

# CABINET MEMBERS REPORT TO COUNCIL

29 August 2024

## COUNCILLOR JIM MORIARTY - CABINET MEMBER FOR PLANNING AND LICENSING

For the period 28<sup>th</sup> June 2024 to 15<sup>th</sup> August 2024

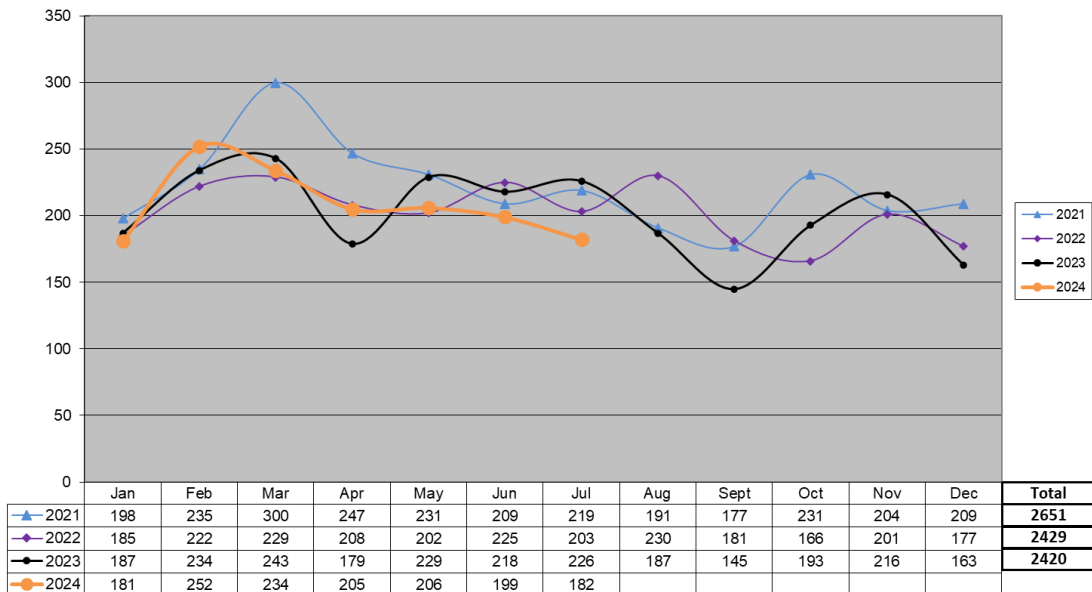
### 1 Progress on Portfolio Matters.

Firstly, my thanks to officers for their work during this period (a particularly challenging time for planning officers), and their help in compiling this report.

#### Planning and Discharge of Conditions applications received

Application numbers at the end of July 2024 are down slightly compared to the same period last year (-57 applications).

Planning and discharge of condition applications received



#### Major and Minor dwelling applications and householder applications received

**comparison**

	1/8/21 – 31/7/22	1/8/22 – 31/7/23	1/8/23 – 31/7/24
No. of Major dwelling applications rec'd	20	17	12
No. of Minor dwelling applications rec'd	309	312	208
No. of Householder applications rec'd	814	693	572
<b>Total</b>	<b>1143</b>	<b>1022</b>	<b>792</b>

\*Minor dwelling applications = up to 10 units      Major dwelling applications = over 10 units

**2023/24 performance for determining planning applications 1/8/23 – 31/7/24**

	National target	Performance
<b>Major</b>	60%	92%
<b>Non – Major</b>	70%	91%

**Appeal Performance – decisions made by The Planning Inspectorate 1/8/23 – 31/7/24**

	Dismissed	Allowed
Planning appeals	32	24
	57%	43%
Enforcement appeals	6	3
	67%	33%

**QUALITY OF DECISIONS**

This measure calculates the percentage of the total number of decisions made by the Authority on applications that are then overturned at Appeal.

The Assessment period for this measure is the two years up to and including the most recent quarter plus 9 months. Therefore, the performance for Q2 (end of June 2024) is calculated as follows:

Planning applications determined between 01/10/2021 to 30/09/2023 plus 9 months = 30/06/2024.

The threshold for designation for both Major and Non-Major is 10% - this is the figure

that should not be exceeded, otherwise there is a risk of the Authority being designated by Ministry of Housing, Communities and Local Government (MHCLG).

MAJOR		
No. of Decisions Issued	No. Allowed on Appeal	% Overturned
87	5	5.75%

NON-MAJOR		
No. of Decisions Issued	No. Allowed on Appeal	% Overturned
3012	24	0.80%

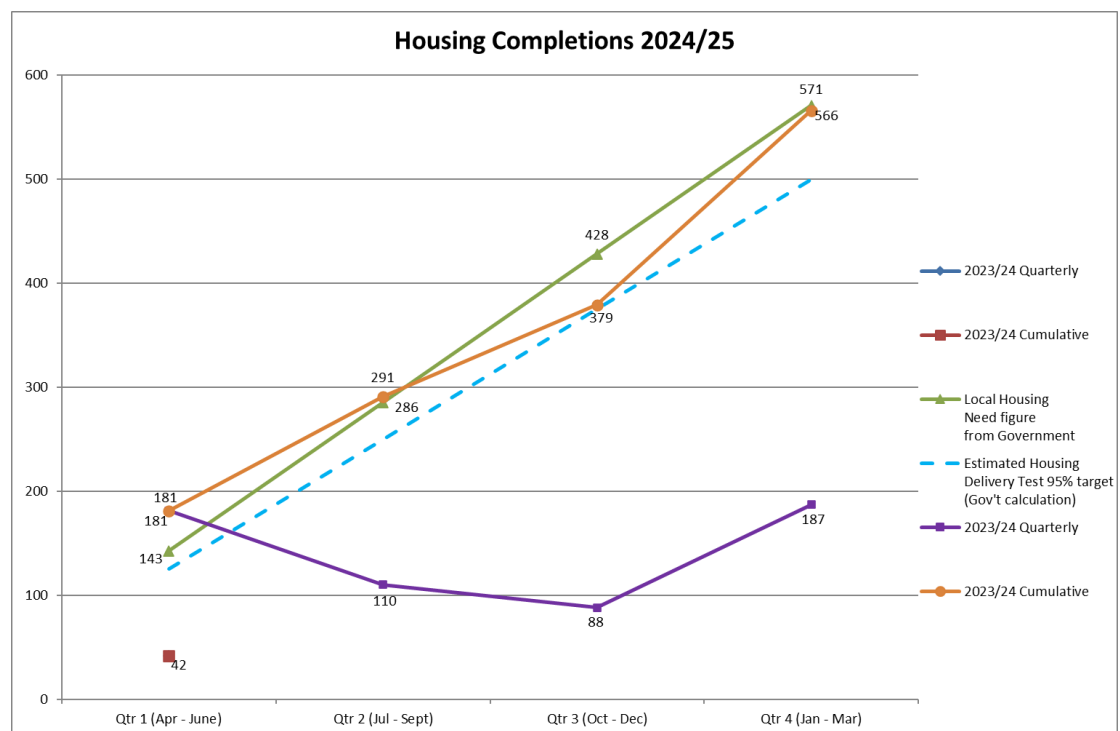
### Revenue income 2024/25 (Planning and Discharge income)

Figures are based on a full year projected income budget of £1,100,000.

Projected	Actual	Variance with projected
April 24 – July 24	April 24 – July 24	
£366,667	£255,354	<b>-£111,313</b>

### Housing Completions

Completions for quarter 1 (1 April 24 – 30 June 24) are low and considerably lower compared to the same time last year. We will continue to monitor completions very closely, particularly as our housing delivery need will increase under the new Government.



### Development Management staff update

I mentioned in my previous report that the Local Government Association and Planning Advisory Service have sponsored a graduate planner scheme (Planning Cohort 2) and we would be interviewing 6 candidates on the 19<sup>th</sup> June. Interviews took place but unfortunately, we were unable to appoint any of the candidates.

We have however, appointed 3x Graduate Planners, and they will be commencing in the next few weeks. These appointments and some adjustments with the current structure within Development Management means we will be releasing all of our contractors by mid-September. The contractors have worked with officers to reduce the backlog of older applications, and while this has been successful the cost of contract staff is not sustainable based on current budgets.

We have also advertised for a Planner. The closing date was on 13<sup>th</sup> August and officers are going through the recruitment process.

### **Planning Policy staff update**

An advert has gone out for a Planner / Graduate Planner. The closing date was on 12<sup>th</sup> August and officers are going through the recruitment process.

### **Local Plan Update**

The Borough Council formally submitted its Local Plan in March 2022 for Examination. In doing so we made a formal request to the Secretary of State for the Department for Levelling Up, Housing & Communities (now the Ministry for Housing Communities and Local Government) that the appointed Inspectors recommend any modifications required to make the Local Plan legally compliant and sound.

The Local Plan Examination process involved a first round of hearings which took place in December 2022 and January 2023. These were adjourned, with reconvened hearings taking place in March and April 2024. As part of this an accelerated timescale through to adoption was agreed and has been published. This will result in the Local Plan being adopted before the conclusion of this financial year (March 2025).

As part of the examination process The consultation on the Main Modifications for the bulk of the Local Plan commenced on the 7 August and will run to the 2 October. This is an 8 week public consultation (which includes two additional weeks over the statutory 6 week period, to take account of the holiday period).

Representations received to the Main Modification consultation will be sent to the Inspectors, along with a summary schedule of the representations received. These will inform the Inspectors Local Plan Report. Please see the link below further details of the consultation:

[Local Plan review \(2016-2036\) examination | Local Plan review \(2016-2036\) examination | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](#)

Representations received as part of the “Gypsy and Travellers and Travelling Show People proposed site allocations and policies” consultation (10 May - 21 June 2024) have been collated and passed on to the Inspectors for their consideration. This will then be the subject of the forthcoming examination hearing sessions (3 and 4 September 2024), for which the Inspectors have recently published [Matters, Issues](#)

[and Questions](#) (MIQs). MIQ responses must be submitted to the Inspectors by 16 August 2024. Following the hearings there will be a further Main Modifications consultation on this matter only during the autumn.

It is anticipated that the Inspectors Local Plan Report will recommend that the Local Plan can be adopted subject to the inclusion of a series of Main Modifications. Following this a report will be prepared and taken to Cabinet and Full Council recommending that the Local Plan be formally adopted (February / March 2025).

### Neighbourhood Plans

As of August 2024, there are 19 “made” (adopted) Plans in place. Details of recently made (during the 2023-24 financial year) and emerging Neighbourhood Plans are set out below:

#### Recently “made” Neighbourhood Plans (during 2023-24 financial year)

	Current position
Old Hunstanton Neighbourhood Plan 2021-2036	Passed at referendum, 8 February 2024; “made” <b>15 February 2024</b>
Burnham Market Neighbourhood Plan 2022-2036	Passed at referendum, 21 September 2023; “made” <b>26 September 2023</b>
Gayton and Gayton Thorpe Neighbourhood Plan 2019-2036	Passed at referendum, 9 November 2023; “made” <b>20 November 2023</b>
Stoke Ferry Neighbourhood Plan 2022-2036	Passed at referendum, 24 August 2023; “made” <b>29 August 2023</b>
Wattlington Neighbourhood Plan 2019-2036	Passed at referendum, 7 December 2023; “made” <b>13 December 2023</b>

#### Post-submission Neighbourhood Plans (anticipated to be made during 2024-25 financial year)

	Current position
Grimston, Pott Row, Roydon and Congham Neighbourhood Plan 2017-2036	Examination concluded 20 May 2024. Referendum on 22 August 2024; anticipated that Plan will be made by September 2024.
North Wootton Neighbourhood Plan 2022-2036	Submitted 12 September 2023. Examiner’s Report published 23 July 2024; referendum anticipated autumn 2024
Ringstead Neighbourhood Plan 2021-2036	Submitted 22 April 2024. Pre-examination (Regulation 16) consultation 14 June – 26 July 2024 (inclusive). Examination to take place late-summer/ autumn 2024; referendum anticipated early-2025.

### Other emerging Neighbourhood Plans

	<b>Current position</b>
Marshland St James	Preliminary draft Plan Strategic Environmental Assessment/ Habitat Regulations Assessment consultation with Environment Agency/ Historic England/ Natural England (June/ July 2024) 1 <sup>st</sup> draft Plan (Regulation 14) consultation anticipated autumn 2024
Pentney	1 <sup>st</sup> draft Plan (Regulation 14) consultation March-May 2023. Parish Council recently appointed Modicum Planning to get Neighbourhood Plan back on tract; submission anticipated late-2024/ early 2025
Syderstone	Preliminary draft Plan Strategic Environmental Assessment/ Habitat Regulations Assessment consultation with Environment Agency/ Historic England/ Natural England (August/ September 2024) 1 <sup>st</sup> draft Plan (Regulation 14) consultation anticipated early 2025
Walpoles	Preliminary draft Plan Strategic Environmental Assessment/ Habitat Regulations Assessment consultation with Environment Agency/ Historic England/ Natural England (summer 2024) 1 <sup>st</sup> draft Plan (Regulation 14) consultation anticipated autumn 2024
Walpole Cross Keys (review of 2017 Neighbourhood Plan)	Preliminary draft Plan Strategic Environmental Assessment/ Habitat Regulations Assessment consultation with Environment Agency/ Historic England/ Natural England (June/ July 2024) 1 <sup>st</sup> draft Plan (Regulation 14) consultation anticipated autumn 2024
In addition, several other Parishes are designated Neighbourhood Areas, but progress with plan-making is unknown or at an early stage	Burnham Overy (designated 5 December 2023); Dersingham; Downham Market; Docking (designated 22 December 2023); Great Massingham; Ingoldisthorpe; Outwell; Shouldham; Tilney St Lawrence; West Dereham
Expressions of interest	King's Lynn Area Committee; Little Massingham Parish Council; Titchwell Parish Meeting

## **Community Infrastructure Levy (CIL)**

The latest round of CIL Infrastructure Project applications opened 1<sup>st</sup> July and closed 1<sup>st</sup> August, with 48 applications requesting a total of £1.9m, but £1.4m is available to be allocated. This means that unfortunately not all applications will be granted funding.

The Spending Panel meet on the 4<sup>th</sup> September, to allocate funding for applications up to £50k. The panel will also make recommendations to Cabinet for applications over £50k.

## **Health and Safety Enforcement**

### **Funeral Director Visits**

Following the distressing incidents in Hull and East Riding, Local Authority Environmental Health teams were tasked with visiting funeral directors within their areas to provide reassurance that loved ones were being treated with the care and dignity that they would expect. Having completed all visits it was found that the funeral directors that are operating in the borough provide a safe and caring service to the community and officers were reassured by what they saw.

## **Licensing**

Officers are currently finalising taxi fee level calculations and changes to the Hackney Carriage & Private Hire licensing procedures and conditions booklet before going out to full consultation. Reports will be produced through E+C, Cabinet and then Full Council later this year/early next.

There are currently 2 prosecution cases pending hearings at Magistrates Court – unlicensed taxi/unlicensed dog breeder. Both due to be heard in September 2024.

The revised Gambling Act Statement of Principles is currently in the consultation period, ending 16<sup>th</sup> September 2024. Reports will be produced through E+C, Cabinet and then Full Council later this year.