

12 NOVEMBER 2012

Minutes of a meeting of the **PLANNING POLICY & BUILT HERITAGE WORKING PARTY** held in the Committee Room, Council Offices, Holt Road, Cromer at 2.00 pm when there were present:

Councillors

Mrs S A Arnold (Vice-Chairman)

M J M Baker	P W High
N D Dixon	R Oliver
Mrs A R Green	D Young

Mrs P Grove-Jones – observer

Officers

Ms J Fisher – Head of Economic & Community Development
Mr M Ashwell – Planning Policy Manager
Mrs T Armitage – Senior Planning Officer
Mr P Godwin – Conservation, Design and Landscape Manager

(26) **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B Cabbell Manners, T Ivory and P Williams.

(27) **MINUTES**

The Minutes of the meeting held on 8 October 2012 were approved as a correct record and signed by the Chairman.

(28) **ITEMS OF URGENT BUSINESS**

The Chairman stated that there were no items of urgent business which he wished to bring before the Working Party.

(29) **DECLARATIONS OF INTEREST**

Councillor Mrs A R Green declared an interest in minute (31) as she owned barns.

(30) **Local Development Framework Progress Report**

The Working Party considered item 1 of the Officers' reports, which provided a general update in relation to the Local Development Framework and related policy documents and the work of the Major Development Team in relation to allocated Development Sites.

Development Briefs

The Planning Policy Manager reported that Hopkins Homes had declined to be involved in the Holt Development Brief. They had been contacted again regarding this matter.

Councillor M J M Baker asked if it could be assumed that Hopkins Homes would be building houses on their part of the site to avoid delay in completing the brief. The

Planning Policy Manager stated that a large amount of Hopkins' land would be designated as open space. He explained that the purpose of the brief was to ensure the comprehensive, properly planned development of the land. The other landowner was keen to deliver his part of the development and a decision would have to be taken as to whether to progress the brief without the co-operation of Hopkins Homes or to encourage the other landowner to submit an application without a brief. Councillor P W High agreed with Councillor Baker that there was a need to progress this matter as soon as possible.

Councillor Mrs S A Arnold asked if there was anything that could be done to progress development on the HL Foods site at North Walsham. The Planning Policy Manager stated that there was little the Council could do to force the developer to develop the site. It had been hoped that a loan from the New Anglia LEP Growing Places Fund would act as a catalyst for development of this site. There would be a meeting with the LEP Board next week and if there was no timescale for development the funding could be withdrawn.

In response to a concern raised by Councillor Arnold in respect of possible land banking, the Planning Policy Manager stated that Hopkins Homes had five sites. The site at Cromer was in the process of construction and he considered that in terms of the Company's profile, the site at North Walsham would be the lowest priority.

Councillor D Young stated that proposals for one of the allocated sites in Weybourne did not accord with the number of dwellings in the allocation.

Planning applications and pre-application discussions

The Planning Policy Manager reported that the first completion on the site at Cromer was expected shortly after Christmas.

Highway works in respect of the Hoveton site were due to commence today.

Councillor M J M Baker referred to Hilbre School site at Sheringham and the planning permissions for development by Tesco which required the delivery of replacement facilities prior to commencement of the store development. He stated that there had been a suggestion in the press that Tesco wished to renegotiate its planning permissions.

The Planning Policy Manager explained that the housing proposals at this site were not connected with the development of the store. He stated that the debate related to the specification for the community centre. Councillor R Oliver, the local Member, explained in detail the issues relating to this case.

In response to a question by Councillor Mrs A R Green, the Planning Policy Manager stated that whilst a layout drawing had been produced for the allocated site in Little Snoring, there had been no developer interest.

(31) **Response to National Planning Policy Framework – Core Strategy Policy HO9 and EC2**

The Working Party considered item 2 of the Officers' reports, which discussed the potential impacts of the publication of the National Planning Policy Framework in relation to the Councils adopted policy on the re-use of rural buildings and recommended a new approach to the re-use of buildings in the Countryside as dwellings.

The Working Party discussed the report and raised the following issues:

- Conversion of existing holiday homes to permanent residences incur no additional conversion costs but the value of the dwelling increases, therefore there is no reason why the applicant should not pay a contribution towards affordable housing.
- Is it appropriate to ask the owner of a holiday property who wants to live in it as a permanent residence to pay a contribution? As a compromise, a contribution as a percentage of the profit could be applied if the property were sold within ten years of conversion to permanent residential.
(The Senior Planning Officer explained that under these circumstances a contribution would not be required under the policy as it stands; however this may change if a tariff were to be introduced.)
- What happens if a number of buildings in the same ownership come forward for conversion separately or in different names?
- The above outlines the merit of considering single units.
- The same policy should apply both inside and outside the HO9 zones.
- Legal advice is needed as to whether CIL could be applied to residential conversions as it is a levy for new build floorspace. Introduction of a tariff on sale of the property may require a Section 106 Obligation.
- Some barns are too remote to be viable for economic uses.
- Whilst the NPPF encourages conversion of any building, it is important to get the balance right so that any new policy approach does not jeopardise economic uses in the Countryside.
- It is suggested that groups of five or more would require a viability test and compliance with Policy EN8 before conversion would be considered.
- NPPF does not specify employment generating uses and there is concern that the proposed policy approach in respect of the conversion of commercial buildings could be open to challenge.
- The proposed policy approach is a disincentive for businesses to continue during difficult periods. We should not be encouraging closure of businesses.
- The viability test should apply to any commercial building.
- What expertise have we got to judge viability issues?
- Viability is difficult to judge.
- The viability test is difficult to apply in some cases. We need a solution to enable us to make an objective decision.
- There is some protection for community uses (eg. village pubs or shops) in the Core Strategy.
- If a business is not viable it will fail – is there a need for an additional viability test?
- Development Committee is always being asked to deal with viability issues and there is no policy to deal with it. Concerned about consistency.
- Single commercial holiday lets might make a reasonable rate of return and it is difficult to judge viability.
- Owners of a single commercial holiday let could wish to convert as a means to support themselves in later life rather than just for profit. Single commercial holiday lets could be treated the same as non-commercial.
- There may need to be a test to assess whether applicants are genuinely wishing to convert a single unit or if they are ‘drip feeding’ applications.

- The safest route is to consider conversion of vacant buildings and those not in economic use at the moment and those in economic use can be reviewed at a later date.

It was proposed by Councillor P W High, seconded by Councillor D Young and

RESOLVED

That Cabinet be recommended to apply the approach outlined in the following table to the re-use of rural buildings as dwellings in response to the National Planning Policy Framework:

Good quality* buildings within HO9 zones – No change to adopted policy		
Conversion of vacant and buildings in existing uses to dwelling(s)	Allow conversion/re-use for residential purposes	No change to HO9 – residential conversion only allowed for good quality buildings, where the economic value of existing uses has been considered (adequacy of provision test) and a contribution is made towards affordable housing where viable.
Good quality* buildings of merit outside HO9 zones – amended position in light of NPPF		
Conversion of a disused and redundant building to dwelling(s)	Allow conversion to residential	Apply HO9 criteria 3-5 (scale of development, building quality, and affordable housing requirements)
Seeking lifting of holiday restrictions to allow full residential occupancy.	Allow lifting of restriction – where in non-commercial holiday use/second home use.	Apply HO9 criteria 4 and 5 (scale of development and affordable housing requirements)
All Listed Buildings irrespective of location		
	Allow residential where it constitutes optimum viable use (Optimum viable use being the optimum use for the building rather than a financial viability test)	Apply HO9 criteria 3-5 (scale of development, building quality and affordable housing requirements).

*the building is worthy of retention due to its appearance, historic, architectural or landscape value (HO9 criterion 2)

The meeting closed at 3.35 pm.