

NORTH DEVON COUNCIL AND TORRIDGE DISTRICT COUNCIL
JOINT PLANNING POLICY COMMITTEE

Minutes of a meeting of LOCAL PLANNING POLICY COMMITTEE held at Town Hall, Bideford, EX39 2HS on Friday, 22nd March, 2024 at 10.00 am

PRESENT: Councillors:

North Devon Council: Councillor Hicks (Chair)
Councillors Bell, Lane, Prowse, Roome, Walker and Worden

Torrige District Council: Councillors Cottle-Hunkin, Hackett, Hames, Hodson and James

Officers:

North Devon Council: Head of Place, Property and Regeneration, (SM) Senior Planning Policy Officer (ED), Planning Policy Officer (PM) and Planning Policy Officer (MA)

Torrige District Council: Planning and Economy Manager (SK), Planning Manager (HS), Senior Planning Policy Officer (IR), Solicitor (SD), Planning Policy Technical Officer (EG), P Otten (PO), Graduate Planning Policy Officer (CP).

22. APOLOGIES FOR ABSENCE

An apology was received from Councillor Lock (Torrige District Council).

23. TO AGREE THE MINUTES OF THE PREVIOUS MEETING HELD ON 8TH DECEMBER 2023

It was proposed by Councillor Hicks, seconded by Councillor James and –

Resolved: that the minutes of the meeting held on 8 December 2023 be approved as a correct record.
(Vote: For Unanimous)

24. FORWARD PLAN

Members were advised that, subject to the outcome of the meeting, a populated forward plan would come back to Committee to be agreed.

25. DECLARATIONS OF INTEREST

The Chair reminded members that declarations of interest should be made when the specific agenda item to which they relate was under discussion.

26. 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

27. NATIONAL PLANNING POLICY FRAMEWORK - 2023 REVISIONS

The Planning Policy Officer of Torridge District Council (TDC) provided a detailed presentation for members summarising changes within the update to the National Planning Policy Framework (NPPF), providing the context of the changes put in place since 2021. Specific focus was then given to the 2023 changes and the impact in terms of energy, sustainability, housing and design.

Following a summary of the conclusions set out within the officer's report members were asked for their questions:

Members noted the increased emphasis on energy efficiency and questioned the impact in terms of the Local Plan. The Planning Policy Officer advised this would be kept as a consideration as part of updating the local plan.

There was a further question regarding the removal of a 3 month rule where vacant retail businesses could be considered for residential housing. It was confirmed this was a recent change through the permitted development legislation and had been a part of the consultation process in November 2023.

Members asked about Regulation 18 and specific mention was made of the policy map and the timescales for TDC and North Devon District Council (NDDC). The TDC Planning Manager agreed that, given timescales of December 2025 for submitting a local plan under the existing plan-making regime, it was unlikely that TDC and NDDC would benefit.

Councillor Cottle- Hunkin from TDC declared an interest, coming from a farming family.

Following a discussion regarding the revisions to how agricultural land and land for food production would be considered in terms of development, officers recognised the importance of this to members. It was confirmed that the changes set out in the NPPF relating to agriculture would need to be considered through the preparation of any revised Local Plan.

Members duly noted the report.

28. LOCAL PLAN REVIEW PROJECT INITIATION DOCUMENT (PID)

The Senior Planning Policy Officer for NDDC explained the purpose of the Local Plan Review PID and explained the importance of the PID when reviewing the Local Plan. Members were provided with an overview of the current situation, and it was explained how this could impact the proposed timetable for the Local Plan.

Given the uncertainties with plan-making reforms, it was explained that the aim was to focus on work that would not be abortive, irrespective of what the finalised planmaking process. This would include looking at visioning work through 2024 and also elements of the evidence base that would be required and not likely to require future change or become quickly out-of-date.

The Senior Planning Policy Officer for NDDC went on to summarise the 11 objectives set out within the PID and provided overview of what was considered in scope and the areas out of scope in terms of the Local Plan development.

The proposed timetable was then highlighted for members, noting the key milestones and factoring in completion dates based on emerging Government advice.

Members were then advised of the workstreams for 2024. The uncertainties were noted in terms of the timetable and the work that is being progressed.

The Senior Planning Policy Officer for TDC reiterated the impact of uncertainties on the development of the Local Plan and explained how these would be managed and could be mitigated in planning the work programme. It was confirmed that members would be updated on the progress of the lessons learnt log at future meetings.

The recommendations of the report were highlighted and explained, and Members were asked for their questions.

Members asked how the Neighbourhood Priority Statements would be gathered and how would Town and Parish Councils be involved. The Senior Planning Policy Officer for TDC advised there was no detail on how these would look as yet. However, it was confirmed that Town and Parish councils would be asked to provide statements regarding the priorities for their areas in terms of the plan. The process used when preparing the adopted local plan was noted and it was explained that the current process would likely be similar.

There was a question regarding Design Codes and how much work would be involved. It was confirmed North Devon had received Planning Skills Development funding and this would be used for training on Design Codes. Members were advised this was in the early stages of being organised, and that the work would be resource intensive.

The Senior Planning Policy Officer for NDDC advised that the Government had indicated that they were going to kick off the new plan-making system with 10 pilot areas, followed by waves of 25 local authorities starting every six months.

Members noted the level of uncertainty with plan-making reform and asked if there was any clarity on when the second and third waves would be taking place. The Senior Planning Policy Officer for TDC explained that more specific timings were still an unknown at the time of the meeting. Members were advised of the consultation response provided by North Devon and Torridge – a copy of the joint letter was attached as an appendix.

Members highlighted the scope and section 4.4 of the report regarding Traveller Sites. A request was made that Van Dwellers be included within this categorisation, given the increasing numbers seen locally and the potential issues this presents. Officers noted the request.

Members raised the Project Manager vacancy and asked for detail on possible recruitment plans to be shared with members. The Planning Manager noted the importance of the role and it was explained that discussion at a Senior level was ongoing. The Head of Place, Property & Regeneration for NDDC recognised the need for expertise in Planning Policy in this role and advised of the potential options being considered. It was confirmed that conversations would continue to include Members.

Following questions regarding housing needs assessments, the Senior Planning Policy Officer for TDC confirmed that there is expected to be a need to prepare a Housing Economic Needs Assessment (HENA) or Housing Economic Needs Development Assessment (HENDA), but this was not scheduled as yet. It was explained that the preparation of this evidence needed to be timed carefully and scheduled so it wouldn't be out of date by the time of the Local Plan production. The need for evidence to demonstrate the need for accessible and adaptable homes was noted during discussion.

Councillor Roome left the meeting at 11.00am. At 11.06am Councillor Knight joined the Committee at the table and was advised he would be unable to substitute part way through a meeting or vote.

Members raised the Project Manager vacancy and asked for detail on possible recruitment plans to be shared with members. The Planning Manager noted the importance of the role and it was explained that discussion at a Senior level was ongoing. The Head of Place, Property & Regeneration for NDDC recognised the need for expertise in Planning Policy in this role and advised of the potential options being considered. It was confirmed that conversations would continue to include Members.

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Following a discussion, a query regarding the impact of Biodiversity Net Gain and whether the potential to increase this [above the statutory requirements] was within the scope of the Local Plan. The Senior Planning Policy Officers agreed it was something for further consideration as part of preparing the new Local Plan.

Chair reviewed recommendations with Members.

It was proposed by Councillor Prowse, seconded by Councillor Bell and Resolved:

That Members of the Joint Planning Policy Committee:

- 1) endorse the Local Plan Review Project Initiation Document (Appendix 1) and associated Risks, Issues, Changes and Lessons Learnt Log (Appendix 2 attached to the report); and in doing so,
- 2) endorse the proposed programme of work to be carried out in advance of the formal commencement of plan-making (as per Table 1 of Appendix 1 attached to the report).

(Vote: For, Unanimous.)

29. PROPOSALS FOR THE THEMATIC LOCAL PLAN WORKING GROUPS

The Senior Planning Policy Officer for TDC provided members with a detailed presentation that explained the proposals set out in the report. The decision to establish the 4 thematic working groups was explained, and their alignment with Northern Devon Futures Action Groups.

The recommendation on organisation of the groups was highlighted, along with the process for reporting back to JPPC. The Terms of Reference were attached with the agenda pack for members.

Following a summary of the report recommendations, Members were asked for their questions.

Members asked why the Children & Young People Action Group for Northern Devon Futures wasn't included as a working group area. The Senior Planning Officer advised of the reasoning behind this decision, it was felt that this Action Group did not in itself have so much direct bearing on land use planning and that issues relating to children and young people could be better raised within all 4 of the proposed working groups.

The importance of establishing the working groups and broadening out the membership at this stage was noted by Members. It was seen as an opportunity for

members who have specific interest in the themes of the working groups to become involved / engaged in the development of the Local Plan.

It was proposed by Councillor James, seconded by Councillor Worden and – Resolved:

That Members of the Joint Planning Policy Committee:

1) Agree the set-up of the following thematic Local Plan Member Working Groups:

1. Economy, innovation and skills;
2. Health and wellbeing;
3. Climate and Environmental Emergency; and
4. Place and Community.

2) Delegate authority to the Chair and Vice-chair of the JPPC, in consultation with the Leaders of the Councils, to establish the membership of the individual Local Plan Member Working Groups;

3) endorse the proposed Terms of Reference and Operating Procedures for the Local Plan Member Working Groups (Appendix 1).

(Vote: For Unanimous).

30. SUSTAINABILITY APPRAISAL OF THE DEVELOPMENT PLAN

The Senior Planning Policy Officer for TDC provided a detailed presentation, on behalf of the Sustainability Officer of NDDC, that provided members with some further context regarding the sustainability appraisal process. The requirements were explained in terms of the local plan, along with the progress to date.

It was confirmed that a scoping report had been completed in 2021, and that a light touch update to the document was recommended. Additionally, DLUHC will be looking to establish a new legal system, badged as Environmental Outcomes Reports, so there was a need to consider how to progress given the likelihood of potential future changes.

Members were advised of the recommendation of the report to note the current requirements for Sustainability Appraisal in support of preparing the development plan, the work completed to date, and the potential future requirements as set out in this report.

Cllr Prowse left the meeting at 11:19am and returned at 11:22am.

Members requested that, for clarity, the wording of the recommendation refer to the Local Plan, not development plan.

Councillor Cottle-Hunkin declared an interest and raised the list of themes covered by the Scoping Report cited within the report, noting that the list of themes did not include Agriculture and Food Production. It was requested this be listed as a theme.

The Senior Planning Officer for TDC advised of the reasoning behind not listing separately, but advised officers would be guided by Members.

It was proposed by Councillor Cottle Hunkin, seconded by Councillor Bell and – Resolved:

To add an additional theme for Agriculture.

(Vote: For, Unanimous.)

Members duly noted the report

**31. RESPONSE TO GOVERNMENT CONSULTATION -
STRENGTHENING PLANNING POLICY FOR BROWNFIELD
DEVELOPMENT**

The Planning Manager for TDC provided a detailed presentation for Members, which detailed the consultation proposals. Members were advised that, given the short timescale for responses (26th March) it was decided to bring this to Committee.

The 3 consultation proposals were noted and the first point was highlighted as most significant for northern Devon. The Planning Manager went on to highlight the officer considerations in terms of the wording of the proposals and the potential implications for consideration. Some of the suggestions within the consultation were referenced for Members, the potential implications were also explained to provide context.

Members were advised of the recommendations and asked for questions.

Following a brief discussion the following amendments were agreed:

1. Raise within question 4 the issue of brownfield sites located in areas that require flood prevention and the need for funding to complete this work; and
2. Highlight the need for more grants and funding to develop brownfield sites and feedback that other uses for brownfield sites could be explored, so the sites are not limited to housing.

It was proposed by Councillor Hicks, seconded by Councillor James and – Resolved:

That, with the above agreed amendments, Members of the Joint Planning Policy Committee:

- 1) Consider the draft response to the Government's consultation on strengthening planning policy for brownfield development (Appendix 1 as attached to the report); and
- 2) Endorse the response to be formally submitted on behalf of North Devon Council and Torridge District Council.

(Vote: For - Unanimous)

Chairman

The meeting ended at 11.41 am