

## **Planning Policy Executive Advisory Panel**

At 9:30am on Thursday 24 March 2022

Held in the Council Chamber, Cedar Drive, Thrapston

### **Present:**

#### Members

Councillor David Brackenbury (Chair)

Councillor Mark Dearing

Councillor Barbara Jenney

Councillor David Jenney

Councillor Steven North

#### Officers

George Candler – Executive Director for Place and Economy (virtual attendance)

Rob Harbour – Assistant Director for Growth & Regeneration

Simon Richardson – Interim Planning Policy Lead Manager

Bernice Turner – Senior Planning Officer (Local Plans)

Sue Bateman – Senior Planning Officer

Andra Stopforth – Principal Planning Officer

Richard Palmer – Planning Delivery Manager

Louise Tyers – Senior Democratic Services Officer

#### Also present

Councillor Mike Tebbutt – Assistant Executive Member

### **58 Sir William Powell**

The Chair advised that Sir William Powell, former MP for Corby and East Northants, had sadly passed away. Members and officers paused for a moment of silence in his memory.

### **59 Apologies for non-attendance**

Apologies for non-attendance were received from Councillors Valerie Anslow and Kevin Thurland.

### **60 Members' Declarations of Interest**

The Chair invited those who wished to do so to declare interests in respect of items on the agenda.

No declarations of interest were made.

**61 Minutes of the meeting held on 21 February 2022**

**RESOLVED:**

The minutes of the meeting held on 21 February 2022 were approved as a correct record and signed.

**62 North Northamptonshire Statement of Community Involvement**

The Panel considered a report of the Senior Planning Officer (Local Plans), which outlined the responses received during consultation on the draft Statement of Community Involvement (SCI), including officers' comments to the representations and resulting changes to the document. The Panel was also asked to recommend the revised SCI to the Executive and then full Council for adoption. The report was marked as agenda item 4 on the agenda.

It was a statutory requirement for the Council, as a local planning authority, to have an adopted SCI. Public consultation was undertaken on the draft SCI for six weeks between December 2021 and January 2022 and 49 individual representations had been received from 15 respondents including individuals, community groups, organisations and statutory bodies.

The main proposed amendments to the SCI as a result of the consultation included the following:

- Table 1, which set out the specific and general consultation bodies for engaging at consultation stages for local plans, had been updated to include: town councils, parish meetings, lead local flood authorities, and civic societies.
- Examples of 'hard to reach' groups were included at paragraph 2.16.
- References and hyperlinks to the Council's Consultation Hub and Scheme of Delegation had been added.
- Clarification was provided in paragraph 3.8 that the normal period for consultation on a planning application was 24 calendar days from publication.
- Reference to parish meetings had been included alongside parish and town councils at paragraphs 3.4 and 3.10.
- Clarification had been provided at paragraph 3.20 that the IT limitations preventing publication of all consultee comments related specifically to minerals and waste applications, but that comments could be made available upon request.

During discussion, the following principal points were noted:

- i. In response to a question as to why a hard copy of the document had not been placed in Desborough Library, it was clarified that the libraries listed in the report were those identified as the main libraries in the district. Ward Members were able to request that documents be placed in other libraries if required.
- ii. It was noted that civic societies had now been included as consultation bodies and it was believed that there were such societies in Wellingborough, Kettering and Desborough.

## **RESOLVED:**

- (i) To note the representations received during public consultation on the draft Statement of Community Involvement and officers' response to the representations.
- (ii) To endorse the revised Statement of Community Involvement and recommend its approval to the Executive and that it be forwarded to full Council for adoption.

### **63 Consultation on Biodiversity Net Gain Regulations and Implementation**

The Panel considered a report of the Senior Planning Officer and Principal Planning Officer, which raised awareness of the implications of biodiversity net gain and to enable the Panel to inform a Council response to the consultation on biodiversity net gain regulations and implementation. The report was marked as agenda item 5 on the agenda.

The Department for Environment Food & Rural Affairs (DEFRA) were currently consulting on proposals for how biodiversity net gain would work in practice and feedback from the consultation was intended to shape developing legislation, processes and guidance. The report also set out some of the potential implications for the Council of the introduction of biodiversity net gain.

During discussion, the following principal points were noted:

- i. Whilst supporting the proposals, members did have a number of concerns. The main concerns were around the off-setting proposals, particularly that developers could look to take the approach of buying units just to get planning applications through. The proposal for off-site biodiversity units would not create better local communities and there was a need to avoid a market-based scenario. It was however recognised that the Environment Act had already passed into law and had set the overall framework for biodiversity net gain. That however did not affect other requirements such as the need to reflect the mitigation hierarchy by avoiding or reducing impacts, enhancing and restoring on site and only then creating or enhancing off-site habitats.
- ii. It was noted that the legislation would not be implemented until November 2023. Some concern was expressed that there may be a risk to rely on the legislation when it is not yet in place, but until then the local policy should prevail to secure biodiversity net gain.
- iii. It was confirmed that biodiversity net gain was already sought through Policy 4 in the Joint Core Strategy (JCS), however there was no specific target and no agreed mechanism for measuring the scale of the gain. There was now a metric in place, and we were encouraging developers to use this where appropriate to try and demonstrate and quantify the gain.
- iv. In response to a question as to what size of development would trigger biodiversity net gain and what would the effect be on affordability, officers clarified that most developments would be covered except small scale and householder applications or other specific exemptions following the results of the consultation. It was Natural England's view that the proposals would not

adversely affect viability. The costs of the scheme would be dependent on a number of factors including size, location and the existing habitat on site. The cost of providing this would come first as it was mandatory requirement. The requirement was framed as a pre-commencement condition meaning that the biodiversity gain condition must be agreed and discharged before development can begin. In determining whether to grant permission or approve the biodiversity gain plan, whether the developer had adequately assessed the onsite and offsite options would be a material planning consideration.

- v. It was noted that NNC was a large landowner and could sell biodiversity units. A net gain assessment would be needed of council owned land to enable the creation of a land bank. This would potentially offer a good opportunity to deliver offsets locally where they would be of most benefit to residents. Members stated that small scale developments should be encouraged to deliver trees on streets and widen grass verges.
- vi. Officers were seeking to work with West Northamptonshire Council about how to take this work forward. Developers were also already considering the implications for them.

**RESOLVED:**

- (i) To note the report.
- (ii) That the comments made by the Panel will be considered by the Executive Member for Growth and Regeneration, in consultation with the Executive Director of Place and Economy, in the response to the consultation on biodiversity net gain regulations and implementation.

**64 Executive Forward Plan**

The Executive Forward Plan for March to June 2022 was noted.

**65 Close of Meeting**

The Chair thanked Members and officers for their attendance and closed the meeting.

The meeting closed at 10.35am.

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Chair

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Date