



Sustainable Development Panel

16:00 to 18:10

27 February 2024

Present: Councillors Hampton (chair), Giles (vice chair), Carrington, Champion, Driver, Hoechner, Lubbock and Oliver

Apologies: Councillor Osborn

1. Declarations of Interest

None.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 14 November 2023.

3. Greater Norwich Local Plan (Adoption)

The chair introduced Mike Burrell, Greater Norwich Planning Policy Manager, and pointed out to the panel had been consulted on the Gypsy and Traveller site allocations (Sustainable Development Panel 13 June 2023) as part of the consultation process on the Greater Norwich Local Plan (GNLP).

The Greater Norwich Planning Policy Manager explained that he was a city council employee and had been seconded to the Greater Norwich Development Partnership team for the last 7 years and would be returning to his substantive post following the adoption of the GNLP. He then presented the report with slides, and referred to the annexed Inspectors' report and their findings that the GNLP was sound subject to modifications. The recommendation was that the city council should adopt the plan. The presentation included a slide on the benefits of the adopted plan and the timetable for its adoption. (The presentation is available on the council's website).

During discussion several members congratulated the officers on the completion of 7 years' work and the identification of a 5-year housing supply.

The Greater Norwich Planning Policy Manager answered members' questions on the plan. This included confirmation that the Inspectors considered that the affordable housing requirement of 33 per cent for the majority of Greater Norwich and 28 per cent in the city centre, reflecting the higher development costs, was appropriate. The affordable housing requirement had been a key part of the public examination.

A member asked how compatible the expansion of the post carbon economy was with that of the airport. The Greater Norwich Planning Policy Manager referred to Hethel Engineering Centre, the development of offshore wind power and life

sciences at Norwich Research Park, and said that the city was well placed to contribute to the development of a post carbon economy.

Work on future strategic plans would depend on government requirements which, as consulted on, would require that local plan production would be completed within three years. Subject to confirmation by the individual councils, the Greater Norwich Development Partnership had recently committed to continue working together.

Discussion ensued on sustainable housing and the use of concrete. The Head of Planning and Regulatory Services said that the GNLP went as far as it could to achieve sustainable housing, and that there would be supplementary planning documents (SPDs) for policies 2 and 3. Building regulations set the standards for energy efficiency and carbon reduction in new homes and changed year on year. The Greater Norwich Planning Policy Manager said that a further change was expected in 2025. He confirmed that the definition of “sustainable development” used in the plan was set out in the National Planning Policy Framework (NPPF), and included 3 overarching objectives, economic, social, and environmental.

During discussion a member asked whether there could be control of second homes through the local plan. Members were advised that this could be achieved through neighbourhood plans which formed part of the local development plan. The Greater Norwich Planning Policy Manager said that Burnham Market was the second place in the country to restrict the purchase of new build houses to local people, with St Ives in Cornwall being the first. The Head of Planning and Regulatory Services said that potentially consideration could be given to the restriction of Airbnbs through a development management policy (DMP) that was evidence based.

In reply to a member’s question, the Greater Norwich Development Manager said that the GNLP was not dependent on the Norwich Western Link Road. It was a separate transport planning policy of Norfolk County Council. Payments were made through developments to the Green Infrastructure Recreation Avoidance Mitigation Strategy (GIRAMS) to mitigate the impact of visitors to Habitat Sites such as the Broads. Each development must also provide mitigation for nutrient neutrality so as not to worsen the situation.

Members also noted that an annual monitoring report was produced to monitor the performance of the GNLP. The plan covered a 14-year period and would be subject to review during that time, particularly if there was a change of government and national planning policy changed significantly. The proposals within the plan reflected current government policy.

The Head of Planning and Regulatory Services explained the hierarchy for provision of Biodiversity Net Gain (BNG) on brownfield sites, pointing out that the preference was onsite provision. This could be offset locally in small plots of land or pockets and provided an opportunity to increase biodiversity through the plan. The Greater Norwich Planning Policy Manager said that the increase in green infrastructure would also mitigate flood risk. There was fundamentally no development on functional flood plains within the GNLP. Additional flood risk mitigation would be included as part of the East Norwich development. The plan was informed by the Environment Agency’s flood risk zoning and potential developments had been mapped with reference to climate change and surface drainage flood risk.

The chair thanked Mike Burrell for his work on the GNLP over the last 7 years.

RESOLVED with all members voting in favour, excepting 1 member abstaining from voting (Councillor Hoechner), to recommend that Cabinet recommends Council to:

- (1) note the inspectors' report (in annex 1) and include the required main modifications in Appendices 1 to 5 (available from [this link](#)) in the GNLP;
- (2) adopt the GNLP available from [this link](#);
- (3) delegate authority to the Executive Director, Development and City Services to publish the Adoption Statement and accompanying documents so that the GNLP becomes part of the Adopted Local Plan for Norwich.

4. Draft Statutory Biodiversity Net Gain Supplementary Planning Document (SPD) (Draft Biodiversity Net Gain Planning Guidance Note)

The Planner (Policy) gave a detailed presentation of the report.

During the presentation she explained that the original intention was to produce a Statutory Biodiversity Net Gain SPD to support the GNLP. Since the publication of the agenda papers for this panel the government had provided updated guidance on the implementation of statutory biodiversity net gain (BNG) which states that the local requirement of BNG must not exceed 10 per cent or include a wider range of development types subject to the BNG requirement, without evidence. The government policy took precedence over the extended BNG requirements in Policy 3 of the GNLP. Therefore, as there was no local planning policy basis, the document could not be an SPD but could be a guidance note instead. A planning guidance note would have less weight than an SPD but would still be a material planning consideration in decision making. It would provide useful guidance to developers and applicants. The four-week consultation period, in accordance with the Statement of Community Involvement, would now commence on 29 February 2024. There were some minor changes to the introduction of the consultation document that would now need to be made.

The vice chair passed on the apologies of Councillor Fulton-McAlister, the cabinet member for regulatory services, as he was unable to attend the meeting, and apologised to Councillor Champion, who as shadow cabinet member was disappointed to not have been informed of the change of status in the document following the changes in government guidance, before the commencement of the meeting. The Head of Planning and Regulatory Services confirmed that adherence to the guidance note would be a requirement for development and therefore had significant weight.

Members sought information on the consultation and noted that hard copies of the documents would be available in the Forum and City Hall, and available on the council's website. There would also be a mail out to contacts on the planning policy database and social media coverage. The consultation was in line with the Statement of Community Involvement and appropriate for a guidance note.

The Planner and Head of Planning and Regulatory Services answered questions on the report and consultation document. This included an explanation of the BNG hierarchy that provided developers with incentives to provide BNG on site or locally, increasing in costs through to offsite provision on sites that were registered with Natural England, and finally statutory biodiversity credits. BNG would be included in planning conditions attached to planning applications and therefore subject to enforcement. The council was looking to enter into a service level agreement with either Norfolk County Council or the Broads Authority to provide specialist ecologists to advise planning officers and advise on enforcement. Members were advised that applicants were required to employ a “competent person” to advise on BNG, and that ecologists would be able to assess this on behalf of the planning authorities. The council could not generate income from pre-application advice to applicants or monitoring and enforcement, and could only recoup its costs.

Discussion ensued on the biodiversity baseline study and its importance in assessing planning applications and informing where BNG was needed. A member expressed concern about the methodology of using a desk top survey to provide a baseline that created a bias because data collection was reliant on reports from more affluent areas. This created “cold spots” where there was a need for BNG, but it was not identified in the baseline. The Head of Planning and Regulatory Services said that an onsite survey would have been expensive and taken around 2-3 years to complete. The baseline gave a good indication where biodiversity was needed, and the information would be updated and enhanced through this process. It should be easier to provide 10 per cent BNG on brownfield sites with little or no biodiversity. There would be an overall increase in BNG across the city.

The Head of Planning and Regulatory Services and Planner advised members that the council had an officer BNG Steering Group to consider council owned sites where there were opportunities to provide offsite BNG, either adjacent to development sites in pocket sites or larger sites, and create green infrastructure links. The council had no preferential treatment when securing BNG credits from developers but there was some potential to secure sites through S106 funding.

During discussion on exemptions, the Head of Planning and Regulatory Services referred to the list of exemptions and said that the planners would be aware that self-build or custom-built homes were exempt from BNG and potentially could lead to developments of several self-built houses to get around this requirement. Members noted that developers could combine BNG and mitigation for Nutrient Neutrality and GIRAMS. The Head of Planning and Regulatory Services pointed out that legislation was changing to drive forward the green agenda for developments to ensure that there was mitigation for impact on the environment.

RESOLVED to authorise the Head of Planning and Regulatory Services to conduct a public consultation on the Draft Biodiversity Net Gain Planning Guidance Note from 29 February 2024 for a 4 week period.

5. Norwich City Centre Shopping and Town Centre Floorspace Monitor & Local and District Centres Monitor

The Planning Policy Team Leader presented the report and explained that whilst floorspace vacancy rates have increased between October 2022 and October 2023,

the total number of vacant units had continued to reduce. A further monitoring report would be provided later in the year.

In reply to a members' question about support for local businesses, the Head of Planning and Regulatory Services said that this could be achieved through the council's development management policies and permitted development rights that made it easier to change class use from retail to other town centre uses, such as small popups. The loss of national retailers made a significant difference to vacancy rates. In comparison, independent retailers were doing well. A member confirmed that the council supported local businesses through its economic development team and shared monitoring information with its partners, and provided access to funding and support from the Anglia Local Enterprise Partnership (LEP).

The Head of Planning and Regulatory Services said that John East, Interim Director of Major Projects, was working on the revised economic strategy for the city centre. A member said that the council's Economic Strategy for Norwich 2019 to 2024 had been revised in 2022 and supported the city centre as a primary retail area. All data was shared with partners and was available on the council's website, including the monitoring reports. Members were advised that the city council made strong representations to the county council, where its decisions had an impact on city centre businesses, through partnership working, consultations and through its representatives on the Transport for Norwich Steering Group. This had included robust opposition to the reopening of Exchange Street to traffic.

A member commented that there was an increase in the number of charity shops, replacing small retail stores, particularly in the local and district centres. The Head of Planning and Regulatory Services said that this analysis was quantitative rather than qualitative, but pointed out that the replacement of a shop with another increased footfall. Another member pointed out that it would be particularly useful to share the information directly with the Norwich Business Improvement District (BID) if it was not already shared and that it was important to support all businesses. She welcomed the provision of services, such as chiropractors, in the high street rather than more takeaways. The new tourist information centre in the city would be important to promote what the city centre offered.

RESOLVED to:

- (1) note the findings of the October 2023 Norwich City Centre Shopping and Town Centre Floorspace Monitor & Local and District Centres Monitor and
- (2) having considered the implications the findings have both in terms of informing planning decisions and considering the future direction of our planning policies, request that the monitoring report is shared with partner organisations more proactively.

CHAIR