

CABINET MEMBERS REPORT TO COUNCIL

31 October 2024

COUNCILLOR JIM MORIARTY - CABINET MEMBER FOR PLANNING & LICENSING

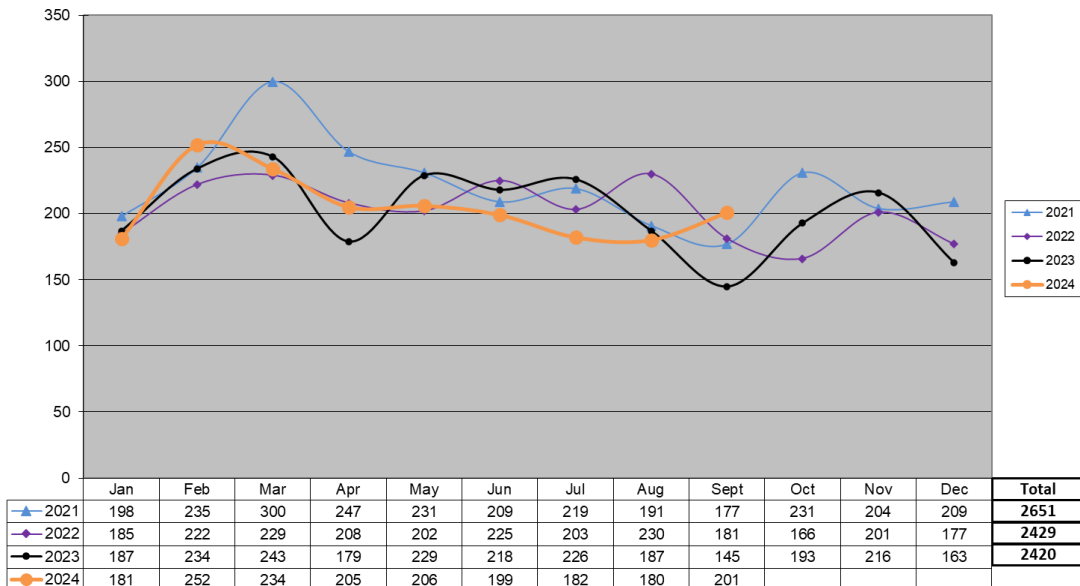
For the period 30th August to 10th October 2024

1 Progress on Portfolio Matters.

Planning and Discharge of Conditions applications received

Application numbers at the end of September 2024 are almost identical compared to the same period last year (-8 applications).

Planning and discharge of condition applications received



Major and Minor dwelling applications and householder applications received comparison

	1/10/21 – 30/9/22	1/10/22 – 30/9/23	1/10/23 – 30/9/24
No. of Major dwelling applications rec'd	19	17	16
No. of Minor dwelling	314	287	224

applications rec'd			
No. of Householder applications rec'd	801	665	604
Total	1134	969	844

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

2023/24 performance for determining planning applications 1/10/23 – 30/9/24

	National target	Performance
Major	60%	96%
Non – Major	70%	91%

Appeal Performance – decisions made by The Planning Inspectorate 1/10/23 – 30/9/24

	Officer delegated		Committee overturns		Total	
	Dismissed	Allowed	Dismissed	Allowed	Dismissed	Allowed
Appeals						
Planning	34	16	3	7	37	23
	68%	32%	30%	70%	62%	38%
Enforce-ment	4	3				
	57%	43%				

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 Q3 (end of September 2024) is calculated as follows:

Planning applications determined between 01/1/2022 to 31/12/2023 plus 9 months = 30/09/2024.

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
97	5	5.15%

NON-MAJOR		
No. of Decisions Issued	No. Allowed on Appeal	% Overturned
2949	24	0.81%

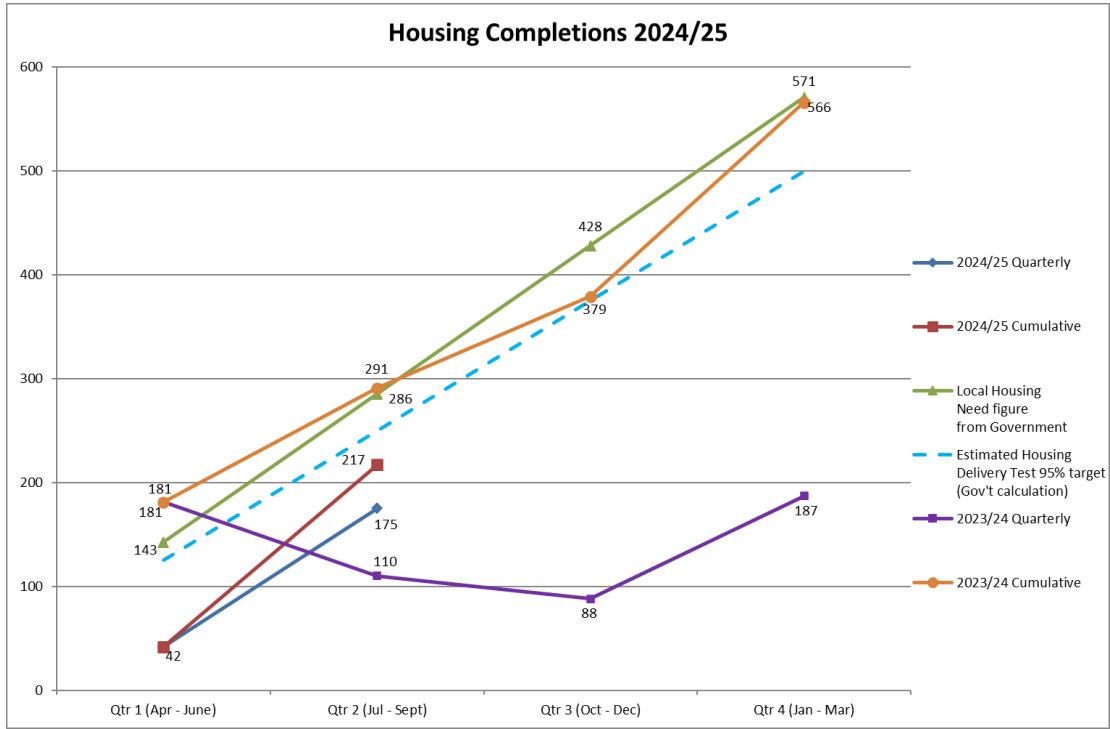
Revenue income 2024/25 (Planning and Discharge income)

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

Projected	Actual	Variance with projected
April 24 – Sept 24	April 24 – Sept 24	
£550,000	£434,678	-£115,322

Housing Completions

There were 175 completions in quarter 2 (1 April 24 – 30 September 24). Despite this, completions are still lower compared to the same period last year. We will continue to monitor completions very closely, particularly as our new housing delivery need will increase under the new Government.



DEVELOPMENT MANAGEMENT STAFF UPDATE

In my previous report I said we have appointed 3x Graduate Planners, all 3 are now in post and progressing well.

All of the contract planners have now been released.

The recruitment process for a Planning Officer was successful and they are also in post. The successful candidate has worked for us previously and are therefore familiar with our procedures and the local area.

PLANNING POLICY STAFF UPDATE

Interviews have taken place, and a Graduate Planner has been appointed and will commence in the coming weeks.

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 of Housing, Communities and Local Government) that the appointed Inspectors recommend any modifications required to make the Local Plan legally compliant and sound.

I'm pleased to report that the scheduled Local Plan Examination Hearings have now concluded. The agreed accelerated timetable through to adoption (please see the Local Development Scheme available to view [here](#)) will, all being well, result in the Local Plan being adopted before the conclusion of this financial year (March 2025).

On October the 2nd the Part 1 Main Modification Consultation closed. This enabled representation on the Main Modifications required to the submitted version of the Local Plan to ensure it is legally compliant and sound to be made. It was open for 8 weeks, 2 extra as covered the summer holiday period. In total in the region of 220 representations from some 70 respondents have been made. These will be sent to the Inspectors and will inform their Local Plan Report.

Part 1 covered the majority of the Local Plan. Part 2 relates solely to Gypsy and Travellers and Travelling Showpeople policies. As mentioned, the hearing sessions have concluded, and the last session was on this subject and took place on the 3rd of September. Following on from this there will be a Part 2 Main Modification Consultation, for a period of 6 weeks. This will commence in due course. Again representations received will be passed on to the Inspectors for their consideration.

When we receive the Inspectors' Local Plan Report, anticipated early in the new year, a report will be prepared and taken to Cabinet and Full Council recommending that the Local Plan be formally adopted (February / March 2025).

Borough Council Response to the Government Consultation on Proposed changes to the National Planning Policy and other changes to the planning system.

The new, Labour, Government within 3 weeks of coming into power launched a planning consultation on proposed changes to the National Planning Policy and other changes to the planning system. This consultation began on Tuesday 30 July 2024 at 2pm and closed at 11.45pm on Tuesday 24 September 2024. The

consultation package can be viewed [here](#).

The material was circulated to the Local Plan Task Group (LPTG) as part of the agenda for the meeting of 12/09/2024 for review. Prior to the meeting Cabinet Members were invited to participate. At the meeting Members received an overview presentation from Officers. Members provided their thoughts, which were captured by Officers. The agenda, minutes, copy of presentation, and recording of the meeting is available [here](#).

Officers then prepared a draft response to the consultation. This was shared with the Chair of the LPTG and Portfolio Holder (Cllr Moriarty) and the Vice Chair of the LPTG (Cllr Blunt) for review. A meeting took place on the Friday afternoon of 20/09/2024 between the Chair, Vice Chair, and the Planning Policy Manager, in which it was agreed that the proposed consultation response was appropriate, captured the views shared, and should be submitted.

The headline capturing changes proposed included a new method for calculating local housing need (LHN). This would see the LHN for King's Lynn & West Norfolk rise from 554 to 1,042 new homes required each year. The implication is that we should continue with our emerging plan and see this through to adoption. Then start preparing a new Local Plan, which is based on the higher LHN figure, in the new plan-making system when in place.

Our response outlined concerns with this proposed approach, as a doubling of housing numbers raises serious challenges including for; the environment, infrastructure, resources, support/finance, the construction sector (would they be able to deliver), and that our Borough is broadly rural in nature. We suggested that the method should be refined to account of such constraints and that new LHN figure needs to be realistically achievable.

The Government have said they will respond to this consultation before Christmas. It is likely that we can expect further consultations on the planning reform in due course. This is likely to include the subject of a new plan-making system, which is currently anticipated to be on-line Summer/Autumn 2025.

NEIGHBOURHOOD PLANNING UPDATE

As of September 2024, there are 20 "made" (adopted) neighbourhood plans in place, including 5 which were made during the previous financial year (2023-24). Details of recently made (during 2024-25 financial year) and emerging neighbourhood plans are set out below:

Recently "Made" Neighbourhood Plans

	Current position
Grimston, Pott Row, Roydon and Congham Neighbourhood Plan 2017-2036	Passed at referendum, 22 August 2024; "made" 27 August 2024

Emerging Neighbourhood Plans

	Current position
Marshland St James	Preliminary draft Plan Strategic Environmental Assessment/ Habitat Regulations Assessment

	<p>consultation with Environment Agency/ Historic England/ Natural England (June/ July 2024)</p> <p>1st draft Plan (Regulation 14) consultation anticipated late-2024</p>
North Wootton Neighbourhood Plan 2022-2036	<p>Submitted, 12 September 2023; followed by pre-examination (Regulation 16) consultation (finished 24 November 2023).</p> <p>Examiner's Report published 23 July 2024. Referendum date: 14 November 2024; anticipated adoption, end-November 2024</p>
Pentney Neighbourhood Plan	<p>1st draft Plan (Regulation 14) consultation March-May 2023; Plan submission anticipated spring 2025</p>
Ringstead Neighbourhood Plan 2021-2036	<p>Submitted 22 April 2024. Pre-examination (Regulation 16) consultation, 14 June – 26 July 2024 (inclusive).</p> <p>Examination commenced September 2024; anticipated to conclude October 2024. Referendum anticipated early-2025.</p>
Syderstone	<p>Preliminary draft Plan Strategic Environmental Assessment/ Habitat Regulations Assessment consultation with Environment Agency/ Historic England/ Natural England (September/ October 2024)</p> <p>1st draft Plan (Regulation 14) consultation anticipated early-2025</p>
Walpole	<p>Preliminary draft Plan Strategic Environmental Assessment/ Habitat Regulations Assessment consultation with Environment Agency/ Historic England/ Natural England (June/ July 2024)</p> <p>1st draft Plan (Regulation 14) consultation anticipated late- 2024</p>
Walpole Cross Keys (review of 2017 Neighbourhood Plan)	<p>Preliminary draft Plan Strategic Environmental Assessment/ Habitat Regulations Assessment consultation with Environment Agency/ Historic England/ Natural England (June/ July 2024)</p> <p>1st draft Plan (Regulation 14) consultation anticipated late- 2024</p>
In addition, several other Parishes are designated Neighbourhood Areas, but progress with plan-making is unknown or at an early stage	<p>Burnham Overy (designated 5 December 2023); Dersingham; Downham Market; Docking (designated 22 December 2023); Great Massingham; Ingoldisthorpe; Outwell; Shouldham; Tilney St Lawrence; West Dereham</p>
Expressions of interest	<p>King's Lynn Area Committee; Little Massingham Parish Council; Titchwell Parish Meeting</p>

PARISH COUNCIL UPDATE

On the 12th and 19th September there were two events organised to update Parish Councils on Planning Issues. The agendas covered CIL, Enforcement, Biodiversity Net Gain, Street Naming and Numbering, Local Plan update and Planning Control. Attendees on the 12th included representatives from Dersingham, East Winch, Fincham, Great Massingham, Holme-Next-The-Sea, Ringstead, Runcton Holme, Shouldham, Terrington St John, Walsoken, Wiggenhall St Germans. The 19th included Brancaster, Castle Acre, Docking, Downham Market, East Rudham, East Winch, Emneth, Holme-Next-the-Sea, Marshland St James, Middleton, North Runcton, Pentney, Sedgeford, South Wootton, Southery, Stoke Ferry, Upwell, Walpole Highway, Walsoken, and Wretton.

Copies of all the presentations have subsequently been sent to all Parish Councils and Councillors and the intention is to continue to hold such events on an annual basis, but we recognise that there continues to be an issue with the acoustics which needs addressing.

LICENSING

- Taxi fee level calculations and changes to the Hackney Carriage & Private Hire licensing procedures and conditions booklet have been finalised and are out for consultation until 18th December 2024. Reports will be produced through E&C, Cabinet and then Full Council in January 2025.
- Two prosecution cases have both been heard at Magistrates Court – unlicensed taxi/unlicensed dog breeder. Unlicensed dog breeder pleaded guilty and is awaiting sentencing. The unlicensed taxi driver case was heard in court earlier this month. He failed to attend. Total of £2,090 in fines, costs and victim surcharges to pay along with 8 points on his DVLA Driving licence for no insurance (awaiting proper summary from NP Law before going to press).
- The revised Gambling Act Statement of Principles consultation ended on 16th September 2024. Been through E&C, next to Cabinet on 5th Nov and then to Full Council on 28th Nov – to be effective from 31st Jan 2025.
- There have been two taxi driver hearings recently. Both failed to attend. One revoked in absence and the other adjourned as was away on holiday.