

REGENERATION SCRUTINY PANEL

A meeting of the Regeneration Scrutiny Panel was held on Wednesday 6 December 2023.

PRESENT: Councillors I Blades (Chair), N Hussain (Vice-Chair), L Hurst, D Jackson, J Kabuye and I Morrish

PRESENT BY INVITATION: R Blyth, Head of Policy Practice and Research, Royal Town Planning Institute
Annabelle and Phoebe, Young Planners

OFFICERS: S Lightwing, A Glossop and P Clarke

APOLOGIES FOR ABSENCE: were submitted on behalf of Councillors J Ewan, S Hill and J Ryles

23/29 **WELCOME AND EVACUATION PROCEDURE**

The Chair welcomed all present to meeting and read out the Building Evacuation Procedure.

23/30 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

23/31 **MINUTES - REGENERATION SCRUTINY PANEL - 1 NOVEMBER 2023**

The minutes of the Regeneration Scrutiny Panel meeting held on 1 November 2023 were submitted and approved as a correct record.

23/32 **PLANNING CAPACITY - SCRUTINY REVIEW**

Richard Blyth, Head of Policy Practice and Research at the Royal Town Planning Institute (RTPI) attended the meeting virtually and gave a presentation in relation to the Levelling-Up and Regeneration Act 2023 to assist the Panel with the current scrutiny investigation into Planning Capacity. Information was also provided in relation to the National Planning Policy Framework (NPPF) and Local Plan-making.

The Levelling-Up and Regeneration Bill

The Levelling-Up and Regeneration Bill was published in May 2022 and received Royal Assent in October 2023. Whilst a number of amendments were proposed during the Bill's journey through Parliament, very few were conceded.

In addition to the impact of this new Act, it was highlighted that the Environment Act 2021 had also brought challenges to the planning system through the introduction of biodiversity net gain, which would be active from next month.

The Panel's attention was drawn to the following elements of the Levelling-Up and Regeneration Act 2023:

- The Act brought in a requirement to prepare Environmental Outcomes Reports (EORs) which would replace the existing Strategic Impact Assessments (SIAs) and Environmental Impact Assessments (EIAs) and would be more streamlined. Environmental Assessments were currently quite broad and could include issues such as social and economic impact. However the EORs would be limited to environmental outcomes set by government ministers. This would be quite a change for planning applications and local plans.
- The Community Infrastructure Levy (CIL) and much of the Section 106 payments system would be replaced with a new national infrastructure levy. Where and how infrastructure spending was allocated would be determined by local infrastructure delivery strategies.
- New Street Vote powers, would allow residents on a street to bring forward proposals to extend or redevelop their properties in line with their design preferences. So long as

development rules and other statutory requirements were met, a referendum of residents would then be held to determine whether planning permission should be granted.

- National Development Management Policies (NDMPs) would be introduced which would, in future, have priority over Local Plans.
- There were proposals for two tier Council areas in England to co-operate more in planning terms which would be useful for the development of Local Plans.

On behalf of the UK planners, the RPTI had proposed an amendment to the Bill to bring in legislation that would allow Planning Committees to be held virtually. The temporary measure introduced during the Covid-19 Pandemic had been useful and enabled a greater variety of people to be involved in planning. Unfortunately the amendment had not been enacted.

The RPTI also wanted to strengthen the provision for climate action in the Bill and had supported a campaign to make it legally binding to build healthy homes.

National Planning Policy Framework (NPPF)

The Government had also proposed changes to the National Planning Policy Framework (NPPF). The NPPF was a statement of policy rather than legislation. Proposed changes included:

- Local housing targets would become advisory and the need for Local Authorities to continually demonstrate a deliverable five year housing land supply would be removed.
- A greater emphasis on the need for social housing and housing for older people in planning decisions.
- Controversially, if a developer failed to build on planning permissions that they had, the planning authority would be able to use that factor as a material decision for future planning applications.
- Increased support for beauty in planning applications.
- Support for re-using wind turbines – ie replacing worn out blades without having to apply for planning permission again
- Appropriate incentives for communities to encourage them to agree to on-shore solar farms.

The consultation had closed at the beginning of March 2023 and the Government response was awaited within the next few weeks.

It was highlighted that where there were NDMPs, the NPPF would not be needed. The suite of national policies would be open to consultation next year.

Local Plans

In August 2023 the Government proposed new ideas to speed up the process for Local Plans. One of the current difficulties with the plan-making consultation was that it placed a great deal of information on process. The proposals did not give any detail about what resources would be brought into local plan making and there were no fees. There would be greater involvement from the Planning Inspectorate to ensure that Local Plans were fit for purpose on submission.

There were concerns from people in the sector around abolishing supplementary planning documents and replacing them with a plan that only related to design issues. As the local plan was replaced with the new style plan, any Supplementary Development Plans (SDPs) would effectively be abolished and replaced.

There was also the question of how to move from the current system of plan making to the new system. Clarification was needed as to at what stage within the local plan series of milestones, any Local Authority would have to turn back and start again under the new

system.

Middlesbrough was currently in the process of renewing its local plan and it was important to press on towards completion to avoid being caught in the transitional process.

The RPTI had commissioned a study to look at reasons for delay to local plans and noted that uncertainty about the Government's intentions was a really strong influence on delayed local plans.

With regard to Combined Authorities, it was apparent that if a Borough's Local Plan already had a housing number to work to, provided by joint working across a wider area, that plan would proceed through the process more quickly because the overall amount of the plan did not have to be discussed in the local plan enquiry.

The plan making consultation had closed recently and it was unknown when the Government would produce a response.

The Chair thanked Richard Blyth for his presentation.

AGREED that the information provided was received and noted.

23/33

MIDDLESBROUGH COUNCIL WEBSITE

The Development Control Manager provided an update on a review of the Council's website content in relation to Planning and Development. A recent review by the Planning Advisory Service (PAS) had highlighted the following areas for improvement:

- Focus on reducing officer time spent on general enquiries and promoting the information available to applicants and the public.
- Planning had a poor web presence, with many enquiries being handled by the technical team and other officers, which could easily be avoided with direction to an accessible website.
- Updates needed to reduce time spent on queries and complaints. This included highlighting the importance of the following sections:
 - The standard of applications required.
 - Local validation list.
 - Protocol for resubmitting invalid applications or amending validated applications.
 - Clearer sign-posting to Planning Portal for advice.
 - Availability of the pre-application service.

The pre-application service had previously been free but charges had been introduced earlier this year. The number of requests for advice had subsequently reduced.

If the information provided on the website was user friendly, applicants would not need to take up officer time and be confident that they had a suitable scheme to submit.

Members were shown several screenshots of the current planning and development web pages which followed the corporate layout. There were 19 elements within the planning policy remit and currently none stood out as having more importance than other, whereas some of the information was secondary.

The PAS had identified some other local authorities' website that they considered best practice examples. Officers had reviewed those websites and was currently working with the Digital Team to create an improve Middlesbrough version. Guidance had been taken in relation to cultural diversity and whether there were any issues with language.

Members viewed some screenshots of other local authorities' websites. The use of images on some of the websites to help promote information was also noted.

The key areas of planning were: Planning Policy, Development Control, Planning Enforcement and Conservation. The aim was to get the website information in a workable format so that

applicants could submit forms online.

It was hoped that the website development would take approximately six months to complete and then the new format would be tested. The Council had previously used a focus group comprising 80 residents to carry out testing. There was a development area on the website that could be used to test on.

A suggestion was made that Councillors could receive training on the new website in order to be able to better assist residents.

The new website would be mobile friendly. It was noted that 85% of users of the Council's website used mobile devices to access it.

With regard to Artificial Intelligence (AI), whilst could be used to provide information, sometimes there were different responses to the same question in planning matters. Further development would be needed to provide Officers with confidence in this technology.

AGREED that the information provided was received and noted.

23/34 **OVERVIEW AND SCRUTINY BOARD UPDATE**

The Chair provided a verbal update on the meeting of the Overview and Scrutiny Board meeting held on 15 November 2023.

The Executive Member for Finance and Governance was in attendance and provided information in relation to the Council's current financial position.

23/35 **DATE AND TIME OF NEXT MEETING**

The next meeting of the Regeneration Scrutiny Panel was scheduled to take place at 10 am on Wednesday 17 January 2024.

23/36 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

None.