. He emphasised that any risk associated with the loan was limited. Even if some partners left the venture, it was likely the venture would continue. He added that the money was being spent from the Environmental Projects Reserve on a significant environmental proposal, i.e. nutrient mitigation. In response to a request, the Director of Place gave examples of potential costings to set up the Joint Venture, the potential demand for purchasing credits from the backlog of applications currently in the system and the potential costs of credits and it was noted that the initial costs should very quickly be recovered. It was noted that there would be a need for some financial modelling to determine a tariff of fair charges for purchasing credits.

Members noted that there were some 70 authorities affected by the nutrient neutrality issue and that the Joint Venture was the largest and most innovative proposal to come forward as yet.

After further discussion, it was unanimously

**RESOLVED**

## **To recommend to Cabinet to**

1. Enter a Joint Venture (a company limited by guarantee) with Anglian Water and one or more local authorities in Norfolk for the provision of environmental credits (initially focussing on addressing nutrient neutrality) as per the attached Heads of Terms.
2. To commit £30,000 revenue in 2023/24 as part of establishing the Joint Venture. The purpose of the funding being to establish the operating model in year one, after which there will be full recovery of the operating costs as part of the credit income.
3. Delegate to the Director of Place in consultation with the Leader of the Council to finalise the details of the joint venture agreement and operating arrangements and enter the Joint Venture.
4. To loan £150,000 revenue from the Environmental Projects Reserve as seed funding in 2022/23 for the Joint Venture to be repaid with interest within 2 years from the establishment of the Joint Venture.
5. Delegate to the S151 Officer in consultation with the Portfolio Holder for Finance to finalise the details of the seed funding and repayment mechanism.

## **9. GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER SITES CONSULTATION;**

Members considered the report of the Greater Norwich Planning Policy Manager, presented by the Principal Planning Policy Officer seeking approval to undertake a focused public consultation on the allocation of Gypsy and Traveller sites in the Greater Norwich Local Plan (GNLP). The consultation included 10 favoured sites, a reasonable alternative site, proposed changes for the submitted contingency site and 3 unreasonable sites. It also provided the opportunity for people to put forward additional sites for Gypsy and Traveller accommodation. The consultation was scheduled to take place from 30 January to 13 March 2023 with the final sites being agreed by Cabinet early June prior to final site information and representations being sent to the inspectors later in June. The GNLP examination hearings sessions on Gypsies and Travellers sites were expected to take place in late July. It was anticipated that the inspectors would subsequently include Gypsy and Traveller sites in their main modifications to the GNLP. The main modifications were expected to be consulted on in early autumn 2023 allowing the inspectors to produce their report on the plan before the end of 2023 and adoption to take place early in 2024.

There was an assessed need for 53 additional pitches in the Greater Norwich area and, in line with the national policy requirements, a minimum of 31 pitches would need to be provided through site allocations within the initial 5-year period from April 2022 to March 2027. Ten pitches would need to be provided as either site allocations or by the identification of broad locations for sites between April 2027 and March 2032. The sites currently identified for Broadland included: Cawston, Lingwood, Stratton Strawless, Horsford and Foulsham.

In answer to a question about the consultation, it was noted that this would include liaison with parish and town councils and members would be able to share the link to the consultation documents on the council's website.

In relation to a specific query about the allocation of land in Stratton Strawless which had previously been refused planning permission, officers stated that each application was determined on its own merits and there would have been particular issues leading to a previous refusal which might not be relevant to another application. All proposed sites in the report had been subject to an initial assessment and had been put forward as potentially suitable sites. The period of consultation on the proposed sites would allow for the opportunity for any issues to be raised and it was important for that local communities responded to the consultation.

A question was raised as to whether the contingency site at Costessey was now a real option should it be needed, and it was explained to members that the site was no longer a favoured site to be consulted on which was the previous case and therefore the request to include it as a contingency site had now changed.. There had been a concern that the previous proposals would only seek to provide the key number of pitches needed with no contingency. The current proposals incorporated more options for consultation and provided greater flexibility.

In response to a question, it was confirmed that gypsy and traveller pitches would be subject to nutrient neutrality constraints.

After further discussion, it was unanimously

## **RESOLVED**

### **To recommend to Cabinet to**

1. Approve the focused consultation on the Greater Norwich Local Plan proposed allocations for Gypsy and Traveller sites;
3. Agree to delegate authority to the Assistant Director – Planning, in consultation with the Leader and Portfolio Holder for Communities, Housing and Planning, to agree consultation documentation and materials prior to the public consultation.

(The meeting concluded at 7.20 pm)

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Chairman