

# **CYNGOR SIR CEREDIGION COUNTY COUNCIL**

**Report to:** Thriving Communities Scrutiny

**Date of meeting:** 23<sup>rd</sup> of October 2024

**Title:** update on Planning service workstreams

**Purpose of the report:** To update members on the current work streams of the planning service, in terms of national policy updates (TAN 15), Phosphates work, SDP and LDP and the performance of the Development Management service.

**Reason Scrutiny have requested the information:**  
To keep abreast of local and national planning changes and service priorities.

**Cabinet Portfolio and Cabinet Member:**  
Economy and Regeneration, Cllr Clive Davies

## **Background**

This report outlines the current position of various work streams of the Planning Service under the new appointment of Dr Sarah Groves-Phillips as Corporate Manager and updates members on particular areas of interest in relation to national and local issues.

## **Current Situation**

### **Phosphates and Nutrient Management Board**

The position around phosphates restrictions on the Afon Teifi SAC remains unchanged, development cannot come forward if it would contribute additional waste water to the SAC. Such a restriction impacts approx. 50% of Ceredigion and 3 of the 6 main towns. NRW have amended the guidance to release certain types of development servicing local needs. A review of Waste Water Treatment Plants (WWTP) permits undertaken by DCWW and NRW has released some additional capacity within WWTP catchment. However this is a short term 'fix' with strategic mitigation and upgrades of WWTPs required to make a sustainable step change. To that end the Nutrient Management Board (NMB) are about to adopt and publish their Nutrient Management Plan on the 2<sup>nd</sup> of October. It is expected this will be the first in Wales for adoption on a wholly Welsh river. The plan identifies actions and mitigations that will support water quality improvement in regard to phosphates, with actions assigned to specific bodies.

The Ceredigion Policy team alongside the NMB have also delivered a number of aligned projects including the Phosphate Reduction and Mitigation (PRaM) project. This Heritage Lottery Funded project delivered a number of work packages including, on farm nutrient run-off improvements, 5 Sustainable Urban Drainage Schemes, public

engagement, 9km of riparian fencing and designed 3 strategic mitigation options (wetlands and wet woodlands) up to planning stage.

The policy team alongside the NMB have also undertaken a Teifi Water Quality monitoring project supported by the Shared Prosperity Fund to install fully remote water quality sensors along the main length of the Teifi and some tributaries. This is the first river of its kind in Wales to be fully monitored and in particular using this new and emerging technology, the results are currently being developed into a live dashboard which also includes weather, water level, temperature analysis. This is complemented by a diverse citizen science programme who are using water quality testers provided by the council to assess other areas of the river, whose results are also being included on the dashboard.

The policy team are also leading on a project looking at Net Benefit of County Landholdings funded by Cynnal y Cardi. This assessment is considering the current baseline of county farm landholdings from an economic, social and environmental perspective and assessing what interventions could be made to improve upon this baseline to meet our requirements under a number of local and national policies such as Net Zero, SFS and phosphate reduction. As well as maximising the use of the sites for the greater public good.

At a national level the Afon Teifi has been designated the only 'Demonstrator Catchment' in the UK which is a multi disciplinary approach to full catchment restoration of which we are a strategic partner. The project is led by Sir David Henshaw of NRW.

In short whilst restrictions still apply, opportunity to develop is widening and all the workstreams identified above make the Teifi the most advanced river in terms of nutrient management in Wales. We are leading the way, contributing to the First Ministers river action plan and supporting dissemination of our work across all 9 riverine SACs in Wales.

However some issues persist for us to continue this exemplary work, at present Welsh Government have not committed funding to the NMB for next year, this is a strong concern for us given Local Authority budgets. Furthermore the strategic mitigations we have designed and spent months of work on, are frustrated by a national policy approach from NRW who will only allow a waste permit to DCWW for Integrated Constructed Wetlands. Natural England support such measures and in England wetlands are enabling development as we speak. We continue to lobby hard on both issues.

### **LDP and SDP work**

The Ceredigion LDP remains on formal pause given the extent of the phosphate restrictions countywide and the ability of the current LDP to remain the plan in place with sufficient allocations still available to meet the county's housing needs. We continue to review the situation in regards to development capacity as a result of issues such as Phosphates, and the outcome of the Marine nutrient release. Furthermore we await the publication of the 2022 housing projections which we hope will demonstrate an upturn in population comparative to the declining projections we have seen since 2014. We undertake the Annual Monitoring Report for the LDP,

continue to undertake reviews of statutory research such as the LHMA and support relevant teams with policy advice.

In regards to the SDP, Ceredigion is the lead authority regionally and leads the workstreams of the SDP sub-group. At present due to resources regionally and the differing stages of plan preparation across BBNPA, PCC and CCC – a formal start to the SDP has not yet been set. However an officer working group has been established which works collaboratively to start early ‘matching’ and shared research. A draft staffing structure, work plan and budget has been developed by CCC for the SDP. We await publication of the SDP manual to begin work in earnest, alongside decisions over financing given the SDP is expected to cost in excess of 2 million pounds. The SDP subgroup regularly reports to the CJC, and was recognised in an Audit Wales report on CJC progress as the most advanced SDP group of the 4 regions at that time. At present we have not committed to the formal submission of a Delivery Agreement which would enact plan start for the aforementioned reasons, but are committed to working regionally on a rural proofed SDP that meets the areas needs.

## **Development Management**

The Development Management service has struggled in recent years with high cases loads and challenging recruitment. However the service is currently meeting all its business plan targets for speed of decision making, with on average over 60% of decisions being made in the 8 week statutory period from a low of just 13% in recent past. The overall case load figure has also reduced from a high of over 500 to a manageable below 250. Service standards have been introduced and agents forums conducted countywide. The service is vulnerable to recruitment issues with a high turnover of staff and a low retention rate. This is common of planning teams countrywide, with recognised national shortage of planning professionals. This has a knock on impact on performance, with 4 staff having left the service recently we expect quarter 3 figures to reflect this, but we will shortly be recruiting to fill the 4 positions.

Following the Audit Wales review of Planning, a task and finish group was established whereby a number of proposals to the recommendations made by Audit Wales have been discussed. This has resulted in amendments to protocols internally and the scheme of delegation and associated documents. Which we hope in time once adopted will further speed up decision making, and address some of Audit Wales concerns regarding decisions contrary to officer recommendation. Please see Appendix 1 for the Audit Wales Management Response form.

Concerns still remain regarding the enforcement service with high case loads and long timeframes for case closure persisting. Further resources will be required to address this issue and a business case is being prepared, discussions are ongoing.

## **Placemaking**

The focus on placemaking in national policy has become ever more present, and the policy team have utilised time outside of LDP preparation to address this area. As a result Ceredigion has a Regeneration Plan, Green Infrastructure Action Plan, Draft Place Plan and Conservation Area Appraisal and Management Plan for each of the 6 towns, currently the only county in Wales with a comprehensive public access suite of

placemaking plans. Further place plan and Conservation area work is presently ongoing for New Quay and Llanon. There are 13 conservation areas in Ceredigion many designated in the 70's and 80's with little work completed since, the policy team intend to complete the remaining 5 Conservation Area Appraisals over the coming years ensuring this workstream is complete and the county's heritage is managed. The team are also planning to reinvigorate a place making internal group to ensure placemaking is embedded in wider teams work and decision making. To view the suite of place making information please visit [Placemaking - Ceredigion County Council](#).

## **National Policy i.e. TAN 15, Marine Nutrient Release**

In response to National policy the following update is available:

### **TAN 15**

WG have advised they expect to release the new TAN 15 in the autumn, with no further consultation planned, as yet we do not know if the recommendations of earlier consultation have been incorporated. It is likely that some regeneration exceptions will be allowable for development in flood risk areas but the main thrust of permitting no further development in flood risk areas based on an allowance for climate change is to be expected. This will have an impact on many of our towns with sites previously identified as suitable development sites now no longer acceptable in planning terms.

### **Marine Nutrient Release**

NRW have advised there is still no firm time frame for releasing the data and guidance. We have been previously told to expect it towards the end of 2024, however they have committed to engaging with LPAs in advance of any release and as yet we have entered into no formal discussions. We therefore expect it is probably some time yet. When it is released we do not know whether the Cardigan Bay Marine SAC will pass or fail and / or what the consequences will be but we can anticipate it may fail and as a result a potential further development embargo will occur on Marine SAC catchment. This would impact development in the further 3 towns unaffected by phosphates.

These two issues remain registered as corporate risks on the corporate risk register and are regularly reviewed.

## **Building Control**

Over recent years a number of changes have been introduced into Building Control as a result of the audit following the Grenfell tragedy. In Wales it is now a requirement that all Building Control Officers are registered. This required all of our team to undergo a competency examination. All 6 members of the team passed this exam first time (which had a 40% failure rate) and are now registered at the appropriate level. The service continues to meet its business plan targets and operates efficiently. Moving forward succession planning is required for the team given the national shortage of qualified building inspectors. Ongoing discussions at a national level are active regarding further changes to the building regulations regime and we continue to monitor implications for Ceredigion.

## **Wellbeing of Future Generations:**

**Has an Integrated Impact Assessment been completed? If, not, please state why.**

No as this is an update on current work streams not implementing new policy.

**Recommendation(s):**

None

**Reasons for decision:**

**Contact Name:** Dr Sarah Groves-Phillips

**Designation:** Corporate Manager Planning Service

**Date of Report:** 20/09/2024

**Acronyms:**

DCWW Dwr Cymru Welsh Water

NRW Natural Resources Wales

BBNPA Bannau Brycheniog National Park

PCC Powys County Council

SDP Strategic Development Plan

LDP Local Development Plan

CJC Corporate Joint Committee

TAN 15 Technical Advice Note 15 on flooding

SAC Special Area of Conservation