

<b>Local Plan Review - Governance arrangements</b>	
<b>Executive Summary</b>	This report covers the requirement to review the Planning Policy & Built Heritage Working Party 'Terms of Reference' and to agree appropriate governance arrangements for the preparation of the Local Plan review under the new Local Plan making system.
<b>Options considered</b>	<ol style="list-style-type: none"> <li>1) Establish a 'Local Plan &amp; Conservation Task Group'</li> <li>2) Exclude Conservation, Landscape and Design oversight from the proposed new governance arrangements to focus solely on the Local Plan</li> <li>3) Continue with the direct approach of taking all decisions to Cabinet.</li> </ol>
<b>Consultation(s)</b>	Portfolio Holder for Planning & Enforcement
<b>Recommendations</b>	<p><b>That Cabinet agrees to:</b></p> <ol style="list-style-type: none"> <li>1) <b>Replace the current Planning Policy &amp; Built Heritage Working Party with a new Local Plan &amp; Conservation Task Group</b></li> <li>2) <b>Adopt the Local Plan &amp; Conservation Task Group 'Terms of Reference'</b></li> </ol> <p><b>and recommend that Full Council:</b></p> <ol style="list-style-type: none"> <li>1) <b>Approves changes to the overall Committee seat allocations, ensuring that political balance rules are reflected.</b></li> <li>2) <b>Approves any consequential changes to the Constitution arising from the establishment of the new Local Plan &amp; Conservation Task Group</b></li> <li>3) <b>Receives nominations from the Group Leaders to appoint Members and substitutes to the Task Group (in line with recommendation 3 above).</b></li> </ol>
<b>Reasons for recommendations</b>	To recognise the requirements and statutory obligations of the new planning system, as introduced through the 2023 Levelling Up and Regeneration Act and the 2025 Planning and Infrastructure Act, and to provide appropriate governance arrangements for Member engagement and decision making in producing a new Local Plan.
<b>Background papers</b>	<a href="#">Plan-making regulations explainer - GOV.UK</a> This explains the emerging regulations for the new plan-making system.

<b>Wards affected</b>	All
<b>Cabinet member(s)</b>	Cllr Andrew Brown

<b>Contact Officer</b>	David Glason, Assistant Director for Planning david.glason@north-norfolk.gov.uk
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<b>Links to key documents:</b>	
Corporate Plan:	Ensuring the Council maintains an up to date Local Plan which remains a key commitment and component part of the Corporate Plan covering all five themes: Our Greener Future, Developing Our Communities, Meeting Our Housing Need, Investing in Our Local Economy and Infrastructure and A Strong, Responsible & Accountable Council
Medium Term Financial Strategy (MTFS)	Local Plan budget
Council Policies & Strategies	The Local Plan sets the Council's planning and decision-making framework for future development. Adoption of any new Local Plan would replace the current Local Plan (adopted in December 2025) on completion of the prescribed 30 month time period.

<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	None

## **1. Purpose of the report**

- 1.1. The purpose of this report is to seek authority to establish governance and direction for the North Norfolk Local Plan review 2026–2029, and a continuation of an appropriate Member oversight mechanism for Conservation, Design and Landscape matters.

## **2. Introduction & Background**

- 2.1. The Terms of Reference for the current Planning Policy and Built Heritage Working Party (PPBHWP) were established in May 2011 and are as follows:
- To supervise the preparation through to adoption of the Planning Obligations Supplementary Planning Document and Development Briefs and Master Plans for sites identified in the Site-Specific Proposals 'Development Plan Document'.
  - To supervise the preparation and adoption of Conservation Area Appraisals and Management Plans and to consider any other policy-related issues in relation to the Conservation, Design and Landscape service.

- To consider planning policy issues in relation to the Government's Localism agenda, including neighbourhood planning matters, and make appropriate recommendations to Cabinet.
- 2.2. It was recommended that the membership of the Working Party should be politically balanced but should include the Chair of the Development Management Committee and the appropriate Planning and/or Planning Policy Portfolio Holder(s).
- 2.3. Significant changes in the planning system have taken place in the last 15 years since the PPBHP was established including:
- 2026 Local Plan Making Regulations
  - 2025 Planning and Infrastructure Act (P&IA)
  - a new-style Local Plan under the Planning and Compulsory Purchase Act (PCPA) 2004 as modified by the 2023 Levelling Up and Regeneration Act (LURA), which introduced significant changes to the planning system, including statutory deadlines for accelerated plan-making and national development management decision-making policies, and the removal and transition of Supplementary Planning Documents (SPDs) to Supplementary Plans
  - introduction of Spatial Development Strategies (SDS), Environmental Delivery Plans, Local Nature Recovery Strategies and Digital planning and engagement requirements
  - removal of the legal requirements for the Duty to Co-Operate (but not the need for cooperation)
  - various iterations of the National Planning Policy Framework (NPPF) including the new draft NPPF which aligns with the new plan making regulations and introduces plan-making and national decision-making policies as well as the requirements for a more rules-based approach, the need to prioritise growth, and the requirement not to replicate, restate or modify national decision-making policies in Local Plans
  - a new prescribed standard methodology for assessing housing need (December 2024)
  - the requirements to maintain a five-year housing land supply
  - streamlining local standards, prioritisation of brownfield land, higher density development and the promotion of economic development.
  - 2015 Self-Build and Custom Housebuilding and 2016 Housing and Planning Acts (as amended) and associated Regulations, which introduced a legal requirement for local authorities to provide sufficient land supply to meet the need for Custom and Self-Build (CSB) housebuilding (as defined by the CSB Register)
  - Neighbourhood Planning

## Implications of changes to the planning system

- 2.4. The new planning system as introduced through the 2023 LURA and 2025 P&IA, introduces many significant changes, particularly regarding plan-making. These represent the most significant changes to the system for over 20 years and include:
- replacement of the Local Development Scheme with a project plan and up to date timetable (reviewed monthly)
  - removal of the statutory requirement to prepare a Statement of Community Involvement (SCI) in relation to plan-making, although an engagement strategy is required
  - replacement of Supplementary Planning Documents with Supplementary Plans; the latter requiring independent examination
  - use of digital technology in plan-making
  - removal of the requirement to undertake Sustainability Appraisal (although Strategic Environmental Assessment remains)
  - and significantly, the introduction of a 30-month Local Plan (from start to the publishing of the Inspectors report) review timeline through statutory deadlines & milestones for preparing a Local Plan using specific regulated consultations and self-assessments / independent assessments at specific Gateways.
- 2.5. As such, the practical implications of the new, accelerated 30-month timetable for Local Plan preparation and the strict statutory stages with key deadlines / milestones, requires a new governance structure, one that is able to make timely decisions in its own right at key stages and provide informed oversight to the strategic nature and planning context that the Plan is aligned to.
- 2.6. It should be noted that the current PPBHP reports to Cabinet in an advisory role and has no direct decision-making powers. This often means that it can take up to 3 months for a decision to be made. Giving due regard to the decision making and governance requirements and the need to produce the Plan review at pace within mandated periods it is proposed to **replace the current Planning Policy and Built Heritage Working Party with a new Local Plan & Conservation Task Group which will:**
- consist of 7 members
  - be politically balanced
  - be chaired by the Portfolio Holder for Planning and Enforcement, ensuring direct accountability to Cabinet
  - be scheduled to meet on a monthly basis – likely on a Thursday, but to be confirmed by Democratic services. These meetings can then be cancelled if not required
  - have delegated decision-making powers regarding the Local Plan (as set out in the Constitution, Chapter 3, Part 3, s1.1)

- meet in public. As the proposed Task Group will have delegated powers it would be inappropriate for it to meet in closed session except in circumstances under the Local Government Act 1972 when the Council can choose to exclude the public if discussing certain types of sensitive material such as that which may affect personal information, financial viability and matters around site selection.
- report the Minutes and Actions to Cabinet.

### **Conservation, Design and Landscape**

- 2.7 In addition, it is considered that the Task Group oversee and endorse the preparation and adoption of Conservation Area Appraisals and Management Plans and other planning policy related matters pertaining to the built and natural environments e.g. the Norfolk Coast National Landscape Management Plan and Biodiversity Report which relate to the **Conservation, Design and Landscape service (C,D&L)**. This would consolidate such planning policy matters to the one specialist group.
- 2.8 The new governance arrangements are required so that the Council can support officers in efficient and effective plan-making under the new regulations and plan-making system. They are necessary so that the Council can undertake plan-making in accordance with the statutory requirements at key stages of the process and in a timely manner aligned with the required 30-month timeline.
- 2.9 **The proposed Terms of Reference (see Appendix 1) align with key Local Plan decision-making stages and the wider Conservation, Design & Landscape oversight requirement.**

### **Neighbourhood Planning**

- 2.10 In relation to Neighbourhood Planning and the inclusion of oversight and decision making within the proposed Task Group, it is recommended that the current route through Cabinet remains the best mechanism. The endorsement of officer advice or formal comments against the basic conditions tests and alignment to national policy at earlier key stages is officer driven and inclusion of oversight would not fit into effective use of resources during the usually tight six-week consultation window. Especially when coupled with the extremely tight plan-making timetable. Consequently, additional Member oversight over and above the present arrangements is not considered necessary. A continuation of the current approach is recommended.

## **3. Proposals and Options Considered**

### **Option 1**

- 3.1 Replace the current Planning Policy & Built Heritage Working Party with a new Local Plan & Conservation Task Group – The preferred option.

### **Option 2**

- 3.2 That the work of the Conservation, Design and Landscape team on Conservation Area Appraisals and appropriate Management Plans be

excluded from the new Local Plan & Conservation Task Group with reports instead being directed to Cabinet.

- 3.3 This approach is not recommended as it would potentially create a two-tier system across the wider Department and reduce continuity of decision making.

### **Option 3**

- 3.4 Take all key decisions direct to Cabinet. This is not recommended as it would be too time consuming to meet the 30 month Local Plan programme of delivery. The work will be detailed, require debate and will benefit directly from a focussed group with capacity for building specific and evolving expertise as the process develops.

## **Corporate Priorities**

- 4.1 Local Plans give Councils the unique ability to shape land-use across administrative areas, which makes it an important document for Councils to prepare. A Local Plan reflects government and stakeholder policy on matters such as inward investment for jobs, growth and infrastructure. Locally, it is the basis on which local communities can prepare a Neighbourhood Plan for their town or village, and on a day-to-day basis, both the Local Plan and adopted Neighbourhood Plans guide every planning application that is determined.
- 4.2 Delivering and ensuring that the Local Plan remains current and delivers on the minimum housing requirements and site allocations is a key commitment and component part of the Corporate Plan covering all five themes: Our Greener Future, Developing Our Communities, Meeting Our Housing Need, Investing in Our Local Economy and Infrastructure and A Strong, Responsible & Accountable Council.

## **5 Financial and Resource Implications**

- 5.1 There are no current financial implications. Preparation of a new Local Plan is a statutory requirement and ensuring efficient and appropriate governance arrangements are in place is necessary to achieve this outcome.

### **Comments from the S151 Officer:**

*The S151 Officer (or member of the Finance team on their behalf) will complete this section.*

## **6 Legal Implications**

- 6.1 The new plan-making system covers plans prepared and adopted under the Planning and Compulsory Purchase Act 2004, as amended by the Levelling-Up and Regeneration Act 2023. The requirements establishing

appropriate governance is set out in the getting ready stage of plan making.

- 6.2 Any endorsement could result in the need to make amendments to the Council's constitution.

### **Comments from the Monitoring Officer**

*To support the Norfolk Local Plan 2026-29 it is proposed that the Planning Policy & Built Heritage Working Party is replaced by a new Local Plan and Conservation Task Group to best meet the changes in recent planning legislation. Any change (removal or creation) in committees and working groups will need to be reflected in the Constitution.*

## **7 Risks**

- 7.1 A failure to set up appropriate governance arrangements will result in little oversight and result in the continuation of the PPBHWP which is no longer considered fit for purpose under the new plan making systems because of the inherent time delays.
- 7.2 Without appropriate governance structures there is a risk of (not exhaustive):
- failing to meet legal duties
  - procedural errors, making plans vulnerable to judicial review or being found unsound at examination
  - delays and missed statutory deadlines

## **8 Net Zero Target**

- 8.1 No assessment has been made against the Council's Net Zero 2030 Strategy & Climate Action Plan but Local Plans underpin sustainable development.

## **9 Equality, Diversity & Inclusion**

- 9.1 The role of the governance arrangement is to ensure engagement and transparency in the plan making process. The proposed changes are considered purely internal and constitutional. The Local Plan itself will be subject to Equality Impact Assessment (EqIA).

## **10 Community Safety issues**

- 10.1 None.

## **11. Recommendations**

**That Cabinet agrees to**

- 1) Replace the current Planning Policy & Built Heritage Working Party and establish a new Local Plan & Conservation Task Group**

- 2) Adopt the Local Plan & Conservation Task Group 'Terms of Reference'.**
- and recommend that Full Council:**
- 3) Approves changes to the overall Committee seat allocations, ensuring that political balance rules are reflected.**
  - 4) Approves any consequential changes to the Constitution arising from the establishment of the new Local Plan & Conservation Task Group**
  - 5) Receives nominations from the Group Leaders to appoint Members and substitutes to the Task Group (in line with recommendation 3 above)**

**Appendices:**

**Appendix 1: Proposed Terms of Reference**