

Dear Cllr. Moriarty,

I would like you to consider this at your next CPP meeting.

Does King's Lynn & West Norfolk Borough Council's planning system work?

For the most part, yes. But...when it goes wrong there is no provision to make any amendments which is why I'm challenging the process.

Here is how it recently went wrong at Stoke Ferry.

A planning application was made for a building within the village's development boundary and inside the Conservation area. The NCC's Highways Department correctly objected to the application on the grounds that the access road to the development had poor visibility. The application was then re-submitted with the entrance changed to another very narrow road which also has poor visibility. In the re-submitted application, construction traffic was to access the site through the original entrance. The Highways Department did see this as an issue even though there are three businesses directly opposite the entrance road with traffic and parking already an issue. The Council's Conservation Officer originally had an issue with the vista but at a subsequent review found no reason to object.

All of this is part of the planning process, whereby all consultees make their comments to give the planning officers a full picture in order to allow them to make an informed decision. As a consultee, Stoke Ferry Parish Council reviewed the application at a meeting on August 11th which was attended by residents and our Borough Councillor. After a substantial debate, the Parish Council rejected the application citing material planning considerations and asked for its Borough Councillor to "call in" the application, which he confirmed he would do.

And it is at this point where flaws in the planning process became apparent. The Borough Councillor did not "call in" the application. Further, at the sifting panel it was decided the application would be determined by the delegated officers i.e., it would not go before the full Planning Committee. This is in direct contradiction to the Borough Council's Portfolio holder for Development (Cllr Richard Blunt) who claims, "the sifting panel members are careful to consider the views of Parish Councils and if they have a material planning consideration, supporting or objecting, that is contrary to the views of the officers they will immediately recommend that application go to full planning committee, I'll guarantee that." This was stated at a Corporate Performance Panel Meeting on 22nd July 2020 and available on YouTube.

I understand not all Parish Councils deal with planning applications as fully as they should. There are some who reject every application, others give reasons for opposing applications which are not material planning considerations, and there are some who want all applications "called in," while, I believe, there are some Borough Councillors who don't "call in" any applications.

My point is that when a Parish Council follow the correct process and its Borough Councillor does not “call-in” the application as requested, and the sifting panel also ignores Parish Council material objections and does not send the application to full planning committee, then there must be a way to correct this. I don’t expect the application to be automatically rejected, but if a Parish Council were given the opportunity to speak at the full Planning Committee meeting it can put forward its material considerations along with local knowledge that would ensure the application is given the fullest deliberation.

The crucial role of a Borough Councillor of “calling in” an application exists as a layer of security to ensure applications are fully considered. A Borough Councillor chooses whether to “call in” an application and can even “call in” for the developer even if the elected Parish Council opposes the development.

In the example outlined above, the delegated officers approved the planning application. As a consequence, Stoke Ferry Parish Council is looking to make a formal complaint but, once again, the process works against a Parish Council body. Any investigation process involves the complaint being considered by an experienced officer from the very Department that is being complained about. That means the planning officers will be sitting in judgement on conduct or a decision they themselves have ratified.

So, what should Stoke Ferry Parish Council do next? Well, we will be asking for two things:

1. That the Corporate Performance Panel looks at a way to improve the planning process. They need to find a way to ensure if a Parish Council has material planning considerations at odds with the Planning Officers’ view then the application is automatically “called in” to be reviewed by the full Planning Committee.
2. That the complaint procedure needs to be dealt with by officials outside of the Department being complained against, or, at the very least, in conjunction with an independent person.

I hope you will spend some time to review this, and I look forward to hearing from you in due course.

Kind regards

Sue Lintern

Chair of Stoke Ferry Parish Council