

**Unconfirmed**



Minutes of a Meeting of the **Strategic Planning Committee** held in the Deben Conference Room, East Suffolk House, Melton, on **Monday, 7 March 2022 at 10.30am**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor David Beavan, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Tom Daly, Councillor Mike Deacon, Councillor Andree Gee, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Malcolm Pitchers, Councillor David Ritchie, Councillor Craig Rivett, Councillor Kay Yule

**Other Members present:**

Councillor Peter Byatt, Councillor Rachel Smith-Lyte

**Officers present:**

Emily Bowman (Senior Building Control Surveyor), Cate Buck (Senior Enforcement Officer), Sarah Carter (Democratic Services Officer), Naomi Gould (Principal Energy Projects Officer), Mark Harvey (Building Control Partnership Manager), Matt Makin (Democratic Services Officer), Bethany Rance (Graduate Town Planner - Energy Projects Planning Officer), Desi Reed (Planning Manager (Policy, Delivery & Specialist Services)), Katherine Scott (Principal Planner), Ben Woolnough (Planning Manager (Development Management))

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**1 Apologies for Absence and Substitutions**

Apologies were received from Councillors Norman Brooks and Jenny Ceresa.

**2 Declarations of Interest**

No declarations of interest were made.

**3 Minutes**

On the proposition of Councillor Hedgley, seconded by Councillor Cooper it was by a unanimous vote

**RESOLVED**

That the minutes of the meeting held on 13 December 2021 be agreed as a correct record and signed by the Chairman.

**4 Energy Projects Update**

The Committee received a presentation from Councillor Craig Rivett, Deputy Leader and Cabinet Member with responsibility for Economic Development.

Councillor Rivett outlined the status of the current Nationally Significant Infrastructure Projects (NSIPs) in East Suffolk, noting that the decision on the Development Consent Order (DCO) for Sizewell C had been delayed to 25 May 2022.

Councillor Rivett provided an update on a site visit that was undertaken to the Viking Link Interconnector (currently under construction) at Bicker Fen, Lincolnshire, on 9 February 2022 and an update on the Offshore Transmission Network Review including contact with the Minister for Business, Energy, and Industrial Strategy.

There being no questions to Councillor Rivett, the Chairman thanked him for his presentation.

## **5 Member Training on Planning**

The Committee received report **ES/1059** of Councillor David Ritchie, the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on training provided to Members on Planning matters.

Councillor Ritchie introduced the report and considered that it had provided an opportunity to review the Planning training received by Elected Members and identify any further training that was required.

Councillor Ritchie noted that in addition to the importance that all members of the Council's planning committees had up to date training, it was important for all members of the Council to receive Planning training to help them understand Planning issues within their own Wards. Councillor Ritchie invited the Planning Manager (Development Management) to comment on the report.

The Planning Manager said it was important that Elected Members remained up to date on Planning policy and legislation, including on any changes. The Planning Manager explained that over the course of the pandemic officers internal learning had been a positive experience and that "Lunch and Learn" sessions had allowed for training across different services to be delivered. The Planning Manager said that the resources developed could be extended to Elected Members for their own benefit.

The Planning Manager advised that prior to the pandemic it had been the intention to organise a tour of the district for Members to allow them to see a range of sites across East Suffolk. The Planning Manager said that a similar tour was put on for officers when East Suffolk Council was created in 2019 and that it remained an ambition to replicate this experience for Members.

The Chairman invited questions to Councillor Ritchie and the officers.

Councillor Ashdown suggested that a Rights of Way training session was required for members of the planning committees and noted that a new Rights of Way Officer was joining the Council. Councillor Ashdown asked if such a session could be undertaken

following the conclusion of a committee meeting. The Planning Manager agreed that this was a good suggestion, especially as Rights of Way issues can arise at meetings of the planning committees.

Councillor Blundell asked if training was available on permitted development rights and validations, highlighting a recent example where he had been involved in a conversation on such matters and had not been clear on the issue. The Planning Manager confirmed this topic could be covered. The Chairman suggested that regular training sessions on different topics could be held after each committee meeting.

Councillor Bird sought an up-to-date list of officers in the Planning service detailing who covered what area; the Planning Manager said that this piece of work was already underway as it was intended to have Planning officers dedicated to each Community Partnership area in the district to strengthen the bonds between planners and communities.

Councillor Daly said that as a Member relatively new to Planning it would be useful to receive training on the national and local drivers for plans to be clear in his mind on what influences committee decisions. The Planning Manager suggested that this topic should be broken down into manageable chunks, such as training on Neighbourhood Plans, to be as beneficial as it could be to Members.

Following further comments from Members on the need for a tour of the district, to familiarise themselves with the whole district, the Planning Manager advised that officers intended to replicate the tour they themselves had undertaken in 2019, starting in the centre of the district and covering a range of sites in the district in one day.

It was suggested that a library of short training videos be created for Members to access as independent learning resources; the Planning Manager considered this could be an efficient way to deliver training and suggested that such a library could be stored for shared access via Microsoft Teams.

There being no further questions and no debate the Chairman sought a proposer and seconder for the recommendation set out in the report.

On the proposition of Councillor Ashdown, seconded by Councillor Hedgley it was by a unanimous vote

## **RESOLVED**

That the contents of the report be noted.

## **6 Building Regulations Changes 2022 - Part L**

The Committee received report **ES/1060** of Councillor David Ritchie, the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on upcoming changes to Building Regulations.

Councillor Ritchie introduced the report and said it was important that the Committee heard more about Building Regulations, which were set nationally and played an important role in Development Management.

Councillor Ritchie invited the Building Control Partnership Manager and Senior Building Control Surveyor to give a presentation to the Committee on the upcoming changes to Building Regulations, particularly relating to Part L. The officers introduced themselves to the Committee and the Building Control Partnership Manager acknowledged that Building Control had not historically been part of Member training and he was looking to change this and encouraged Members to approach his officers if they had any queries.

The Committee received a presentation which covered the following:

- The role of Building Control in Planning
- The Building Control partnership established with Ipswich Borough Council and its governance
- The key points about Building Control;
  - A self-financing team focused on delivering high-level specialist surveying expertise with the service focused on full cost recovery
  - An 80% market share across the districts of East Suffolk and Ipswich
  - One of the only Local Authority teams who are in competition with the private sector (the competition being called Approved Inspectors)
  - Commercially astute but also enforcers of the regulations, ultimately having to be prepared to say no and then encourage the next submission
  - Working closely with many teams, internally and externally, to provide specialist comment and opinion on all aspects of construction
- What Building Regulations are (outlining the government published Approved Documents)
- The upcoming changes to Approved Documents F, L, O and S
- The Part L changes that would be coming into effect
- Other key changes

The Building Control Partnership Manager highlighted in detail the changes to Approved Document L (Part L) of the Building Regulations, relating to the Conservation of Fuel and Power for new dwellings and non-residential buildings. There would be a moratorium on the changes for applications made before 15 June 2022, lasting until 14 June 2023, with each individual plot on multi-plot sites needing to have commenced development prior to the latter date. Any sites not developed before this date would need to be developed in line with the new Building Regulations.

The Committee was advised the commencement would be seen as major groundworks including foundations, drainage and other services and that developers could discuss this with Building Control on a case-by-case basis. It was noted that developers were reaching out to Building Control ahead of the moratorium date of 15 June 2022.

The Building Control Partnership Manager considered that the changes to Part L would provide better control on changes to construction materials and energy efficiency of new builds. The Senior Building Control Surveyor added that these changes were an

interim uplift, having been delayed from 2020 by the COVID-19 pandemic, with further changes coming forward in 2025 as planned.

The Committee was shown images of the current new homes standard, the new homes standard from 2022 and the planned new homes standard which would take effect in 2025. The Building Control Partnership Manager highlighted the Future Homes Standard 2025 roadmap to the Committee, noting that the principal challenge to this would be having the right quality of people in the design sector that can deliver to this new standard.

The Building Control Partnership Manager concluded that Building Control, as part of the Development Management team, plays a key part in the Council's ambitions to achieve sustainable development and a reduction in carbon emissions on the way towards carbon net zero.

The Chairman invited questions to Councillor Ritchie and the officers.

It was confirmed that the presentation slides would be made available to the Committee after the meeting.

At this point in the meeting, Councillor Kay Yule declared a Local Non-Pecuniary Interest in the item as a quote she had signed off on a listed building she owned had been mentioned the Building Control team.

Councillor Yule asked how the changes affected Listed Buildings. The Senior Building Control Surveyor explained there had always been allowances in the Building Regulations for Listed and Heritage Buildings and that such buildings would not be assessed against the targets for a new build property.

Councillor Daly asked if the changes would require solar panels and heat pumps to be used from 2025. The Senior Building Control Surveyor advised that she could not explicitly say that gas and oil would not be accepted but considered that these heating systems would make it difficult for a scheme to pass a SAPS assessment and that systems such as solar and ground/air source heat pumps would be the best way forward. The Building Control Partnership Manager added that his team tried to provide as many options as possible to meet a client's brief and looked to ensure that developers were using the right things, only looking to take enforcement action as a last resort.

In response to a question on Approved Inspectors working within statutory compliance rules, the Building Control Partnership Manager said he could not comment on individual practices but noted that his work at a regional level had provided examples of competitors not delivering to his team's standards. The Building Control Partnership Manager highlighted that there was good and bad practice from both local authorities and Approved Inspectors.

The Building Control Partnership Manager noted that regulation changes relating to gas-fired boilers would relate to new builds rather than replacement boilers.

Councillor Ashdown praised the presentation and asked what the impact of the changes on already consented sites in the district not beginning development until after June 2023 would be, adding that it would be beneficial for Ward Members to accompany Building Control officers on site visits in their Wards.

The Building Control Partnership Manager said he would be happy to offer Members time on sites with his officers to observe what they do; he stated that his team would be working as hard as possible with major developers in the district to obtain their business to provide Building Control services. The Building Control Partnership Manager considered that his team had a good reputation in the area and was taking a large share of the developments in the district.

There being no further questions or debate the Chairman sought a proposer and seconder for the recommendation set out in the report.

On the proposition of Councillor Ashdown, seconded by Councillor Rivett it was by a unanimous vote

### **RESOLVED**

That the overview of the building control service provided by the Council and the proposed changes coming into effect in June 2022 be noted.

## **7 Enforcement Performance Report - October to December 2021**

The Committee received report **ES/1062** of Councillor David Ritchie, the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the performance of the Council's Planning Enforcement section between October and December 2021.

Councillor Ritchie introduced the report and noted that there had been more enforcement cases closed than opened in the period it covered. Councillor Ritchie highlighted that the Senior Enforcement Officer was present, who was happy to answer questions from Members.

The Chairman invited questions to Councillor Ritchie and the officers.

Councillor Ashdown asked about a piece of work that had been started by the Council's former Planning Manager (Development Management) regarding residency on caravan sites; the Senior Enforcement Officer said she had not been involved with this piece of work and would liaise with the current Planning Manager to take it forward.

The Planning Manager noted this piece of work had begun at the start of the COVID-19 pandemic in response to concerns about the lockdown resulting in permanent residence on caravan sites and said that this issue had not materialised. The Planning Manager highlighted that relevant appeals decisions received would influence how these sites would be conditioned in the future and that work would be completed to review the outcomes from these appeal decisions.

Councillor Hedgley gave a special thanks to Dominic Starkey, Assistant Enforcement Officer, for his work on enforcement issues in his Ward.

There being no further questions or debate the Chairman sought a proposer and seconder for the recommendation set out in the report.

On the proposition of Councillor Deacon, seconded by Councillor Newton it was by a unanimous vote

## **RESOLVED**

That the contents of the report be noted.

### **8 Planning Performance Report - October to December 2021**

The Committee received report **ES/1063** of Councillor David Ritchie, the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the performance of the Council's Development Management service between October and December 2021.

Councillor Ritchie introduced the report and acknowledged that there had been a dip in performance over the period measured in the report; he highlighted that the Development Management team had undertaken a significant piece of work to conclude older applications and determining applications already out of time had skewed the performance statistics. Councillor Ritchie was confident that there would be a significant improvement in performance by the time of the next review.

Councillor Ritchie invited the Planning Manager (Development Management) to comment on the report. The Planning Manager outlined the continued improvements being made in the Development Management team and praised the Principal and Senior Planners who had taken on additional responsibility for signing off applications, which had led to clearing a large backlog of applications in recent weeks.

The Chairman invited questions to Councillor Ritchie and the officers.

Councillor Ashdown congratulated the Development Management team for its hard work, particularly on major applications. The Planning Manager, in response to a question from Councillor Beavan, confirmed the differences between major and minor planning applications.

Councillor Daly asked if there were any qualitative measurements of performance. The Planning Manager explained that the report measured performance quantitatively based on determining planning applications in timescale and acknowledged that this did not always measure the quality of the service provided, as in some cases more time was needed on an application to achieve a more quality outcome. The Planning Manager said that an example of this would be agreeing an extension of time to ensure the best possible outcome.

The Planning Manager advised that the appeals performance report provided a degree of qualitative measurement as it demonstrated how the Council was determining applications in accordance with local and national planning policies.

Councillor Daly asked how public satisfaction in the planning system was measured. The Planning Manager replied that the Authority Monitoring Report, produced on an annual basis and presented to the Committee, looked at the level of policy consistency and decision-making in relation to policies; he added that customer satisfaction was, to an extent, measured through the Council's complaints and comments process.

The Planning Manager outlined that approximately 6,000 planning applications had been received in the last year, so it was not possible to fully gauge customer satisfaction but noted that the Council engaged with planning agents and developers in a range of different ways.

There being no further questions or debate the Chairman sought a proposer and seconder for the recommendation set out in the report.

On the proposition of Councillor Pitchers, seconded by Councillor Coulam it was by a unanimous vote

#### **RESOLVED**

That the content of the report be noted.

### **9 Appeals Performance Report - 24 November 2021 - 13 February 2022**

The Committee received report **ES/1061** of Councillor David Ritchie, the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the quality and quantity of appeal decisions received from the Planning Inspectorate, following refusal of planning permission by East Suffolk Council, between 24 November 2021 and 13 February 2022.

Councillor Ritchie introduced the report and noted that the decisions received in the period covered by the report were more complex than usual and he recommended that Members review the decisions appended to the report in detail. Councillor Ritchie considered that the appeal decisions received were mostly satisfactory and stressed the importance that the Council's planning committees have valid material reasons for deferring or refusing applications.

Councillor Ritchie noted the parallel applications for a major development in Grundisburgh and that one had been appealed on non-determination and approved by the Planning Inspector; Councillor Ritchie considered that this demonstrated that the Planning Committee South's decision to approve the other, identical application had been the correct one.

Councillor Ritchie highlighted that several of the appeal decisions related to policies on clusters and development in the countryside and that the mixed nature of these



decisions highlighted that more clarity on these matters were needed; work on a Supplementary Planning Document for these matters was taking place.

The Chairman invited questions to Councillor Ritchie and the officers.

Councillor Cooper noted contradictory wording in one of the appeal decisions and asked if this was something Members should be more aware of. The Planning Manager (Development Management) acknowledged this related to the implication of a non-residential dwelling being allocated as an Asset of Community Value and the interpretation of relevant policies. The Planning Manager assured the Committee that officers would look at this decision in detail to see what could be learned from it. Councillor Cooper noted there was also often discrepancies between Planning Inspectors in their decisions on similar matters.

There being no further questions or debate the Chairman sought a proposer and seconder for the recommendation set out in the report.

On the proposition of Councillor Cooper, seconded by Councillor Gee it was by a unanimous vote

#### **RESOLVED**

That the content of the report be noted.

### **10 Planning Policy and Delivery Update**

The Committee received report **ES/1064** of Councillor David Ritchie, the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on key elements of the Planning Policy and Delivery team's current work programme, including preparing Supplementary Planning Documents (SPDs), strategies on specific topics such as cycling and walking, the delivery of infrastructure to support growth through the Community Infrastructure Levy (CIL), Neighbourhood Plans and housing delivery.

Councillor Ritchie introduced the report and highlighted the busy programme of work being undertaken by the team including the development of SPDs to clarify policies related to clusters and development in the countryside. The Committee was also advised that the Sustainable Construction SPD had reached its final stage and that work continued on the Cycling and Walking Strategy, the latter of which had received a high consultation response.

The Committee was advised that the Southwold Neighbourhood Plan had been made at the meeting of the Full Council on 23 February 2022 and now formed part of the Council's development plan. Councillor Ritchie explained that the Council's specialist planning services were now part of the Planning Policy and Delivery team and thanked the team for its work ethic and commitment.

Councillor Ritchie invited the Planning Manager (Policy, Delivery & Specialist Services) to comment on the report. The Planning Manager drew Members' attention to paragraph 3.14 of the report relating to the government's proposed changes to the

planning system; she highlighted that it appeared the government would be providing a further update in Spring 2022 and that there had been significant speculation in the national press that the changes will be less radical than those set out in the original consultation and would link more with the government's Levelling Up agenda rather than be made through a specific piece of planning legislation.

The Planning Manager added that notwithstanding this there was a clear message from the government that there will be a greater digitisation of planning and a further step change in this regard was to be expected.

The Chairman invited questions to Councillor Ritchie and the officers.

Councillor Daly asked if the Council monitored performances relative to Neighbourhood Plans in terms of decision making. Councillor Ritchie said that decisions were made in relation to the relevant local plan and neighbourhood plan policies set out in the development plan documents, and if applications departed from these policies there needed to be a demonstrable reason to do so.

Councillor Ritchie highlighted the example of two applications in Reydon, one major and one minor, where the Reydon Neighbourhood Plan includes a principal residence clause for new development. In both cases, the Planning Committee North had determined the applications and for the latter application had decided that it was not appropriate to apply this clause to such a small development. Councillor Ritchie noted that development plan documents were not law and exceptions could be made.

In response to a follow up question from Councillor Daly, the Planning Manager confirmed that the delivery of targets in Neighbourhood Plans was monitored through the Authority Monitoring Report.

There being no further questions or debate the Chairman sought a proposer and seconder for the recommendation set out in the report.

On the proposition of Councillor Yule, seconded by Councillor Bird it was by a unanimous vote

#### **RESOLVED**

That the content of the report be noted.

### **11 Strategic Planning Committee's Forward Work Programme for 2022/2023**

The Committee considered its Forward Work Programme.

Councillor Cooper suggested there could be a regular update to the Committee on changes to government policy. The Planning Manager noted that these updates were made to the Local Plan Working Group.

The meeting concluded at 11.53am

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Chairman