

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**LOCAL DEVELOPMENT FRAMEWORK TASK GROUP**

**Minutes from the Meeting of the Local Development Framework Task Group  
held on Wednesday, 6th April, 2016 at 10.00 am in Meeting Rooms 2 and 3,  
King's Court, Chapel Street, King's Lynn**

**PRESENT:** Councillor R Blunt (Chairman)  
Councillors B Ayres, P Colvin, C Crofts, J Moriarty, D Tyler and Mrs E Watson

**1      APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED:** Councillor Crofts be appointed Vice-Chairman for the meeting.

**2      APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs S Buck and M Peake.

**3      NOTES OF PREVIOUS MEETING**

The notes of the meeting held on 10 February 2016 were agreed as a correct record.

**4      MATTERS ARISING**

Neighbouring Authorities – Plan Consultations

At the meeting held on 10 April 2016, Councillor Crofts asked what procedures and policies were in place for dealing with cross boundary planning applications. The Principal Planner (Policy) explained that she had spoken to the Planning Control Manager and Principal Planner and they had confirmed that the relevant authorities consulted with each other if the application site had a cross boundary impact. One authority would take the lead role.

Site Allocations and Development Management Policies Pre-Submission Document – Draft Modifications

Councillor Crofts had referred to a previous Government consultation relating to affordable housing contributions and that small developers did not have to make a financial contribution until after development had finished. The Principal Planner (Policy) explained that she had spoken to the Planning Control Manager and Principal Planner regarding a phased approach. Both officers had commented that the Borough Council do adopt a phased approach and sought comments from the Highways Authority, etc. The Borough Council had to adopt a

reasonable mechanism for financial contributions and therefore cannot ask for the total amount of monies up front.

The Chairman, Councillor Blunt commented that as much detail as possible regarding the financial contributions would be included within the Section 106 Agreement.

The Chairman, Councillor Blunt undertook to discuss a phased approach for financial contributions at his next Portfolio meeting with officers.

#### Section 106 Agreements - Commuted Sums for the maintenance of Public Open Spaces

The Chairman, Councillor Blunt undertook to discuss commuted sums for the maintenance of public open spaces with the relevant officers and would be discussed at a future meeting of the Task Group.

#### Flitcham

The Principal Planner (Policy) undertook to check the information available and email a response direct to the Task Group.

#### Availability of Flood Risk Maps

The Principal Planner (Policy) advised that the Borough Council did not have hard copies of any flood risk maps and to produce a set of any such maps for 60 Councillors would incur a significant cost. The Environment Agency operated an online hazard mapping approach.

### 5 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 6 **MEMBERS ATTENDING UNDER STANDING ORDER 34**

There was none.

### 7 **DRAFT STATEMENT OF COMMUNITY INVOLVEMENT**

The Principal Planner (Policy) explained that the Statement of Community Involvement (SCI) was a 'code of practice' describing how and when the Council intended to involve local communities in planning for the future of the Borough Council through:

- The preparation of the Local Plan and other planning policy documents; and
- The determination of planning applications.

The Task Group's attention was drawn to the following sections of the report:

- Introduction.
- What is planning?
- The role of the Council: Planning Policy Team, Planning Control, the Role of Councillors.
- The Council's approach to Community Involvement.
- Local Plan: Who/How/When the Council would consult.
- Key stages required in the preparation of Local Plan documents (and other planning policy documents).
- Community involvement in planning application decisions.
- The role of the applicant/agent.
- Planning application process.
- Decision making process.
- Neighbourhood planning.

The Task Group was invited to comment/ask questions, a summary of which is set out below.

Councillor Crofts referred to page 16 – General Principles of Planning Consultation, bullet point 2 and suggested that the wording be amended to read:

*Comments **will** be rejected where they are defamatory, obscene, racist or otherwise likely to cause offence.*

In response to a question from Councillor Moriarty, the Principal Planner (Policy) advised that the document had been completely re-written.

Councillor Crofts referred to page 19 and the use of social media. In response, the Principal Planner (Policy) explained that the Council had included reference to the use of social media in future consultations to enable the use of social media where possible and also to assist with accessing hard to reach groups and the younger population.

The Chairman, Councillor Blunt commented that it was important that there was a process in place to formalise and control the use of social media

The Chairman, Councillor Blunt commented that it would be useful to have a section included in the document setting out how the Planning Committee operated.

Councillor Moriarty stated that he would need to obtain a copy of the previous document in order to compare it with the revised Statement of Community Involvement.

Following a discussion as to whether the LDF Task Group should be a public meeting, the Chairman, Councillor Blunt explained that the Task

Group had no decision making powers. The Task Group reported back to the Cabinet to help them reach an informed decision as part of the democratic process. The Principal Planner (Policy) added that the agendas and notes from the Task Group were published on the Borough Council's website and were therefore available to members of the public.

Members of the Task Group commented that it was important for all those involved in the Local Plan process to understand the words "at least." The LDF Manager gave an example of a site on the edge of the town which where it had originally proposed 25 units to a hectare and following preparation of the Local Plan, there had been opposition and a decision had been taken to reduce numbers. The area, however, would remain the same, but with less density. There would need to be an element of realism as to the effective use of land and developers needed to ensure a viable development. Some sites, however, could take a higher number than the "at least" number proposed and each planning application would have to be determined on its own merits when considered by the Planning Committee. The Borough Council would be required to adopt a flexible approach.

In response to comments from Councillor Moriarty on the consultation undertaken on the Core Strategy and the expectations on numbers of units proposed, the LDF Manager explained that the Government had announced that it did not wish to have precise targets in each area and that the numbers did not solely relate to the 5 year land supply. There had been a shift in Government to get as many units as possible on sites.

Councillor Moriarty outlined the details of a recent Freedom of Information request. The LDF Manager explained that the issue raised in the previous Freedom of Information request was effectively addressed by the practice of publishing agendas and notes on the Council's website.

The LDF Manager advised that the consultation on the major modifications (which included the 'at least' modification) commenced on 6 April 2016.

Councillor Crofts referred to page 27 and stated that there was no mention of a Councillor's right to call in an application. The Principal Planner (Policy) agreed to check the information with the Planning Control Manager and include in the document if appropriate.

In response to questions from Councillor Crofts on Internal Drainage Boards being included on the list of specific consultation bodies, the Principal Planner (Policy) explained that the list at Appendix 1 was a specific list from Government and therefore did not include all consultation bodies. The Principal Planner (Policy) added that Internal Drainage Boards were consulted, where appropriate, on planning applications and Local Plans.

The Chairman, Councillor Blunt commented that concern had been expressed at the Planning Committee on the lack of involvement from Highways. The LDF Manager advised that the Borough Council had a duty to consult with relevant bodies, but there was no requirement for those bodies to respond. Highways did not have the resource available to deal with every planning application they were consulted on in detail. The LDF Manager added that the Borough Council could engage highways consultants on any application but this would incur a cost.

Following comments from Councillor Mrs Watson on who was responsible, in particular, for flood risk issues, the LDF Manager advised that Norfolk County Council was the lead local flood authority and would be consulted on appropriate planning applications. As compiler of the information received, the Borough Council would have to balance the judgements received from Norfolk County Council and make a decision.

**RESOLVED:** (1) Page 16 – General Principles of Planning Consultation, bullet point 2 be amended to read as set out in *italics* above.

- (2) The Principal Planner (Policy) to liaise with the Planning Control Manager the inclusion of a section setting out how the Planning Committee operated and would email a draft to the Task Group direct.
- (3) The Principal Planner (Policy) agreed to check the information on page 27 – planning application process, with the Planning Control Manager and include reference in the document if appropriate.

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### **EAST CAMBS LOCAL PLAN CONSULTATION RESPONSE**

The Principal Planner (Policy) explained that from time to time the Borough Council were consulted by neighbouring Local Planning Authorities and those that shared strategic issues, and invited to make representations/comments on their Local Plans and policy documents that they were formulating.

The Task Group was reminded that previously the Borough Council had been invited to submit comments by Breckland Council and South East Lincolnshire (South Holland and Boston Borough) emerging Local Plans. Currently the Borough Council was being consulted on East Cambridgeshire Preliminary Draft Local Plan.

The Principal Planner (Policy) outlined the summary of content of East Cambridgeshire consultation document and implications for the Borough Council as set out in briefing note.

Members' attention was drawn to the Borough Council's recommended response to the East Cambridgeshire Consultation.

**RESOLVED:** That the following response from the Borough Council be forwarded to East Cambridgeshire:

Thank you for the opportunity to provide comments relating to the above consultation. The Borough Council of King's Lynn and West Norfolk shares an administrative boundary with East Cambridgeshire District Council, hence welcomes the opportunity to contribute to the development of the District. The Borough Council of King's Lynn and West Norfolk raises no objections to the documents, and requests that due consideration is given to cross-border impacts on West Norfolk (if any) at the planning application stage.

The Borough Council of King's Lynn and West Norfolk believes that the level of co-operation had been proportionate to the significance of the cross-border issues, and has met the requirements of the Duty to Co-operate.

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#### **UPDATE ON CONSULTATION ON THE 'MAJOR MODIFICATIONS' - DRAFT STATEMENT OF REPRESENTATIONS**

The Principal Planner (Policy) reminded the Task Group that following the examination a number of modifications were presented to Members for discussion prior to going to consultation. The consultation had commenced today and would close at 5 pm on 18 May 2016. The consultation exercise was published on the Borough Council's website, advertisements had been placed in the local newspapers and letters had been sent out to all relevant/interested parties.

In response to a comment made by Councillor Moriarty, the Principal Planner (Policy) undertook to check the link on the Borough Council's website.

Following questions from the Chairman, Councillor Blunt, the Principal Planner (Policy) explained that all comments made could be viewed on the Borough Council's website. The comments would be forwarded to the Inspector and assist him in writing his report. The Task Group was informed that the Inspector had the opportunity to re-open the examination once all comments had been submitted after the 6 week consultation period.

In response to a question from Councillor Moriarty, the Principal Planner (Policy) advised that the "at least" was a major modification.

The Principal Planner (Policy) explained the schedule of minor modifications was published on the Borough Council's website, but there was no requirement to consult.

### Other Consultation Exercises – Community Infrastructure Levy (CIL)

The LDF Manager informed the Task Group that the above consultation exercise ran until 25 April 2016, but to date only a small number of comments had been received.

In response to questions from Councillor Moriarty on what happened to the % of contributions where there was no Parish Council, the LDF Manager explained that it would be a decision for the Borough Council. The Borough Council would pool contributions from across the Borough and determine how the financial contribution was allocated and gave an example of dualling the A148. The Chairman, Councillor Blunt added that the contributions made would be accountable and audited as to how they were spent.

### HELAA

The LDF Manager advised that a technical consultation on methodology was currently running until 3 May 2016.

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### **NEIGHBOURHOOD PLANS - VERBAL UPDATE**

The Principal Planner informed the Task Group that officers from the LDF Team had attended and given a presentation to the following Parish Councils:

#### February 2016

Tilney St Lawrence

#### March 2016

Tilney all Saints

#### April 2016

Pentney  
West Dereham  
Snettisham  
Walpole

Councillor Mrs Watson informed those present that Thornham Parish Council had commented that the presentation given by the LDF Team had been well received and wished their thanks to be passed onto the Borough Council.

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### **ANY OTHER BUSINESS**

#### Dates/Time for future LDF Task Group Meetings

The Chairman, Councillor Blunt referred to the Schedule of Meetings agreed at a previous meeting and invited views from Members, following a discussion it was **AGREED: That future Task Group meetings would be scheduled the week after the Planning Committee on a Wednesday commencing at 10 am. The Democratic Services Officers would amend the schedule of meetings and circulate to the Task Group.**

Items for future meetings of the LDF Task Group

The following item was identified:

- Section 106 Agreements
- Issues relating to housing density

Apologies – 11 May 2016

Councillor Moriarty offered his apologies for the next meeting of the Task Group on 11 May 2016.

12      **DATE OF NEXT MEETING**

The next meeting of the Task Group would take place on Wednesday 11 May 2016 at 10.00 am in the Miles Room, Town Hall, Saturday Market Place.

**The meeting closed at 11.34 am**