

**Sustainable development panel****09:30 to 11:00****24 June 2015**

Present: Councillors Bremner (chair following appointment), Herries (vice chair following appointment), Bogelein, Grahame, Jackson, Lubbock and Thomas (Va) and Woollard

**1. Appointment of chair**

Two nominations were received for chair, Councillors Bremner and Jackson, and on being put to the vote it was:

**RESOLVED** to appoint Councillor Bremner as chair for the ensuing civic year.

**2. Appointment of vice chair**

Two nominations were received for vice chair, Councillors Herries and Jackson, and on being put to the vote it was:

**RESOLVED** to appoint Councillor Herries as vice chair for the ensuing civic year.

**3. Declarations of interest**

There were no declarations of interest.

**4. Minutes**

**RESOLVED** to approve the minutes of the meeting held on 25 March 2015.

**5. Draft Norfolk Local flood risk management strategy – Norwich City Council consultation response**

The planning team leader (policy) presented the report and, together with the head of planning and the planner (policy), answered members' questions.

During discussion, members noted that the county council as the Lead local flood authority (LLFA) provided expert advice to the seven district councils in Norfolk and that it made sense that this specialist service was centralised. The city council did not have the expertise or resource to implement the policy approach (DM5) without the support of the LLFA. There were resource implications for the LLFA but it was noted that the county council had strongly promoted the policy approach adopted by the city council. Members also noted that the county council as the lead local authority was the first point of contact when flooding occurred.

Members considered that the council's consultation response should emphasise the importance of ensuring that gullies (drains) were kept clear. The panel expressed concern that the schedule of gully clearance had slipped and that some there were some gullies which appeared to be permanently blocked. The chair explained the difference in cost for the programme of gully cleaning and the additional costs for one-off gully cleaning. The panel considered that there needed to be clarification of who was responsible for cleaning gullies, monitoring and reporting blocked gullies and ensuring that it was carried out. The panel noted that there were regular street cleans in the areas of the city defined by the LLFA as critical drainage catchments (CDSs) Nelson/Town Close wards and Catton Grove/Sewell wards.

In reply to a question the planning team leader explained that since 2008, national regulations have required planning permission to be obtained to pave front gardens greater than five square metres unless paving is permeable (permeable paving was suitable in Norwich except in parts of the city where there was a heavy clay soil). The council contacted contractors to raise awareness and ensure compliance with the legal requirements. It was noted that the city council was one of the first in the country to produce guidance for developers on front garden paving.

Discussion ensued on the officer response to the consultation which sought clarification on the role of the city council in bringing forward "shovel ready" projects to take advantage of funding opportunities and in carrying out its emergency planning functions.

**RESOLVED to:**

- (1) approve the officer response to the Draft Norfolk local flood risk management strategy, subject to:
  - (a) strengthening the comments relating to the resource implications on the county council as the lead local flood authority (LLFA) and the city council's policy approach (paragraph 11) and pointing out that the LLFA provides support to all the county's district councils;
  - (b) emphasise the need for regular gully cleaning and clarification on the responsibilities for gully cleaning, monitoring and receiving reports of blocked gullies;
  - (c) endorse the need to clarify the role of the city council, as set out in the council's consultation response, under the heading *Measures and funding*.
- (2) ask the head of planning to submit the panel's comments to the county council for consideration as part of the consultation on the Draft Norfolk local flood risk management strategy;
- (3) ask the planning team leader (policy) to circulate a copy of the plan showing flood risk areas in the city.

## **6. Trees and landscape supplementary planning document (SPD) – draft for consultation**

The planning team leader (policy) presented the report and, together with the head of planning services and the landscape architect, answered members' questions.

During discussion the landscape architect explained that when a planning application required a condition for landscaping, the applicant would be asked to provide details of planting and usually a five year maintenance schedule, to enable plants to become established. The council would write to developers if there was a breach of compliance with the conditions and the council could take enforcement action. Some people had purchased properties and were unaware that the council did not adopt public spaces. The responsibility for landscape maintenance transferred from the developer to the residents' management company and therefore the cost was borne by the residents not the council.

In response to a member's question, the landscape architect confirmed that the costs for planting and establishing a street tree were correct. The costs were reviewed annually.

A member referred to paragraph 29 of the draft consultation document and suggested that tree surveyors should be required "to record any evidence of bats, nesting birds or endangered species" rather than stating that it "is advisable". The planning team leader said that tree surveyors were not necessarily qualified in wildlife ecology and therefore he undertook to review the wording and check the legality of making it a requirement for them to record "bats, nesting birds and endangered species".

**RESOLVED** to approve the draft Trees and landscape SPD for consultation for a period of six weeks, commencing as soon as reasonably practicable after the date of this meeting, subject to asking the head of planning services to review paragraph 29, as minuted above.

## **7. Open space and play supplementary planning document (SPD) – draft for consultation**

The planner (policy) presented the report.

During discussion it was agreed that there needed to be further explanation of the definition of "child bed spaces" in the text of the SPD.

The planner (policy), together with the head of planning services and the planning team leader (policy), referred to the report and answered members' questions. Members were advised that the council engaged the services of the district valuer to provide independent arbitration on viability assessments. There needed to be some flexibility in negotiations on developer obligations to ensure that vacant sites came forward for development, particularly for sites where viability was marginal. It was also noted that government initiatives to change national planning rules were likely to increase permitted development and exempt certain types of housing (starter homes) from community infrastructure levy (CIL) contributions or site specific

planning obligations. Members were advised that cabinet would be considering a report on the council's business plan for CIL at its meeting on 8 July 2015.

During discussion members were advised that open space officers had confirmed that the average lifetime of play equipment was 15 years and that developer contributions for maintenance would thus normally cover a 15-year period. This would be clarified in the document text. A member suggested that where developers were asked to upgrade existing play areas within 400 metres of their scheme, the developers' contributions could also be used to extend the maintenance of an existing play space. Officers said that the legalities of this would need to be investigated but confirmed that contributions could be used to provide additional facilities to meet the demand generated by the new development.

The panel considered that the document should reinforce the need to provide level access to open spaces and play areas.

The head of planning services said that there would be an opportunity for the panel to consider the consultation responses to this SPD and the Trees and landscape SPD, considered in the previous item, and make recommendations to cabinet before the SPDs were referred to cabinet for adoption.

**RESOLVED** to approve the draft Open space and play SPD for consultation for a period of six weeks, commencing as soon as reasonably practicable after the date of this meeting, subject to asking the head of planning services to include:

- (1) text to explain the definition of "child bed spaces";
- (2) additional text to reinforce the requirement for level access to open spaces and play areas.

CHAIR