

NORTH DEVON COUNCIL AND TORRIDGE DISTRICT COUNCIL
JOINT PLANNING POLICY COMMITTEE

Minutes of a meeting of Joint Planning Policy Committee held at Bideford Town Hall, Bridge Street, Bideford, EX39 2HS on Friday, 20th September, 2024 at 10.00 am

PRESENT: Councillors:
Councillor Hicks (TDC) (Chair)
Councillor Prowse (NDC) Vice-Chair

North Devon Council: Councillors Bell, Walker and Worden

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

Officers:

North Devon Council: Chief Executive (KM), 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 Officer (BL), Graduate Planning Policy Officer (CP) and Planning Policy Technical Officer (EG), Senior Electoral & Democratic Services Officer (TV), Electoral and Democratic Services Officer (KH)

32. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Roome from North Devon Council (NDC) and Councillor James from Torrige District Council (TDC). Councillor Leather was present as a substitute for Councillor James.

33. TO AGREE THE MINUTES OF THE PREVIOUS MEETING HELD ON 22 MARCH 2024

Chair reviewed the minutes of the meeting with members page by page.

It was proposed by Councillor Bell, seconded by Councillor Walker and –

Resolved: That the minutes of the meeting held on 22nd March 2024 be agreed and signed as a correct record.

(Vote: Agreed 9, Abstentions 1)

34. FORWARD PLAN

The item was deferred to the next meeting.

35. TO AGREE THE AGENDA BETWEEN PART 'A' AND PART 'B' (CONFIDENTIAL RESTRICTED INFORMATION).

There was no Part B item.

36. DECLARATIONS OF INTEREST

Members with interests to declare were reminded to refer to the Agenda item and describe the nature of the interest when the item was being considered.

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

No items.

38. RESPONSE TO GOVERNMENT CONSULTATION ON PROPOSED REFORMS TO THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF) AND OTHER CHANGES TO THE PLANNING SYSTEM.

The Planning Policy Team Leader (TDC) introduced the report, the purpose of which was to set out the draft response to the Government Consultation on proposed reforms to the National Planning Policy Framework and other changes to the planning system.

Member were advised that the response had been draft by various officers from both District Councils, taking into account views previously provided by Members and that today's meeting was an opportunity for Members to review the draft consultation response, request any further additions, before providing their endorsement for it to be submitted prior to the deadline on Tuesday 24th September.

A presentation providing the details of the proposed changes and consultation response was provided to Members of the Committee.

The Planning Policy Team Leader and Planning Manager for TDC provided an overview of the proposed changes and provided additional detail on the possible implications for both Local Authority areas, highlighting the proposed response and providing additional context for further clarity.

Below follows a summary of the questions and relevant discussion on each of the areas:

Changes to the Standard Method

The formulas currently used and the proposed changes were highlighted for Members, along with the consequences of the proposed requirements for northern Devon per annum and in the longer term.

It was asked what happens to housing that is already allocated but is not yet built, and whether this would be included in the numbers highlighted in the presentation. The Planning Policy Team Leader advised that any outstanding housing as of the start date of the new local plan could potentially be included, so long as they were not completed as of that start date.

Housing evidence for the last local plan showed a greater demand for Torridge than North Devon – the figures in the presentation seem to show a switch in this and it was asked how this was worked out. The Planning Policy Team Leader advised this change was based on a switch from the previous household projections to the housing stock in the new formula – North Devon has a proportionally higher housing stock so the new method takes this into account – and went on to explain the reasoning behind this.

In follow up it was asked, going forward and doing a joint Local Plan, what impact the ratio would have in how the 2 councils go ahead with distributing growth. When deciding on new town urban extensions and growth to local centres and bigger villages, does the distribution need to consider these ratios?

The Planning Policy Team Leader advised that a starting point would need to be understanding what the needs are for each Local Authority however, the benefits of completing a Local Plan across northern Devon and the scope for planning more holistically was noted.

Members reflected that they felt the numbers were undeliverable and asked that this be reflected in the consultation response noting the potential impact for rural areas. The potential impact for tourism and agriculture were also highlighted, as well as the issue of poor local infrastructure such as roads and hospitals / health provisions.

It was felt by Members that there was no mechanism provided for creating more affordable housing, or social housing and this should be noted as a concern.

Members asked for some further detail in terms of the housing figures and the reason why figures for inner city areas were lower. The Planning Policy Team Leader explained the figures were proportional and the uplift in urban areas was lower due to changes to the formula, the move to a proportion of stock, levels of growth in the past and past trends.

Members highlighted concern regarding the use of median income in terms of affordable housing supply. It was felt this was a poor measure of the need for affordable housing and would be dragged up by those who have no need for this type of housing provision.

The Planning Policy Team Leader shared Members concerns, highlighted that it may be better to use another measure such as lower quartile incomes and noted another issue raised in the draft response was the use of work place income, rather than considering resident based incomes. The lack of ONS data to support a move to lower quartile incomes was also noted and it was agreed that the issue of the affordability measure would be raised more strongly within the response.

National Planning Policy Changes

The officer explained the proposed changes for members in detail, along with the potential impact and officer concerns raised within the draft consultation response.

The following questions and discussion took place.

Members reflected on the five-year housing land supply requirements and it was felt the provisions needed to be more pointed being directed towards addressing affordable housing need. It was felt the measures should reflect how much of the housing target will be affordable / social housing. The consequences of not having affordable housing were considered to be stark. The Planning Policy Team Leader agreed to state this more firmly within the draft consultation response.

Members went on to share their concerns regarding the approach to the delivery of affordable housing so far, it was felt to have failed, and it was restated that without Government intervention and funding the issues would remain.

Members raised concern regarding the criteria for new development within a community and the approach to considering the principles of sustainability. It was felt that applications in rural communities risk being turned down based on these current requirements and this then impacted on rural communities and their provisions like schools, as well as shops and pubs. It was felt the criteria needed to be reviewed.

Members also raised again the need to highlight improved local infrastructure as the biggest need for the local area. Roads and congestion were raised as an infrastructure concern that is growing locally.

The Planning Policy Team Leader reflected on the concerns and stated that the response would be tweaked to further strengthen the feedback on the issues raised. It was also explained there would be opportunity to consider these issues in the development of the new Local Plan.

Members were also advised of the proposals for more vision-based transport planning – noting the parallel Local Transport Plan consultation being currently run by Devon County Council. The proposal was described as moving from a reactive demand led system, to a more vision led transport planning system – though the need for associated investment was noted.

The Planning Policy Team Leader detailed all of the proposals and implications in relation to 5 Year Housing Land Supply, along with the officer response to the consultation. There were no questions from members, following this.

The Planning Policy Team Leader advised on the proposed reforms for Brownfield, Green Belt and Grey Belt land and the consultation feedback on this. It was confirmed that feedback received from members on the importance of biodiversity when considering Grey Belt land was noted, along with concern that land used for solar PV, battery energy storage should not be considered Grey Belt. It was confirmed these would be added to the consultation response.

Points on horticulture and glass houses were highlighted by Members in terms of future food supply, it was felt these may need protection for their value in food supplies.

Members restated a request that Brownfield land should not include current green energy schemes like the solar parks both Local Authorities have in their areas.

Affordable homes

The Planning Policy Team Leader advised of the changes and detailed the potential impact for the area. Overall officers were supportive of the changes, but had provided some feedback regarding the challenges of delivering affordable housing in rural areas and the negative impact of 5 year housing land supply, as well as the need for adequate funding and support to aid delivery.

Members raised the affordable home mix used and queried if this could be more flexible. It was confirmed that adjustments are made locally and the detail was explained for Members.

Councillor Hackett left the meeting at 10:58

Members highlighted the suggested threshold that was being proposed in the response, set out in terms of population – 3,000. It was noted that many rural villages and hamlets have populations of a lot less than 3,000, and it was asked if there was a potential impact for those smaller communities in terms of development. Following a question on the setting of the threshold to 3,000 the Planning Policy Team Leader and Planning Manager provided the reasoning for this threshold and what it aimed to achieve, alongside the local plan.

Councillor Hackett returned to the meeting at 11:01

Well Designed Places

The Planning Policy Team Leader advised of the changes regarding well Designed Places and explained that officers were generally in support of them. However, there was specific concern raised about upward extensions and the impact for rural areas – it was felt there was a need to have regard to context.

The following discussion then took place.

Members commented on ensuring the sizing of later life homes for the older populations and commented they felt this was missing in development.

Members then discussed the issue of Biodiversity Net Gain (BNG)– concerns were raised about the impact of biodiversity net gain (BNG) requirements on development and land allocation. The team discussed the challenges of complying with BNG regulations and the potential need for more flexibility in applying these requirements to ensure efficient land use and support for local biodiversity. Other members of the meeting felt that good design should build in biodiversity and cited the health and wellbeing benefits of doing so.

Members stated that well design places needed to consider how to meet the needs of the community. The need for single person accommodation, retirement villages with onward care for their residents, supported housing for the young and vulnerable people were all given as examples. Members reflected on the term 'planning for the homes we need', and how it was important to focus on the local needs and build appropriately designed housing which could be adapted for future needs.

Building Infrastructure to Grow the Economy

The proposals around Building Infrastructure to Grow the Economy was explained in detail for members. It was explained that officer's feedback was mostly positive, but some concern was raised regarding a focus on growing the economy and it was felt this should not be at all costs.

During discussion on Delivering Community Need it was requested that there should be good provision of sites for self-build.

Green Energy and Environment

Officer advised of the proposed changes and summarised the feedback. The proposed thresholds for solar PV and wind energy were noted and members were advised that this had been raised in the consultation with the request that some local consideration be considered.

Members queried if there was any consideration of community benefit schemes for these types of developments. The Planning Policy Team Leader advised this sat outside of planning system and the consultation. Members felt that the issue should be raised as a reminder of the need for community based benefit - the Planning Policy Team Leader and Planning Manager agreed to pick this up within the consultation as a result.

Members queried whether there was a requirement to reduce carbon emissions and referenced the term carbon accounting in the consultation response, asking for more detail. The Planning Policy Team Leader summarised the Government objectives and the proposed response from officers. It was explained that concerns were raised regarding access to the tools and training required for planners and developers in the use of carbon accounting – this was felt as a gap, but Officers were generally supportive of the work.

Members urged for a stronger response / support in terms of tackling carbon emissions and the Planning Manager agreed the point could be strengthened / emphasised to greater extent.

Members also requested that the response should suggest encouraging existing developments to use solar panels over their car parks and on social and affordable housing.

In terms of infrastructure Members wanted to note the need for improved rail links. During discussion Members also raised concerns regarding bus provision for children and young people accessing college. It was felt there was a need to get smarter in terms of infrastructure and public transport links for the proposed

developments in the local area. An example was provided for members where a young person needed to get a taxi to catch a bus from Holsworthy to Barnstaple.

The Planning Policy Team Leader highlighted an updated footnote regarding availability of agricultural land and food production - Members were advised of the proposal to remove the emphasis on food production and that Officers were broadly in support of the change, however it had been strongly recommended in the draft consultation response that the Government recognise the importance of food production and food security elsewhere within the NPPF.

Planning Fees

The Planning Manager for Torridge District Council referred members to chapter 11 of the consultation – questions 89-102, which was seeking feedback on planning fees and some of the suggested changes / headline changes. The background to the proposed changes and the reasoning behind the changes were detailed for Members.

During discussion members raised the following:

In relation to Tree Preservation Orders (TPO) response regarding charges, the impact this may have in terms of take up was highlighted as a concern, though members recognised the work of the planning department they felt the charge should be considered with this in mind.

Members also suggested that some form of grant system or back payment for self-build schemes should be recommended within the consultation feedback.

The Planning Manager advised on the fees for TPOs – for work to trees with a TPO – and advised that the comments above could be reflected within the consultation to ensure the balance raised around setting fees to cover the cost of officer time, whilst ensuring it doesn't result in a drop in take up.

During discussion on the setting of fees and the possible outcomes Members opinions were split on whether fees should be increased to cover costs and on the need for setting planning fees at a national or local level.

Some Members raised concern regarding the impact on local communities and the risk of unauthorised developments, whilst others highlighted a need for fees to increase to ensure proper resource allocation and to avoid subsidising through council budgets.

Members also discussed the implications of setting fees at a local level to reflect the needs and demographics of the area, however concern was raised over the risks this posed in terms of consistency and competition with other Local Authority areas, and it was suggested that national fees should be considered in the first instance.

Planning Manager felt the discussion in the document was balanced and covered the areas that had been raised in committee, acknowledging the differing views.

Following Member request, it was agreed that the consultation response would request that community owned listed buildings should be exempt from the listed building fee. During the discussion Councillor Cottle-Hunkin declared a personal interest due to work with the local community church at Petrockstowe.

Nationally Significant Infrastructure Projects - NSIPs

The Planning Officer highlighted questions on NSIPs and advised of TDC involvement in X-Links in terms of this. The issues surrounding NSIPs and the consultation proposals were highlighted for Members, along with a summary of the response, supporting the principle of introducing recovery of costs for development consent orders and the reasons behind this and TDC experience through work on X-Links.

During the discussion on X-Links Councillor Hicks declared a personal interest due to working on behalf of land owners affected by X Links.

Following a query in relation to Solar PV fees it was confirmed that the fee would increase threefold.

Transitional Arrangements.

Members were advised of the suggested proposals and the implications for the local planning authorities. It was explained that the proposals related to those who have reached their Regulation 19 stage – which is the publication of the plan or for those who are already at the examination stage.

It was noted that there are no arrangements in place to mitigate impacts of the introduction of the new standard method or the wider NPPF proposals for those at an early stage of the process, or for decision making and the application of the presumption in favour of sustainable development. The Planning Policy Team Leader then advised Members of the feedback being provided within the consultation as a result of these proposals.

Members were in agreement with the response.

Members were then reminded of the recommendations set out in the report were then noted for Members, with the suggestion that the second recommendation be amended to reflect the feedback received during Committee.

It was proposed by Councillor Leather, seconded by Councillor Bell and –

Resolved: That Members of the Joint Planning Policy Committee:

1. Consider the draft response to the Government's consultation on proposed reforms to the National Planning Policy Framework and other changes to the planning system (Appendix 1); and
2. Endorse the response, with the inclusion of feedback provided at this Committee, to be formally submitted on behalf of North Devon Council and Torridge District Council.

(Vote: For Unanimous)

Members thanked officers for all the work on the response and the Planning Manager noted the good joint work from officers in both Councils.

39. REVIEW OF THE LOCAL PLAN REVIEW PROJECT INITIATION DOCUMENT (PID)

The Planning Manager for Torridge District Council referred Members to the report, the purpose of which was to update the PID following a change in national Government.

Members were advised of the reasons for updating the PID and provided with a summary of the current state of play in relation to planning reforms and the possible implications in terms of the development of the Local Plan.

Members were referred to the Appendix 1, which detailed the current position and the Planning Manager provided a brief update on the position at the time of Committee.

Members were advised of the recommendations within the report and the following discussion took place.

Following a question in relation to whether the HELAA would identify sufficient land for development, the Planning Policy Team Leader advised that discussion had taken place and the option of re-opening up the call for sites should be considered / explored – given that there is the time and scope to do this.

Members asked about Traveller accommodation and officers advised of the current situation and advised that further guidance and clarification was still needed before work could be progressed.

During discussion it was suggested that Members meet to develop a broad outline to consider how the future housing requirements might be best met and an October date was suggested for a Visioning workshop which could feed into an Issues and Options document, whilst the HELAA process carries on.

Following discussion on timescales Councillor Prowse moved the recommendations with the addition of a recommendation for a Member visioning workshop.

It was proposed by Councillor Prowse, seconded by Councillor Hodson and –

Resolved: That Members of the Joint Planning Policy Committee are recommended to:

1. Note the updated national plan-making context and associated potential impacts on the preparation of a new local plan for northern Devon;
2. Reaffirm the commitment to preparing a new local plan for northern Devon under the proposed new plan-making system; and

3. Endorse the revised initial programme of work that is intended to be carried out over the coming months and in advance of the formal commencement of plan-making (Appendix 1).

With the additional recommendation to hold a Member Visioning Workshop to feed into the preparation of an Issues and Options document.

Chairman

The meeting ended at 12.19 pm