

CABINET MEMBERS REPORT TO COUNCIL

21st February 2024

COUNCILLOR ANDREW BROWN - CABINET MEMBER FOR PLANNING AND ENFORCEMENT

For the period 20th December 2023 to 9th February 2024

1 Progress on Portfolio Matters

Since the last Council meeting, we have had two sessions that build on our Planning Service Improvement Plan commitment to better and wider engagement:

- (i) On 30th January we held our quarterly **Agents and Developers Forum**. I was pleased that about 30 people were at the virtual meeting - and that the number of people attending each session is on an upward trajectory;
- (ii) On 1st February we held our third **Town and Parish Council Planning Briefing Session** (in Holt). 29 Town / Parish Councillors (or clerks) attended. The session included a lively and constructive discussions on Neighbourhood Plans and affordable housing. The next session is on 26th March in Cromer – and I am confident that we will break the 100 (cumulative) attendees at that session.

In terms of Planning Policy:

- (iii) The **Local Plan Examination** is now well underway. By the time of Council, the 2nd week of Examination Sessions will have been held. The final week is scheduled to take place from 5th March 2024. The Sessions are open to Councillors and the public to attend – although there are strict rules around who can and can't take an active part in them. For more information see: [Local Plan Examination Latest News](#);
- (iv) Wells-next-the-Sea Town Council formally submitted their final draft **Neighbourhood Plan** for examination on 20th June 2023. Following a six-week public consultation, the Neighbourhood Plan is now entering the examination stage. Mr Andrew Ashcroft has been appointed to hold an independent examination. This will look at whether the Plan meets the basic conditions needed to move forward with a public referendum. The examination formally commences on 3rd January 2024. Following the Examiner's assessment, they will write a report advising if the Plan should move to the next stage of a public referendum. For more information see: [Wells-next-the-Sea Neighbourhood Plan](#).

In terms of Development Management:

- (v) The Development Committee has met three times already this year. This included an 'extra' meeting - see [Development Committee 25th January 2024](#) - to consider a large application (for 350 dwellings) from **Hopkins Homes at North Walsham**. Subject to a number of caveats being dealt with – the Committee decided to authorise officers to approve the application (reference: PF/22/1784);
- (vi) In October last year, the Planning Service started sending all Councillors a '**weekly list**' of applications that have been received. As well as providing more timely information to Councillors it was done to enable greater clarity as early as possible as to what might or might not end up being considered at Development Committee. Part of this was to enable our senior officers (Director and Assistant Director) to identify applications that they consider should definitely go to Committee. These are likely to be larger and / or higher profile applications. Where one of them decides that something will definitely go to Committee, they will notify the relevant ward councillor(s). So far in 2024, this has occurred once – for an application in Coastal Ward at Arcady, Cley-Next-The-Sea (application reference: PF/24/0101). It is anticipated that that application will be considered at Committee in March or April 2024;
- (vii) Our website also provides the opportunity for people to see the **applications that have been determined** in any week or month. This can be accessed via: [Weekly and Monthly Lists - Planning](#);
- (viii) Development Committee considered a **Performance Report** at its' meeting on 8th February 2024 – see [DC Performance Feb 2024](#). This demonstrated the excellent service being provided both in terms of speed of decision and success at appeal. It is intended that a new set of Performance Indicators will be monitored in 2024/25 that assess more of the Service provided. The potential indicator suite will be discussed at Development Committee in the next couple of months – i.e. before our officers start measuring and reporting on them.

Government Led Changes to Planning:

- (ix) The much awaited introduction of developments needing to start providing for a 10% **Biodiversity Net Gain** has finally started for all major applications validated on or after 12th February 2024 – and will come in for other developments from 2nd April 2024. Further information on the requirements and how they will be delivered will be circulated to Councillors in the coming weeks. Further information can be accessed via: [Biodiversity Net Gain | Local Government Association](#);
- (x) The Government published a new **National Planning Policy Framework** on 20th December 2023 – and then, following numerous queries a clarification was issued on 5th February 2024 around calculations associated with Housing Supply matters. The new Framework can be accessed at: [National Planning Policy Framework](#). The Framework updates national policy and is relevant to Local Plan production and decision making on planning applications;

- (xi) I would observe that the **extent of Government changes** to the Planning system is significant and – seemingly – continuous / never ending. In addition to the new Framework (mentioned in the previous point) an array of other changes were set out / summarised in the Planning Newsletter the Government's Chief Planner issued on 30th January 2024 – see [Planning Newsletter January 2024](#). Just keeping up with all of these is a major challenge to our Planning Service and eats up capacity – and diverts quite a bit of it away – in Development Management terms - from dealing with the day-to-day case-load.

In terms of Building Control:

- (xii) Our Building Control team have spent the past three months working through **major changes to the legislation**. This has involved the biggest changes to the legislation since the introduction of the 1984 Building Act and 1985 Regulations. Major changes to process and procedures have involved a complete reworking of systems and processes including everything from new application forms to revision of all standard documents and templates. Various revisions to computer systems are being implemented to accommodate the monitoring and reporting requirements. As summary of the changes can be found at [Building Safety E-bulletin: Building Control](#)
- (xiii) The new legislation requires greater Officer input on each application - through enhanced application validation requirements and site inspections. The Building Control **Fees and charges** are being revised to accommodate the changes and will be finalised by the end of this financial year.
- (xiv) Part of the nationally led changes involve a new **system of accreditation** for individual surveyors. All our surveyors are in the process of completing the required registration process. From 6th April 2024 it will be a criminal offence to undertake 'restricted activities' unless registered with the Building Safety Regulator. As part of this process there is a requirement to prove competence at the required levels (e.g. specific works need to be done by surveyors registered at certain levels). All our surveyors have completed evidence portfolios and had them approved and have sat a competence assessment exam with the results due in the next few weeks. The Registration process is explained in more detail at [Registered Building Inspectors](#)

Other matters of potential interest:

- (xv) Broadland District Council secured £9.6m **Nutrient Neutrality** Mitigation Fund see [Letter On Nutrient Neutrality - December 2023](#). Broadland are receiving the funding on behalf of – effectively – the council areas in Norfolk that are affected by Nutrient Neutrality matters (including North Norfolk District Council). Discussions have started as to how this money will be allocated / managed. Whilst Broadland will be the formal decision makers on the use of the money, various mechanisms are being put in place to ensure other areas – including ours – are properly involved. The Assistant Director – Planning is involved in this work on behalf the Council;

- (xvi) Norfolk Environmental Credits – the joint venture company that the Council is a shareholder in – has started selling its first **nutrient neutrality credits**. Whilst these relate to the Yare catchment – i.e. not North Norfolk – it is a positive demonstration of the progress the company has made. Further information is available at: [Norfolk Environmental Credits](#). The Director for Place and Climate Change represents the Council on the Company;
- (xvii) Work continuous on the Government nationwide initiative to transfer **Land Charges to HM Land Registry**. The exact dates for this to take place in North Norfolk are not yet known – the programme is incremental – i.e. done in phases – rather than the whole country on the same day. Further information can be accessed at [Local Land Charges Programme](#);
- (xviii) We have been notified by the **Planning Inspectorate** that they have a significant backlog of Enforcement and Lawful Development Certificate Cases. They have apologised for the inconvenience this causes;
- (xix) One part of the Planning Service Improvement Plan work was to introduce a new **Local Validation List** – which basically would set out what information and documents applicants need to submit as part of a planning application. There is a process to follow to get any such List introduced and that involves a period of public consultation. It is planned that that consultation will start prior to the next Council meeting.

2 Forthcoming Activities and Developments

The next (and fourth) Town and Parish Council road-show will be held in Cromer on 26th March 2024.

The next Development Committee is due to be held on 7th March 2024.

The remaining Local Plan Examination dates are 5th to 7th March 2024.

3 Meetings attended

Dec 20 th	Portfolio Holder Meeting
Dec 21 th	Norfolk Environmental Credits meeting
Jan 3 th	Melton Constable Parish Council
Jan 8 th	Cabinet meeting
Jan 8 th	Business Planning meeting
Jan 8 th	Briningham Parish Council
Jan 9 th	Development Committee Pre-Agenda meeting
Jan 11 th	Development Committee
Jan 15 th	Edgefield Parish Council
Jan 16 th	Licensing Sub Committee meeting
Jan 18 th	Treasury Management training meeting
Jan 22 th	Cabinet Pre Agenda and Business Planning meetings

Jan 22 th	Brinton Parish meeting
Jan 22 - 25 th	Local Plan examination sessions
Jan 23 th	Development Committee Pre Agenda meeting
Jan 25 th	Development Committee
Jan 25 th	Brinton Parish Council
Jan 30 th	Agents and Developers Forum meeting
Jan 31 th	All Parliamentary Planning Group for Planning and Housing event at the House of Lords
Feb 1 th	Planning Roadshow public meeting in Holt
Feb 5 th	Cabinet and Business Planning meetings
Feb 5 th	Love Holt presentation meeting
Feb 6 th	Development Committee Pre-Agenda meeting
Feb 7 th	Joint Staff Consultative Committee meeting
Feb 8 th	Development Committee

4 Future Meetings (after 9th February) due to be Attended

Feb 13 - 16 th	Local Plan Examination sessions
Feb 14 th	Overview and Scrutiny Committee
Feb 15 th	Transport East review
Feb. 21 th	Norfolk Rail Group
Feb 21 th	Full Council annual budget meeting
Feb 26 th	Business Planning meeting
Mar 11 th	Cabinet meeting
Mar 14 th	Portfolio Holder meeting