



Association of Directors of
Environment, Economy, Planning & Transport

Meeting Notes of the Planning Sub-Group

24th October 2023, 11am

Held on Microsoft Teams

Present

Paul Barnard (Chair), Sarah McLaughlin, Margaret Baddeley, Georgina Bright, Hannah Bartram, Kylie Russell, Matthew Jericho, Stacey Wylie, Alison Ives, Ashley Baldwin, Xavier Preston, Jo Wall, Adam Birchall, Pam Neal, Laura McCulloch, Rob Westcott, Mark Worringham, William Burgon, David Gale, Jonathan Smith

Apologies

Colin Haigh, Tom Marchant, Joe Jenkinson, Samantha Campbell, Helen Leach, Ian Achurch, Louise Wood, Sally Gill, James Crosbie, Rob Harbour, Anna Rose, Jan Feeney, Lucy Hargreaves, Caroline Sutton, Rob Murfin, Barry Wyatt, James Chadwick, Katie Hornsey, Rachel Jones, Rachael Ferry-Jones, Mike Garrity

Item	Notes	Actions
1	Welcome and introductions Apologies are as stated above. Welcome given to William Burgon, new Director of DLUHC	
2	Welcome and questions to William Burgon (Director DLUHC) Talk from William Burgon (Director DLUHC) William Burgon (WB) is keen to be engaging with Planning colleagues within the Councils. WB intends to join the ADEPT forum where possible. WB pointed out that he has been in post 3 months. Looking ahead to a future government and the focus on housing delivery. LURB is progressing (slowly) to completion. Just two issues to resolve in the commons. Should be ready for Royal Ascent next week (W/C 30 th October 2023). DLUHC to publish some communication in layman's terms on key parts of the LURB. NPPF update. Internally questioning how DLUHC tackle responses (26,000 received). WB noted that even if some changes are seen to be useful, if they are confusing, this would add in more uncertainty. NPPF update hoped to follow and is expected mid-late November 2023.	

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	<p>WB stated that given the current state of housing need and the wider market, it is important that LPAs show flexibility on developments that are in danger of stalling. WB noted that DLUHC have sent out email communication on this topic to LPAs.</p> <p>Headline NPPF update takeaway is that developers and LPAs ought to be pragmatic on housing delivery.</p> <p>WB noted that the Local Plans and PDRs consultations are now closed.</p> <p>Nutrient neutrality was discussed and WB mentioned that DLUHC would like to fix the issues around this topic. The changes relating to residential development and nutrient neutrality were taken to the Lords, however fell through. DLUHC are now looking to bring forward a full bill of legislative changes. WB was unable to confirm this however ahead of Kings speech. Due to the legislative changes not being successful, DLUHC acknowledge they have created an uncertainty that wasn't previously there.</p> <p>Paul B – questions to WB on the LURB; Remote meetings -to go back to Commons 24/10/23. Climate change – Lords were pushing for new wording (Will Burgon to come back to this point at a later date)</p> <p>Paul B - Question on decentralising planning fees – DLUHC are exploring the advantages and disadvantages to introducing flexibility in planning fees. DLUHC are interested on receiving colleague's views. The changes that were proposed to this matter were defeated however in parliament 23/10/23.</p> <p>Paul B – strategic debate on resourcing the 'new planning system'.</p> <p>Hannah B – If housing is not to blame for Nutrient neutrality then how are DLUHC working with Defra to address other sources of pollution? WB - Agriculture is principle driver of the pollution, however Government do not wish to add to additional burden to agriculture industry. They are looking at 'carrot' rather than 'stick' options to not add burdens but address this issue.</p> <p>Jo Wall – Resourcing of NSIPs in planning authorities – Planning authorities receive no planning fees and the DCO focusses just on discharge of conditions which is a large amount of work. WB responded that NSIPs don't sit with him and he will take the question away to Cathy to respond.</p> <p>Large scale solar PV – what has gov stated about food security? WB doesn't think DLUHC will take legislative action in next 12 months – WB will also take that away.</p> <p>Adam B – Asked a question on updating Local Plans after 5 years – Will B – Local plans won't wholesale go out of date at 5 years however a review at 5 years will be a more concrete requirement and 5YLS change will be tied to how up to date policies are. Wording will be included in the supporting text to NPPF.</p>	

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	<p>Sarah McLaughlin – are there any updates to the Infrastructure Levy? Will B – Consultation views were wide ranging. Ministers settling now and DLUHC hopeful for update on IL by end of year. Testing is still to be done on where IL may or may not work and how IL may work on different sites such as brownfield vs greenfield.</p>	
<p>3</p> <p>Jo Wall - Energy Generation Issues and interface with Local Authorities</p>	<p>Working on a large scale NSIP solar application. Jo has found that these large scale solar applications tend to be clustered and asked other Local Authorities to see how they are coping with large scale NSIPs – Jo here to listen to ADEPT views.</p> <p>Jo noted that the wind industry offers long standing community benefit protocol since 2011 whereas other forms of large scale energy generation NSIPs do not have the same protocols so benefits can be less.</p> <p>Jo Wall posed the question – Do we think that there is the data out there on which contributions we should be requesting, and are we getting the right support from PAS or other organisations?</p> <p>Jo mentioned PAS provides some support but that planners however suggest this needs improvement.</p> <p>Alison Ives – Had application for battery storage – took large resource (months of principal planning officer and solicitor). As LPA – do not have resource for these unique/new applications which required employing a specialist. Paul B – what type of specialist did you procure and how did you know who to procure? Alison had difficulty sourcing specialist due to applicant using the specialist also. LPA had to pay for specialist assistance. Paul B mentioned that PAS are helping but have very limited resources.</p> <p>What should we be asking to secure regarding resourcing?</p> <p>Ashley Baldwin – Opened stating that there are no NSIPs in Herts. NSIPs move quickly however so need to get instructions in quick and can put pressure on resources. Ashley sought to seek advice in managing member expectations with the DCO process – is there some documentation we can point to?</p> <p>Matthew Jericho – ECC – Essex has the most NSIPs in country. Matthew stated that using PPAs has been very successful to fund new positions. Policy/protocol prepared on the expectations are of the council. There is an example of an NSIP which funded £4+m of training skills. NSIP manager at ECC could provide more info</p> <p>Jo wall – It is definitely useful to know what to ask for on NSIPs</p> <p>Jonathan Smith – Nottinghamshire – Information sharing will be very appreciated as anticipating upcoming NSIP applications.</p>	

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	<p>Jo Wall – Business rates on energy generation are small and also paid on where they are connected rather than generated.</p> <p>Paul B – Are authorities seeking to secure community contributions through s106?</p> <p>Jo Wall – difficult to secure but the wind industry pay £5,000 index linked per MW installed for life of scheme to the community which can be very significant. Other types of infra don't have such clear guidelines. Typically secured via unilateral undertakings.</p> <p>Adam Birchall – some small parishes receiving significant contributions via windfalls which they don't have the capacity to spend sustained volumes of money. Some guidance for parishes would also be useful.</p> <p>Jo happy to come back to a future ADEPT meeting if/once we get traction on the community infrastructure/benefit work.</p>	
<p>4</p> <p>Feedback on meetings</p>	<p>Meeting on 25th August with Paul Morrison– CEO of PINS Paul B with updates – Note – some of these comments are confidential.</p> <p>Timeframes are uncertain for planning reforms. PINS are not doing any preparatory work for planning reforms until the LURB is settled. NSIP reforms described as 'project speed'. Looking to speed up the system.</p> <p>PINS resetting their 5 year strategy which is likely to be a 3 year strategy however. Recognition of backlog of appeals and need to improve PINS performance. Looking into potential of a form of local mediation service as opposed to everything going to appeal.</p> <p>PINS have three new non-executive directors. Recognition that PINS need to modernise.</p> <p>Strong desire to engage the Local government sector from PINS and they wish to continue the dialogue.</p> <p>Meeting on 8th September with Richard Schofield – Chief planning inspector Paul B with updates</p> <p>PINS keen to develop planning officers LGA. Drafting terms of reference in which PINS could engage with the LGA and ADEPT. PINS offer different conclusions currently on the climate emergency depending on inspector. Some inspectors are referencing Local Plans/NPPF policies whilst other inspectors are referencing the ministerial statement giving differing conclusions. Paul stated it would be helpful if Government clarified their position.</p>	

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	<p>Paul B – what is point of the 3 gateways if they don't de-risk the Local Plan? Paul added that having different inspectors at each gateway is a recipe for chaos. PINS claimed this is a resourcing issue however understood that the purpose of PINS is to give clear guidance.</p> <p>Richard S didn't think that 30 months was realistic for Local Plan delivery. The 30 months will be a policy requirement not a regulatory requirement. Paul added that this statement likely means there are no consequences of going beyond 30 months.</p> <p>Richard stated that they are looking at ways to manage the volume of appeals that are being lodged.</p> <p>Planning appeal training – Richard confirmed that PINS are open to training.</p> <p>21st September - Planning Summit Paul B stated that the main purpose is to work together across many organisations and planning bodies to address the challenges around recruitment.</p> <p>Hannah B – Recognition that the planning workforce is depleted. Summit brought together all planning bodies.</p> <p>Paul B – In summary the event is a cross planning attempt to grapple with the issues around recruitment and sharing learnings, offering support, looking at branding and the mechanics of operating environment.</p> <p>Planning Reform group meeting Sarah McLaughlin <u>Planning skills delivery fund</u> There have been roughly 250 applications received and they are looking to offload £13.65m this year to local authorities. Concern from authorities on timing of release of funding given we would need to spend it within this financial year. The second wave of skills funding will be in the next financial year (2024/25).</p> <p><u>Super squad of planners</u> Cambridge are the pilot authority. Squad of planners who will move around country depending on need.</p> <p><u>Local authority planning survey</u> Likely to be an annual survey. Conversation on how they present the information due to some regions having low response rates. Conversation on possible north, midland, south split to address lack of response in some areas. Sarah interested in what the effect on hybrid/remote working is on northern authorities? Will there be a pattern emerging of planners relocating across the country?</p>	

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	<p>The report is not yet drafted. Paul B added that they will try to get the report presented within an ADEPT meeting.</p>	
<p>5</p> <p>Updates from Hannah B</p>	<p>Manifesto for Stronger Places – 9 specific asks with 3 specific asks under housing and growth. Link below with all the information. Manifesto for Stronger Places ADEPT (adeptnet.org.uk)</p> <p>National order office has been asked to do a value for money study on the statutory duty on BNG.</p> <p>Home to school travel demand is affecting budgets – work with ADCS and will be publishing a set of policy asks on this.</p> <p>ADEPT has now responded to the consultation on Local Plans.</p> <p>Notification of the ADEPT conference in Nottingham on the 16th/17th November.</p> <p>Adept leadership programme expressions of interest being accepted now. There are two cohorts for next year which have been announced.</p> <p>Sarah M raised COLAS workforce issues. Hannah B states that work has been commissioned a campaign targeted at 16-25 year olds. Hannah is looking to source funding to run a pilot for this campaign.</p> <p>Kylie Russell states that they have around 10 case studies on staff retention – live work – please do send in other examples.</p> <p>Paul B mentioned that he was able to reinstate the payment of professional fees in his team with support of HR. This was well received by staff. There was a discussion on professional fees and invite for all to comment on their current status and equally share information where they have been successful in reinstating professional fees payment.</p> <p>Paul B – plea to all to flag possible attendees for future meetings.</p>	<p>All</p> <p>All</p> <p>All</p>
<p>6</p> <p>Date of next meeting</p>	<p>28th November 2023 at 11am (MS Teams)</p>	