

Confirmed



Minutes of a Meeting of the **Strategic Planning Committee** held Remotely on **Thursday, 4 June 2020** at **10.30am**

Members of the Committee present:

Councillor Melissa Allen, Councillor Paul Ashdown, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Jocelyn Bond, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Graham Elliott, Councillor Tony Fryatt, Councillor Andree Gee, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Malcolm Pitchers, Councillor David Ritchie, Councillor Craig Rivett, Councillor Kay Yule

Officers present:

Liz Beighton (Planning Manager - Development Management), Sarah Carter (Democratic Services Officer), Matt Makin (Democratic Services Officer), Desi Reed (Planning Policy and Delivery Manager), Philip Ridley (Head of Planning and Coastal Management), Nicola Wotton (Deputy Democratic Services Manager)

1 Apologies for Absence and Substitutions

An apology for absence was received from Councillor Brooks.

2 Declarations of Interest

Councillor Bird declared a Local Non-Pecuniary Interest as Chairman of Felixstowe Town Council's Planning and Environment Committee.

For reasons of openness and transparency, Councillors Ashdown, Ceresa, Fryatt and McCallum declared a Local Non-Pecuniary Interest in Agenda Item 5 as being members of the Referral Panel by virtue of being Chairmen and Vice-Chairmen of Planning Committee North/South.

3 Minutes

RESOLVED

That the Minutes of the meeting held on 9 March 2020 be confirmed as a correct record and signed by the Chairman.

How the Planning Service has Adapted during the Covid 19 Emergency

The Cabinet Member for Planning and Coastal Management introduced report ES/0386 and advised that he was very proud of the response of the officers in Planning to the Covid 19 emergency. He was pleased to announce that all planning applications had received consideration and decisions made and the Policy Team had continued to work from home. With assistance from the Monitoring Officer, Planning Advisory Panels were set up as an interim arrangement; they had proved to be satisfactory and now temporary legislation had been put in place to allow statutory Committees to take place remotely. Two Planning Committees had now been held and the Cabinet Member for Planning and Coastal Management thanked the officers involved and behind the scenes in Democratic Services and ICT for their work in the setting up. He was pleased to see that the Chairmen for Planning Committee North and South had made it clear how the meetings were going to operate.

The Head of Planning and Coastal Management reported that his Teams were all well and safe and with everyone working remotely from home, they had all been trying to provide a business as usual service. The next stage would be looking at returning to the offices in due course. The report before Members covered the work of the Advisory Panels and he expressed thanks to Members for their help and support in providing advice to him. The Advisory Panels had met several times through April and May and had considered 37 planning applications. The first two remote meetings of the Planning Committees, North and South, had worked well.

Members commented that everyone had coped well with the new processes and sought clarification on the changes made to the Constitution. The Head of Planning and Coastal Management explained that the emergency procedures put in place had now been revoked and the Constitution had been changed on the commencement of Planning Committees with the procedures outlined for virtual meetings. The scheme of delegation would operate as previously set out prior to the Covid 19 emergency. Further questions were raised with regard to the lack of enforcement action, site visits and the posting of site notices.

The Head of Planning and Coastal Management advised that site visits for enforcement were now being undertaken where necessary, at the same time taking care not to put staff or the public at risk. Government had removed the requirement for site notices to be posted; as a result, notification of proposals were being sent to more neighbours in the vicinity of the site.

The Planning Manager explained that her Team was beginning to undertake site visits following appropriate health and safety checks and contact with applicants/agents. Such activity was being reviewed on a week by week basis. With regard to the lists of consultees, the system for neighbour and town/parish letters being shown as consultees was in place and on the website.

As a Member of the Advisory Panel, Councillor Deacon expressed thanks to the Planning Officers for operating as best possible under difficult times. The Head of

Planning and Coastal Management confirmed the comment would be passed on to his Teams.

RESOLVED

That the content of the report relating to the Planning Service during the Covid 19 Emergency be noted.

5 Review of the Planning Application Referral Process to determine which Applications are considered by the relevant Planning Committee

The Cabinet Member for Planning and Coastal Management introduced report ES/0387 which was to provide a review of the Planning Application Referral Process after its first year of operation at East Suffolk Council. The data before Members indicated that it was a satisfactory process that had been working well. He invited his Assistant Cabinet Member to address the Committee.

The Planning Manager reminded Members that a new scheme of delegation had been brought into force in April 2019 for East Suffolk Council, aligning the former authorities of Suffolk Coastal and Waveney District Councils. The scheme set out the means by which applications could be determined and clarified which applications would be determined by the Head of Planning and Coastal Management under delegated powers and which applications would be referred to the Planning Committee for consideration. Paragraph 2.3 of the report outlined the process and the reasons by which a planning application would be referred to the Referral Panel. The Chairmen and Vice-Chairmen of the Planning Committees formed the Referral Panel and were furnished with a report and presentation on the applications for their consideration. At the conclusion of each meeting, the Ward Member(s), Town/Parish Council and Applicant(s) were notified of the outcome.

The Planning Manager explained that, from 1 April 2019 to 31 March 2020, a total of 2,291 planning applications had been determined by the Council, with 295 being presented to the Referral Panel because of various comments made by the relevant Town or Parish Council and also County Highways. Ward Member input had triggered only 12 of the applications considered by the Referral Panel. Full details of the 295 applications considered by the Referral Panel were appended to the report. The Referral Panel had referred 36 applications to Committee for determination. In the same period, 39 applications were submitted straight to the Planning Committees giving a total of 75 applications presented to Committee, 43 to the Planning Committee North and 32 to the Planning Committee South.

It was considered that the Referral Panel process had worked well and should continue in its current form, with an annual monitoring report being submitted to the Strategic Planning Committee.

The Assistant Cabinet Member for Planning and Coastal Management advised the Committee that he had regularly attended the Referral Panel meetings as an observer. The consideration of the applications had been undertaken in detail and in his view, the process was not resulting in a cut back on the number of applications

going to Committee; it was a necessary process so as to ensure that decisions were taken in a timely fashion and that 12 or more applications were not considered by Committee every month. He reminded the Committee that all Members were entitled to attend Referral Panel meetings as observers and that Ward Members should consider commenting on applications at the appropriate time during the consultation period.

Concern was expressed over the lack of Councillor involvement and it was suggested that Ward Members should be commenting on all applications in their area. No comment showed some weakness in the system and Ward Members needed to be involved. It was suggested that the trigger for referral should be amended to read contrary to Town/Parish Council “and Ward Member” so that a Ward Member had to comment. It was also proposed that the decision of the Referral Panel should be made known to the Ward Member before the decision was published. Consideration should also be given to not undermining public understanding; the Referral Panel was only advisory. Members should be able to call-in an application if they so wished. Comment was made that Town/Parish Councils did not always understand the participation process and sometimes just said ‘refuse’ with no additional comments being made which would allow the Referral Panel to understand the reasoning.

The Planning Manager explained that the Planning Service had held a number of Town and Parish Forums and undertaken Member Training so the process was well known. It was, therefore, hoped there would be no lack of confidence in the planning system. The process would be reiterated at subsequent training sessions.

The Head of Planning and Coastal Management explained that the opportunity was available for Ward Members to comment. Responses from Ward Members at the consultation stage provided valuable early input and assisted the officers in preparing their reports, as well as supporting the smooth running of the planning system. There was no reason why Ward Members could not attend a Referral Panel meeting, via Skype or Zoom, to observe. He referred to other reports on the Agenda in that performance was good, complaints were few and appeals had been defended; there should be confidence in the planning system and its operation.

The Cabinet Member for Planning and Coastal Management explained that he had been involved with the planning service for a number of years and had found there to be no issues with the service provided.

Note: *Due to a technical issue, the meeting was adjourned at 11.36am and reconvened at 11.44am.*

Having been duly proposed and seconded, a vote was taken on the recommendation and it was

RESOLVED

1. That the content of the report be noted and the Referral Panel process be maintained in its current form.

2. That the officers be requested to provide the Strategic Planning Committee with a yearly report on the Referral Panel.

Note: *The meeting was adjourned at 11.49am for a comfort break and reconvened at 11.55am.*

6 Enforcement Performance Report - January to March 2020

The Cabinet Member for Planning and Coastal Management introduced report ES/0388 which provided information on the performance of the Enforcement Section from January to March 2020. He made reference to the fact that four enforcement notices had been served during that period, three of which were on the same site.

The Planning Manager advised that the statistics were self-explanatory, with 106 cases having been received and 93 closed. Although the vast majority were found to have no actual planning breach, the cases had taken a significant amount of officer time.

The Ward Member for the case at Weston had received a communication from a family member and requested the officers liaise with him before any further action was taken.

There being no further discussion, it was

RESOLVED

That the report concerning the Enforcement Team statistics be received and noted.

Note: *Due to technical issues, Councillor Ceresa left the meeting at 12.07pm and re-joined at 12.09pm.*

7 Development Management Performance Report

The Cabinet Member for Planning and Coastal Management explained that report ES/0389 provided an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications. The report showed that performance continued at a high level and that decisions were made in a timely fashion. He expressed thanks to all concerned and also to the Planning Support Team for their work behind the scenes.

The Planning Manager explained that the service was monitored by the Government on the 8 week and 13 week decision timescales. She drew particular attention to paragraph 2.5 in the report which showed that all targets, bar one, had been met. In response to a question relating to staffing levels, the Planning Manager explained that the team was short by two members and the structure was currently under review.

Members expressed their thanks for the good performance and it was

RESOLVED

That the content of the report relating to Development Management Performance be received and noted.

8 Planning Appeals

The Cabinet Member for Planning and Coastal Management advised that report ES/0390 provided an update on all appeal decisions received from the Planning Inspectorate between 22 February and 12 May 2020. In his opinion, there were no disturbing trends and the Planning Inspector had upheld all decisions bar one. That appeal had been allowed; a learning process to consider and take forward.

The Planning Manager advised that there were no areas of concern and there was, therefore, confidence that applications were looked at diligently. On some appeal decisions that were overturned, it was considered that the Inspector had just reached a different conclusion to officers on those cases.

Members expressed thanks to the officers for their diligent work and there being no further discussion, it was

RESOLVED

That the content of the report relating to Planning Appeals be noted.

9 A Review of Compliments, Comments and Complaints received in The Planning Service between April 2019 to March 2020

The Cabinet Member for Planning and Coastal Management introduced report ES/0391 which provided a review of the compliments, comments and complaints received in the Planning Service during the first year of East Suffolk Council. It was pleasing to note that out of 60 Stage 1 complaints only three were found to be justified. Out of six Ombudsman cases, at the present time only one had been upheld.

The Head of Planning and Coastal Management referred to the content of the report and the three stage process that was in place for complaints. He highlighted the fact that eight formal compliments had been received recognising the good service provided by the Teams and individual officers. He stressed the importance of being consistent in undertaking processes and the scrutiny of the Council's planning service was, and would continue to be, high profile.

The Head of Planning and Coastal Management drew members attention to paragraph 30 in the Appendix to the report and the specific detail emphasised by the Ombudsman in assessing his conclusions of the case. Going forward, it was recognised that any actions taken by the Council were open to scrutiny.

RESOLVED

That the content of the report relating to the Compliments, Comments and Complaints received by the Planning Service be received and noted.

10 Planning Policy and Delivery Update

The Committee received report ES/0392 which provided an update on the emerging Local Plan for the former Suffolk Coastal area, progress on Neighbourhood Plans and key elements of the current work programme. The Cabinet Member for Planning and Coastal Management introduced the report and gave a brief outline of the content before inviting the Planning Policy and Delivery Manager to go through the detail.

With regard to the Suffolk Coastal Local Plan, the Planning Policy and Delivery Manager advised that the Local Plan Examination was now at an advanced stage and the Main Modifications were currently out for consultation. Although the Inspector would not be commenting on them, an Addendum to the Sustainability Appraisal Report and updated Habitat Regulations Assessment of the modifications had also been published for comment. So that no one was disadvantaged, the consultation period had been extended to 10 weeks ending on 10 July 2020 and hard copies were being provided to those who could not access them on-line. At the end of the consultation period, the Inspector would consider the feedback and then, all being well, finalise his Report. Based on current timings, it was anticipated that the Plan would be presented to Full Council in September 2020 for adoption.

The Planning Policy and Delivery Manager advised that a significant number of Neighbourhood Plans were being progressed and supported across the District. Nine Plans had been adopted, three were under examination and a further 21 in preparation.

The Planning Policy and Delivery Manager also drew attention to paragraph 4 in the report which gave details of the other key work being undertaken by her Team, some of which were major projects and project milestones that were kept under constant review.

Members expressed thanks to the Planning Policy and Delivery Team for their continued hard work under challenging circumstances. It was noted that there would be up to date Local Plan coverage for the whole District before the end of the year.

RESOLVED

That the content of the Planning Policy and Delivery Update report be noted and endorsed.

11 Strategic Planning Committee's Forward Work Programme

The Committee noted its Work Programme as circulated and comments were invited.

It was proposed by Councillor Cooper, seconded by Councillor Ritchie, that a report looking at the structure and process of the Referral Panel should come back to Committee to address any issues that had been previously raised.

The Head of Planning and Coastal Management undertook to have discussions with the Referral Panel and present a report to the September meeting of this Committee.

RESOLVED

That the Work Programme be noted and updated accordingly.

The meeting concluded at 12.30pm

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Chairman