



Redenhall with Harleston Town Council

Clerk: Mrs. C. Crane

Notice of Meeting

To members of the Public and Press

You are cordially invited to attend a meeting of **Redenhall with Harleston Town Council's Planning and Development Committee** which will be held at the Council Offices, Memorial Leisure Centre on **Monday 1st July 2024 at 10am** to consider the business detailed below.

Signed: *Clare Crane* - Town Clerk

Date: 26th June 2024

Members of the press and public are welcome to attend – there will be an opportunity for public participation agenda item 6.

SELFLESSNESS, INTEGRITY, OBJECTIVITY, ACCOUNTABILITY, OPENNESS, HONESTY & LEADERSHIP

AGENDA

1. Welcome
2. To receive and consider accepting apologies from members unable to attend.
3. To receive and note any declarations of members' pecuniary and/or non-pecuniary/other interests pertaining to items on the following agenda, to note any dispensations granted in respect of business to be discussed and to consider any requests for dispensations.¹
4. To receive and approve the minutes of the last Planning and Development Committee meeting on Monday 3rd June (copy herewith)
5. To note progress on decisions made at the last meeting of the Planning and Development Committee (copy herewith)
6. To consider a resolution under Standing Orders 3e to suspend the meeting to hear comments from members of the public on items to be discussed on the agenda (the period of designated time for public participation is 20 minutes unless directed by the Chairman of the meeting and individual members of the public are entitled to speak for a maximum of 5 minutes each).²
7. To receive and consider the new planning applications received and ratify comments and verdict. (copy herewith)
 - a) Application: 2024/1541
Applicant: Mr Stuart Deadman
Proposal: Rear first floor terrace
Location: Woodland Hall Bungay Road Redenhall Norfolk IP20 9QW
Application Type: Listed Building Consent
Please submit comments by 21st June 2024 – extension approved
 - b) Application: 2024/1651
Applicant: Miss Alison Priest
Location: 4 Stockyard Close Harleston Norfolk IP20 9FG
Proposal: Erection of shed (retrospective)
Application Type: Householder
Please return comments by 10 July 2024.
8. To receive and note planning decisions made by South Norfolk and other planning authorities since the last meeting (copy herewith)

¹ All details to be found at <https://harleston-tc.gov.uk/your-town-council/become-a-councillor/>

² All details to be found at <https://harleston-tc.gov.uk/your-town-council/become-a-councillor/>

9. [To receive and note the planning decisions which remain outstanding by South Norfolk and other planning authorities](#) (copy herewith)
10. To receive and note a report on the impact of the South of Spirketts Lane Development on Education Infrastructure and CIL Funding. (Copy herewith)
11. To note the date of the next Planning and Development Committee meeting as Monday 5th August 2024 starting at 10am in the Meeting Room at the Memorial Leisure Centre.
12. Public Bodies (Admissions to Meetings to consider a resolution under the Public Bodies (Admissions to Meetings) Act 1960 and Standing Orders 3d to exclude members of the public and press in order to discuss the following items which is properly considered to be of a confidential nature.
13. To receive confidential reports relating to enforcement cases (for information only)

[**Any other planning applications received up to the day before the meeting may be considered, to allow a response within the statutory 21-day period. These can be found on the Town Council website.**](#)



Redenhall with Harleston Town Council

Clerk: Mrs. C. Crane

Minutes

Redenhall with Harleston Town Council's Planning and Development Committee held at the Council Offices, Memorial Leisure Centre at 10am on Monday 3rd June 2024

In Attendance: Councillors: John Graham, Michael Hardy, Paul MBA, Shelagh West

Also present: Emma Chandler (Deputy Clerk) and Mrs Carolyn Malinowski (Planning Advisor)

Members of Public: no members of the public present

1) To elect

a) a Chairman

Cllr Graham put himself forward as Chair this was unanimously agreed by the committee

b) a Vice-Chairman

Cllr Hardy agreed to take the position of Vice Chair this was unanimously agreed by the committee

c) To agree to provide a report at the Town Council meetings and the Annual Town Meeting 2025

Unanimously agreed

2) Welcome

Cllr Graham welcomed everyone to the meeting

3) To receive and consider accepting apologies from members unable to attend.

Not necessary, all present

4) To receive and note any declarations of members' pecuniary and/or non-pecuniary/other interests pertaining to items on the following agenda, to note any dispensations granted in respect of business to be discussed and to consider any requests for dispensations.

None declared

5) To receive and approve the minutes of the last Planning and Development Committee meeting on Monday 13th May

Minutes were agreed by the committee and signed and dated by the Chairman

6) To note progress on decisions made at the last meeting of the Planning and Development Committee

The Deputy Clerk raised the changes that had been made to the application for South of Spirketts Lane (2023/3610). Mrs Malinowski had produced further draft comments on the application what was discussed at length. Comments were amended and it was agreed for

the Deputy Clerk to send through to the planning officer responsible for the application.
Available at Appendix A

Action – Deputy Clerk

- 7) **To consider a resolution under Standing Orders 3e to suspend the meeting to hear comments from members of the public on items to be discussed on the agenda (the period of designated time for public participation is 20 minutes unless directed by the Chairman of the meeting and individual members of the public are entitled to speak for a maximum of 5 minutes each).**

Not needed

- 8) **To agree invitations for non-councillors with no voting rights onto the Planning and Development Committee.**

It was unanimously agreed for Mrs Malinowski to continue to advise the planning committee.

- 9) **To review the current Terms of Reference and make suggested amendments as necessary**

Cllr Hardy suggested that the time on number 12 of the Terms of Reference should be changed to 10am

Unanimously agreed

Action – Deputy Clerk

- 10) **To recommend final Terms of Reference for adoption at the next Town Council meeting being held on the 26th of June 2024.**

Unanimously agreed

Action – Deputy Clerk

- 11) **To discuss a calendar of Planning and Development Committee meetings for 2023/24 and agree the meeting schedule.**

Unanimously agreed

- 12) **To receive and consider the new planning applications received and ratify comments and verdict.**

a) Application: 2024/1331

Proposal: Replacement boundary wall and gates

Location: 37 Redenhall Road Harleston Norfolk IP20 9HE

Applicant: Mr. A Macdonald

Application Type: Listed Building Consent

Planning Committee Comment – Neutral – No comment

b) Application: 2024/0456

Applicant: Mr Richard Perfitt

Location: 16 Old Market Place Harleston Norfolk IP20 9BE

Proposal: Change of use of ground floor retail space to residential

Application Type: Change of Use

Planning Committee Comment – Neutral – No Comment

- 13) **To receive and note planning decisions made by South Norfolk and other planning authorities since the last meeting**

Noted

- 14) To receive and note the planning decisions which remain outstanding by South Norfolk and other planning authorities**

Noted

- 15) To receive and note the contents of a new publication 'Neighbourhood Plans-A guide for Norfolk communities to embed health in neighbourhood plans'.**

Noted

- 16) To receive and note a summary from SNDC Development Management Committee explaining the 5 years housing supply.**

Mrs Malinowski summarised the response that had been received from SNDC regarding the 5-year land supply and presented her drafted response to the letter. The response was discussed, and further concerns were raised regarding the impact on future applications. It was agreed to send the letter to both the District Councillors, the Head of SNDC Planning Committee and the Chief Planning Officer who sent the original documentation. Available at Appendix B

Action – Deputy Clerk

- 17) To receive and note correspondence regarding the speed limits on Spirketts Lane.**

Noted

- 18) To receive and note correspondence to the Planning Officer concerning planning application 2023/1505**

Noted

- 19) To note the date of the next Planning and Development Committee meeting as Monday 1st July 2024 starting at 10am in the Meeting Room at the Memorial Leisure Centre.**

Noted and agreed

- 20) Public Bodies (Admissions to Meetings to consider a resolution under the Public Bodies (Admissions to Meetings) Act 1960 and Standing Orders 3d to exclude members of the public and press in order to discuss the following items which is properly considered to be of a confidential nature.**

Agreed

- 21) To receive confidential reports relating to enforcement cases**

Received and noted

Land south of Spirketts Road 2023/3610

Additional comments about the lack of developer contributions

The Town Council has previously objected to the proposed development on the grounds that no plans have been put in place to provide additional health care provision in Harleston, and therefore we do not consider this development complies with Policy RWH5.

We have subsequently been informed that this development, being solely affordable housing, would generate no CIL funds and would not contribute to the Greater Norwich Growth Board pooled pot.

Therefore, any funding for healthcare or education would need to come from other funding.

The presumption of sustainable development runs throughout all planning policies, including NPPF 11a, and is based on the aligning of growth and infrastructure. Where the infrastructure is not guaranteed, the development is not sustainable.

We have also noted a publication from the Department of Education, in August 2023, titled “Securing developer contributions for education”, which says that where CIL funding is insufficient and development will have a direct impact on education, they recommend using S106 obligations to secure the funding.

This document also states that it is important that the impacts of development are adequately mitigated, and notes that affordable housing typically generates more pupils than market housing.

We reiterate that, unless a plan is put in place to ensure funding will be provided for expansion of healthcare and education provision commensurate with the growth in population, this development is not sustainable, it would conflict with the requirements of RWH5, and should not be permitted.

Additional comment about the design and character area

The Town Council has previously objected to the design of this development on the grounds that it does not comply with Policy RWH2 of the Neighborhood Plan, or the associated Design Guidance and Code QP.02, and gave reasons for this objection: the designs are not reflective of Character Area 2 as required by these policies, and instead have been designed to have a “contemporary aesthetic”.

The developers have responded by saying that the proposals reflect the general character within the town, and that they have interpreted these into a modern form. They further say that this reflects pre-application discussions held with the local planning authority who advised that the development would, in effect, create its own character area.

The Character Areas were arrived at after extensive research by the Neighbourhood Plan Steering Group. Policy RWH2 says that “all proposals for new development should respect the scale, materials, form, function, and character of the existing and surrounding buildings in the area”. As noted in the Town Council’s previous comments, the proposed development abuts on to Character Area 2 and the special qualities of that area should be reflected in developments.

The adjoining properties to the development are to the east of Shotford Road, and there are adjacent houses on Spirketts Lane. These are detached houses of individual character but with a pleasingly harmonious aspect, described in detail in Character Area 2 of the Design Guidance and Code.

The Town Council has also commented that, In view of the fact that the buildings on Spirketts Lane and Shotford Road were built at an earlier period and are much more spacious, we believe the design of houses on the proposed site should be of similar character and quality to the houses on the site opposite i.e. land North of Spirketts Lane, which do reflect the appearance of nearby housing.

We strongly disagree with the claim that a new development can create its own character area: this would open the door to designs being at variance with the surrounding area, and this would negate the whole basis of having a local Design Code.

The Town Council continues to object to this application and does not believe that it should be permitted as it conflicts with the Neighborhood Plan.

We would like to point out that the NPPF confirms that local design principles should be followed:

NPPF paragraph 12

“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted”

NPPF paragraph 30

“Once a Neighbourhood Plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area where they are in conflict, unless they are superseded by strategic or non-strategic policies that are adopted subsequently”

Appendix B

South Norfolk and Broadlands – 5-year housing supply and NPPF paragraph 11d Five-year housing supply - whether GNLP figures are valid as from 1 April 2023

The GNLP Inspectors' Report, issued on 19th February 2024, stated in paragraph 347 that the relevant 5-year housing supply period is 1 April 2023 to 31 March 2028 and concluded that "if adopted promptly the Plan establishes a five-year supply of deliverable housing for the Plan area"

Appendix 4 "Housing Trajectory" of the GNLP stated that the plan provides a 5-year housing supply, and that the relevant five year period is 1 April 2023 to 31 March 2028

The Inspectors' Report explained that the data from September 2022 which they examined at the March 2023 hearing was the latest available at that time, and that to wait for further evidence would delay the end of the examination and the adoption of the Plan. The Report also stated that "those with an interest in housing delivery were able to submit statements and take part in the hearing sessions on housing supply at the examination, including to consider our specific questions on 5-year supply". Therefore, their Report was based on the most up to date figures and evidence available as of March 2023. The figures included actual deliveries up to 2021/22 as well as the latest forecasts for supply in ensuing years, the forecasts having been examined shortly before the 5-year land supply start date of 1st April 2023.

The data in Appendix 4 covers the three council areas, and it is these figures which are being relied upon when considering whether the Plan provides a five-year supply and satisfies paragraph 76 of the NPPF.

It is not clear why South Norfolk and Broadlands Councils can not rely upon the figures in Appendix 4 to point to the existence of a five-year housing supply as from 1st April 2023 onwards, although the position before that may be unclear.

SNDC 5-year land supply

SNDC has stated that, for applications received before 20 December 2023

"If the Councils are unable to demonstrate a five-year housing land supply, then paragraph 11(d) of the NPPF will apply in decision making".

SNDC are still working with developers, agents and landowners to secure additional evidence and intend to publish a new Land Supply Statement to be used for decision-making.

If the land supply is five years or more, will this make any difference to decisions on applications received prior to 20 December 2023, given that this exercise is being carried out retrospectively? Or will paragraph 11d still apply?

Paragraph 11: the presumption in favour of sustainable development

Paragraph 11d states that, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In order to judge whether 11d (ii) applies, it is necessary to apply NPPF paragraphs 12 and 14

Paragraph 12

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed

Paragraph 14

Where the presumption (at paragraph 11d) applies to applications involving housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, providing:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made: and
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirements

(a) and (b) both apply.

The Town Council would like to point out that the combined effect of 11d, 12 and 14 is that for applications received prior to 20 December 2023, permission should not usually be granted if they conflict with the Redenhall with Harleston Neighbourhood Plan

The primacy of the Neighbourhood Plan is further confirmed in NPPF paragraph 30, which states

“Once a Neighbourhood Plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area where they are in conflict, unless they are superseded by strategic or non-strategic policies that are adopted subsequently”

Effect on planning decisions

If it is confirmed that there is not a five-year land supply, and that therefore paragraph 11d applies, the Town Council view is that for applications received before 20th December 2013, planning decisions should be based on a recognition that permission should not be granted where planning applications conflict with the Redenhall with Harleston Neighbourhood Plan, in line with the statements in NPPF paragraphs 11d, 12 and 14.

Would the District Council advise the Town Council as to whether they agree with this statement?

Planning and Development – Progress Report – 24th June 2024

<u>Committee</u>	<u>Minutes Reference</u>	<u>Subject</u>	<u>Action</u>	<u>Assigned to</u>	<u>Timescale</u>	<u>Comments or further actions</u>
Planning	29/04/2024 Item 11	GNLP	The committee agreed to wait until the final version was available on the GNLP website before deciding which sections they would like in hard copy.	Planning Committee	When the document becomes available	Outstanding
Planning	13/05/2024 Item 11	5-year land supply	Mrs Malinowski informed the committee that she had inquired about the 5-year land supply with the District Councillor as she wished to clarify the position of the Neighbourhood Plan following the Development Committee decision on application 2023/1505. The District Councillor has advised that he would contact the Planning Department to get clarification and the Town Council should receive a response directly. Mrs Malinowski has then offered to draft a response if necessary.	Mrs Malinowski	As and when letter is received from the planning department	Document received from SNDC via Cllr Graham. Draft Reply discussed and approved at the June meeting. Reply sent to Cllr Graham on 4 th June 2024 Matter Closed
Planning	3 rd June 2024 Item 6	Planning Comments South of Spirketts Lane	The Deputy Clerk raised the changes that had been made to the application for South of Spirketts Lane (2023/3610). Mrs Malinowski had produced further draft comments on the application what was discussed at length. Comments were amended and it was agreed for the Deputy Clerk to send through to the planning officer responsible for the application.	Deputy Clerk	ASAP	Additional comments sent to the planning officer on 4 th June 2024 Matter Closed
Planning	3 rd June 2024 Item 8&9	Terms of Reference	Cllr Hardy suggested that the time on number 12 of the Terms of Reference should be changed to 10am Agreed Recommend adoption to the Town Council	Deputy Clerk	ASAP	Changes made and added to the next Town Council agenda Matter Closed
Planning	3 rd June 2024 Item 16	5 year housing supply	Agreed to send the response to the 5 year land supply correspondence to District Councillors, SNDC Planning Committee and the Chief Planning Officer	Deputy Clerk	ASAP	Response sent to District Councillor who forwarded to the relevant parties. Matter Closed

Report on the Impact of Spirketts Lane Development on Education Infrastructure and CIL Funding

1. Introduction

This report provides an analysis of the implications of the Spirketts Lane development on local education infrastructure and the role of the Community Infrastructure Levy (CIL) in funding necessary improvements. The analysis is based on insights from a discussion with the Community Infrastructure Officer at SNDC who has in turn discussed this matter with Senior Planning Officers taking into consideration the responses received from Norfolk County Council (NCC) regarding educational needs in Harleston.

2. CIL Charging Authorities and Exemptions

South Norfolk (and Broadland) District Council is a designated CIL charging authority, and this is a choice made by the authority as it is not mandatory for all Councils to adopt such an approach, for example Breckland District Council have not done so. This distinction is crucial as it impacts the funding mechanisms available for infrastructure improvements.

3. CIL Liability and Affordable Housing

The Spirketts Lane development, although proposed as 100% affordable housing, is technically liable for CIL. However, it is expected to receive an exemption due to its affordable nature. This distinction is significant because if the development's status changes, it would become subject to CIL charges.

4. Pooled CIL and Education Funding

Education is a key area where pooled CIL funds, generated from developments across the Greater Norwich area, can be utilized. NCC and the Education Board can apply for these pooled funds to address educational needs.

5. Future Application for Pooled CIL

Even though the Spirketts Lane site may not directly generate CIL due to its affordable housing status, NCC's request for contributions highlights a potential future need for educational infrastructure funding. By identifying the impact of this development on local schools, NCC positions itself to apply for pooled CIL funds to support necessary improvements.

6. Balancing CIL Contributions and Infrastructure Impact

Over time, the Greater Norwich area sees a balance where some developments generate CIL with minimal impact on services, while others, like Spirketts Lane, create significant demand for infrastructure without generating direct CIL. The pooled CIL mechanism ensures that funds can be allocated where they are most needed.

7. Limitations on S106 Contributions

Given that education is a thematic area covered by pooled CIL, the Planning Authority (South Norfolk) cannot seek financial contributions via S106 for education from the Spirketts Lane development. Instead, the focus should be on utilizing the pooled CIL route through the Greater Norwich Growth Board (GNGB). Where a CIL regime is in place, then a S106 can secure any land required for education purposes and this is not uncommon.

8. Recommendations for Harleston Town Council

It is essential for Harleston Town Council to maintain ongoing dialogue with the school and monitor the impact of new developments on educational capacity. As pressure on Harleston

schools increases, the Town Council should collaborate with schools and lobby NCC to utilize pooled CIL funds for infrastructure improvements.

Key Points from NCC Response

NCC's response to the Spirketts Lane development highlights:

- Current spare capacity in Harleston schools.
- Expected future lack of capacity due to the Spirketts Lane development.
- NCC's intention to seek contributions to expand class space and improve educational facilities.

Conclusion

While the Spirketts Lane development may not directly generate CIL due to its affordable housing status, there remains a significant opportunity for NCC to apply for pooled CIL funds to support educational infrastructure in Harleston. The Town Council should leverage NCC's evidence to advocate for necessary improvements and support the ambitions of local schools for expanded facilities.

Action Plan

- **Maintain Dialogue:** Regularly communicate with local schools to understand capacity and infrastructure needs.
- **Collaborate with Schools:** Work with schools to develop a coordinated approach to lobbying NCC.
- **Lobby for Pooled CIL:** Use NCC's evidence base to advocate for the allocation of pooled CIL funds to Harleston's educational infrastructure.
- **Monitor Developments:** Keep track of planning permissions and their potential impact on local services.
- **Support School Ambitions:** Assist schools in achieving their goals for potential new facilities, using development pressures as leverage.

By following these steps, the Town Council can ensure that the educational needs of Harleston are met in the face of new developments.