

NORTH DEVON COUNCIL AND TORRIDGE DISTRICT COUNCIL
JOINT PLANNING POLICY COMMITTEE

Minutes of a meeting of the LOCAL PLANNING POLICY COMMITTEE held at Bideford Town Hall - Bideford on Friday, 27th January, 2023 at 10.00 am

PRESENT: Councillors:

North Devon Council: Councillor Prowse (Chair)
Councillors Lofthouse, D. Spear, Worden and Yabsley

Torrige District Council: Councillors Clarke, Cottle-Hunkin, Hames, Hicks, James and Pennington (substitute)

Officers:

North Devon Council: Head of Programme Management and Performance (NL), Head of Place, Property and Regeneration (SJMS) and Senior Planning Policy Officer (ED)

Torrige District Council: Planning and Economy Manager (SK), (HS)Planning Manager (HS), Solicitor (SD) and Senior Planning Policy Officer (DB)

32. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Tucker (NDC) and Councillor Watson (Councillor Pennington substituting) (TDC).

33. TO AGREE THE MINUTES OF THE PREVIOUS MEETING HELD ON 4TH NOVEMBER 2022 (ATTACHED).

Resolved that the minutes of the meeting held 4 November 2022 be agreed as a correct record.

Councillor Hames requested the following amendment to minute 29 – Housing and Economic Land Availability Assessment (HELAA) and the Five Year Housing Land Supply Update: “He had made a proposal on the composition of the panel which he believed had been seconded and voted upon. This had not been included in the minutes.”

The Chair advised that if a motion is proposed and not carried, ND Council does not record this in the minutes.

34. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY.

There were no items brought forward.

35. DECLARATIONS OF INTEREST

There were no declarations of interest made.

36. PROPOSALS FOR NATIONAL PLANNING REFORM

Prior to the presentation of the reports, the Chair thanked Officers for two really good reports, and to note the second report was thorough in respect of evaluating the range of options available to Members in respect of undertaking a review of the Local Plan.

The purpose of the first report, presented by the Planning Manager (TDC) was to bring to Members attention ongoing Government consultation on national planning policy reforms and to secure engagement with the Joint Planning Policy Committee to formulate a joint response.

The Planning Manager (TDC) gave a detailed and informative slide presentation, highlighting the salient points provided by the report.

The Planning Manager (TDC) reported on the Consultation exercise – published on 22 December 2022, which requires responses to be provided by 2nd March 2023. It seeks a response to 58 specific questions, examples of which were provided.

Members were advised of the importance of understanding the Consultation in the wider context of changes that could be brought forward through the Levelling Up and Regeneration Bill.

Looking specifically at the elements –

Firstly, the Consultation is seeking views on specific changes to national planning policy to be introduced in Spring 2023. Members were referred to item 4.4 on the agenda, which at a) – h) summarised key components of the proposed short-term changes.

Secondly, Members were advised of a series of wider and longer-term proposals to be taken forward in association with the Levelling-up and Regeneration Bill. These are proposed to be implemented by the end of 2024.

The Planning Manager (TDC) provided advice on the potential consequences of the proposed changes to national planning policy on plan making and decision taking across both Councils. The importance of the Joint Planning Policy Committee in contributing to the consultation response was highlighted.

The Planning Manager (TDC) read out the recommendation as set out in the report –

“Arrangements be made for Members of the Joint Planning Policy Committee to meet to explore the Government’s national planning reform proposals and to inform a formal response from the Councils to the Government’s associated consultation”.

The Chair inquired as to whether Members would want a face to face or virtual meeting. It was agreed to hold a face to face meeting.

It was proposed by Councillor James, seconded by Councillor Clarke and agreed –

That arrangements be made for Members of the Joint Planning Policy Committee to meet to explore the Government’s national planning reform proposals and to inform a formal response from the Councils to the Government’s associated consultation.

The Chair suggested that a date for discussion for the Councils joint response to the Government’s consultation be arranged outside of the meeting, recommending a date during the week beginning 20 February.

The Planning Manager (TDC) advised that prior to the proposed meeting, Members would be provided with relevant information to enable discussion of the Councils consultation response.

37. REVIEW OF THE NORTH DEVON AND TORRIDGE LOCAL PLAN

An informative slide presentation was given by TDC and NDC Senior Planning Policy Officers.

The Senior Planning Policy Officer (TDC) addressed the Committee, highlighting key elements of the report and reporting on key findings, observations and recommendations provided by the Planning Advisory Service (PAS) and the outcomes generated from the member survey and workshops.

The Senior Planning Policy Officer (NDC) presented highlights of reforms to National Planning Policy and the wider legislative reforms. This included the potential impact on plan making and decision taking, including time frames, short term and medium term proposals, implementation of planning reforms and looking at ways forward and the options for future plan making.

Councillor James highlighted his concerns, as to the value of undertaking a partial review, reflecting on the issues raised in the committee report. While recognising that some issues may be able to be addressed by a partial review, other matters that would impact on spatial strategies, significantly relating to rural growth opportunities and biodiversity would not be able to be addressed other than by a full review of the Local Plan. He questioned what could be achieved from a partial review and what policy areas would be reviewed and to what extent.

The Chair said although he shares a lot of Councillor James concerns regarding rural issues there is a need to be innovative about tackling some of those issues, which could include the use of neighborhood plans and supplementary planning documents. The Chair advocated that undertaking a full review would put off

changes that are needed in the rural areas, which is not acceptable. Following a discussion on a range of agricultural issues, he advised that the scope of the problems experienced by this sector could not be addressed solely by the Local Plan.

Councillor Clarke left the meeting at 11am.

The attending Officers addressed the following issues raised by Members:

- The approach to accommodating growth in the rural area relating to housing, economic opportunities, agriculture and the protection of the environmental assets.
- The scope of expanding rural employment opportunities enabled through a partial or full review of the Local Plan.
- The timeline for determining the Five Year Housing Land Supply position and the technical examination of housing sites through the HELAA Panel.
- Impact on resources, of a partial or full review of the Local Plan.
- The timeframe for delivering a partial or full review of the Local Plan, having regard to proposed changes to national planning policy.
- The potential scope of a partial review of the Local Plan.

Following further discussion, it was proposed by Councillor Yabsley, seconded by Councillor Worden and –

Resolved: that the Joint Planning Policy Committee recommend to the Full Councils of NDC and TDC:

- (a) to move to a targeted and focused partial update to the NDTLP, the potential scope of which is indicatively set out within Appendix 5, that specifically explores opportunities to address:
 - i. specific elements of the adopted local plan that are no longer consistent with national planning policy;
 - ii. specific policy provisions in the adopted local plan that are currently considered to be ineffectively worded or would benefit from clarification;
 - iii. those areas of policy whereby the adopted local plan is currently silent; and
 - iv. policy provisions which no longer conform to the majority views of the Councils.
- b) that the approach to updating the local plan is kept under review having regard to any relevant changes to the local and national context;
- (c) that the scope of the update is established, the appropriate development plan vehicle for its delivery be established and a revised Local Development Scheme (LDS) presented to a future meeting of the Joint Planning Policy

Committee for consideration and approval (or through such other mechanism as to be agreed with Members); and

(d) that work commence on a partial review of the Local Plan with immediate effect but that the formal decision of the review of the Local Plan (for Plan making purposes) be deferred until resolution of the following:

- i. the results of the current national consultation regarding change to Plan making;
- ii. the results of the review of the 5YHLS position;
- iii. a review of our position related to the Plan period; and
- iv. completion of the Duty to Cooperate process.

(e) that concurrently, Officers explore and pursue actions and interventions to support the positive and effective implementation of the adopted North Devon and local plan.

38. FUTURE MEETINGS

It was confirmed that a meeting of this Committee is scheduled for March 2023 and that an informal meeting will be scheduled to advise on the Councils response to the consultation on national planning reforms.

Chairman

The meeting ended at 11.30 am