



- 1.1 The Planning, Environment and Sustainability Policy Development Group is a new PDG. Listed within the scope of this PDG are various broad areas of work and matters which also report, at least in part, through other Council committees and meetings. As such, it is necessary and desirable to provide some additional clarity and detail around how matters are expected to report through this PDG and how other matters will be considered through those other groups. The report will also set out the benefits of this approach. It is hoped that providing this clarity will support transparency, efficient decision making and ensure best use of limited resources.

## **2.0 The new PDG and other committees:**

- 2.1 The new PDG has a defined objective to: *“be a leader and pioneer of best practice so new innovation and thinking is at the heart of the services we deliver and informs our planning policies”*
- 2.2 The defined areas of focus for the PDG includes the following ‘planning’ related matters:
- Local Plan
  - Development Management policies
  - Development Control (referred to as Development Management in this report/elsewhere)
  - Forward Planning
  - Conservation
  - Building Control
  - Planning Enforcement
  - Gypsy sites
  - Urban and rural regeneration
- 2.3 However, as members will be aware, some of these matters are also reported through other committees. These committees include:
- The Planning Committee;
  - The Building Control Joint Committee (joint with North Devon), and;
  - The Planning Policy Advisory Group (PPAG)
- 2.4 Each matter listed above (in 2.2) will be discussed, below (in 2.9), with some further detail provided around what elements will/can be reported to this PDG and what will be considered by other committees.
- 2.5 It is considered necessary and desirable to do this now, at the outset of this new PDG, to provide members and the public at large with clarity

on what matters will be considered within this PDG, and how/why. It will ensure transparency, effective decision making and ensure the best use of limited resources.

- 2.6 Whilst the purpose of the Planning Committee in decision making on planning applications is hopefully self-evident, some further information is provided below in relation to PPAG and the Building Control Joint Committee.
- 2.7 Planning Policy Advisory Group (PPAG): PPAG is a well-established forum which is productively and proactively used by Mid Devon to support the formulation of new planning policy. Central to the work of this group is Council-led policy in relation to the new Local Plan, although other policy documents have previously gone through PPAG including those relating to Neighbourhood Plans. The Group has a core (voting) membership, although all Members are invited and encouraged to attend to participate in open discussion about important policy-related matters and to help shape emerging policy. The group does not invite public attendance in order to allow totally free and open discussion on important matters which could otherwise not take place owing to the sensitivity of much of the information that is discussed. Rather, documents, once considered and approved by PPAG, are presented to Cabinet and/or Full Council for decision and become public at this stage within the journey. Ordinarily, owing to the nature of the policy work undertaken, all emerging policy would be subject to full public consultation prior to any decision to adopt being taken by the Council. The public therefore have an opportunity to be fully engaged within the formulation of planning policy for the district at all key and appropriate points in time.  
PPAG is considered to be an excellent forum for the formulation of policy as it facilitates maximum member engagement.
- 2.8 Building Control Joint Committee – Mid Devon operates a successful Building Control Partnership with North Devon Council. This Partnership is known as ‘NMD Building Control’ and has been in existence for several years. Governance of the Partnership is provided by a Joint Committee with 4 elected members representing both Authorities (2 per Authority). The Joint Committee meets 4 times a year and receives regular reports regarding the performance of the Partnership. Where decisions are required to support the operation of the Partnership, decisions are taken by the two relevant Authorities (Mid Devon and North Devon) through the usual decision-making pathway (Cabinet and, as required, Full Council.)

2.9 Considering the new PDG and the established remit of the committees detailed above, it is proposed that the matters detailed in 2.2 are dealt with as follows:

2.9.1 Local Plan:

- That matters relating to the resourcing or timetable of production of the new Local Plan (the 'Local Development Scheme' and the Forward Plan of PPAG meeting dates) be discussed and considered via this PDG;
- That general queries around existing Local Plan policies/relationships with national planning policy (the NPPF) be discussed via this PDG;
- That matters in relation to the new/emerging Local Plan continue to be dealt with via PPAG, and;
- That matters around interpretation of the current (adopted) Local Plan relating to planning applications be discussed with the Planning Committee.

2.9.2 Development Management policies (other development plan policies not specifically relating to the Local Plan and especially those produced by other Authorities/agencies):

- That Neighbourhood Plans submitted to Mid Devon for approval (specifically post referendum) and adoption be discussed via the PDG;
- That other Authorities policy documents (i.e. policies relating to AONB's/National Landscapes such as the Blackdown Hills) be discussed via this PDG.

2.9.3 Development Management

- That performance metrics/key performance indicators be reported to this PDG (in addition to their reporting to the Planning Committee);
- That the consideration of planning applications/development management matters is wholly within the remit of the Planning Committee.

2.9.4 Forward Planning

- As 2.9.1 and 2.9.2

2.9.5 Conservation

- That matters relating to conservation/heritage and of a generalist nature (i.e. not new policy/application specific) or relating to national guidance be discussed via this PDG;
- That Conservation or Heritage matters relating to planning applications/development control matters go via the Planning Committee (as presently), and;

- That matters relating to new MDDC Conservation/heritage policy go via PPAG as the policy advisory group prior to public consultation and any onward recommendation to Cabinet.

#### 2.9.6 Building Control

- That performance metrics/Key performance indicators be reported to this PDG (in addition to the Building Control Joint Committee)
- That information around key legislative changes be reported to this PDG for Member awareness – which would be very beneficial in a time of significant change for the industry.
- That other matters continue via the Joint Committee.

#### 2.9.7 Planning Enforcement

- That performance metrics/key performance indicators be reported to this PDG (in addition to their reporting to the Planning Committee, as currently).
- That changes to policy/procedure be discussed via PPAG as per other policy documents.
- For the avoidance of doubt: the PDG/members will not generally be given access to case specific information relating to enforcement cases owing to legal sensitivities.

#### 2.9.8 Gypsy sites

- TBC following further consideration in terms of the interface between the Gypsy, Traveller and Travelling Showpeople forum and this PDG/PPAG. The route for items may depend upon the nature of the matter being considered. A further suggestion in relation to this will be provided as soon as possible.

#### 2.9.9 Urban and rural regeneration

- Town Centre regeneration falls within the remit of the Economy PDG and this seems logical. The 'urban' element of this is therefore considered to be dealt with under this arrangement.
- 'Rural' regeneration could be reported via this PDG – albeit it is considered that little will fall under this heading. Effort is currently being directed to supporting rural communities – but this falls within the scope of the Rural England Prosperity Fund work currently underway and reporting via the Economy PDG. Obviously, it should be noted that Members and members of the public with an interest in these/areas would be free to attend Economy PDG meetings to hear and, as appropriate, participate in discussions.

- 2.10 It should be noted that whilst items are identified above which would fall within the scope of this PDG, i.e. general discussion on Conservation or Heritage topics/matters relating to national guidance, the Authority has limited resources and these resources are necessarily committed to achieving outputs which have already been established (such as the adoption of the new Local Plan) or to meeting key targets (around determination of planning applications within set timeframes, for example.) Members are therefore asked to remember and consider this before requesting updates through the PDG on 'new' matters and, if the desire for updates remains, discuss options with officers for how this might be managed or timetabled at the very earliest opportunity without interruption to existing work or commitments.
- 2.11 To illustrate the relevance of this point further: Government has previously set out an expectation that future Local Plans would be delivered (from inception to adoption) within a 30-month timetable (2.5 years). Currently, Local Authorities are required to review the Local Plan every 5 years (60 months). It can therefore be seen that this direction of travel involves a significant change to established practice and it will place a significant challenge before Local Authorities in the future. The careful use of resource will therefore be even more important – especially as resources and capacity are already stretched. Despite this, officers will of course continue to maximise opportunities for robust member engagement and for public consultation at appropriate stages.
- 2.12 One of the best ways to supporting the timely production of new policy and our new Local Plan is for Members to continue to engage via the Planning Policy Advisory Group. Attendance at this varies, but greater member attendance and input would be warmly welcomed in order to maximise the value and benefit of this group. To support this, Members are asked to note the dates of forthcoming PPAG meeting dates (Appendix 1) and to make every effort to attend in order to discuss important policy matters.
- 2.13 It is obviously expected that it will be necessary and desirable to continue to refine the arrangements set out above, and officers will also proactively seek to identify additional relevant items or policy which would be of interest to members and which will add value to the Council.
- 2.14 It is suggested that, in line with the above, a standard report is prepared for the PDG which will start to capture the information set out above. Members will appreciate that this report will require some

iteration to get to a final form, and some information may take time to assemble, but officers will endeavour to have a report for the PDG at the earliest opportunity.

### **Financial Implications**

Financial implications associated with this report are limited – but members are asked to note the points around the limited resources available to the council and the need to therefore be mindful of this in terms of duplication of work or the creation of additional work beyond that already established/required through existing commitments.

### **Legal Implications**

There are no legal implications arising from this information report.

### **Risk Assessment**

There are no major risks associated with this report.

Risk does exist in failing to achieve clarity in the remit of this PDG (as it risks duplication and reputational risk), hence the production of this report to address this issue at the earliest opportunity.

### **Impact on Climate Change**

The scope of this PDG means it has a significant opportunity to progress positive work around climate, biodiversity and other environmental/sustainability matters. Officers will work to seek to support the PDG in maximising these opportunities.

### **Equalities Impact Assessment**

No negative equalities impacts are expected.

### **Relationship to Corporate Plan**

The work of this PDG will supports a wide range of corporate objectives and the corporate plan as a whole.

## **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 10<sup>th</sup> June 2024

**Statutory Officer:** Deborah Sharpley

Agreed on behalf of the Monitoring Officer

**Date:** 10<sup>th</sup> June 2024

**Chief Officer:** Stephen Walford

Agreed by Corporate Director/Chief Executive

**Date:** 10th June 2024

**Performance and risk:** Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 10<sup>th</sup> June 2024

**Cabinet member notified:** yes

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Richard Marsh, Director of Place and Economy

Email: rmarsh@middevon.gov.uk

Telephone:

**Background papers:**