

CABINET MEMBERS REPORT TO COUNCIL

20th November 2024

COUNCILLOR ANDREW BROWN - CABINET MEMBER FOR PLANNING AND ENFORCEMENT

For the period 20th September 2024 to 8th November 2024

1 Progress on Portfolio Matters

Since the last Portfolio Holder report to Council, we have had one that builds on our Planning Service Improvement Plan (PSIP) commitment **to better and wider engagement**:

- (i) On 24th October we held our quarterly ***Agents and Developers Forum*** and covered an array of topics including: updates on the Local Plan, our Pre-Application planning service and Building Control; and, discussions on the Local Validation List consultation (see below), Biodiversity Net Gain, and Nutrient Neutrality.

In addition, a number of further **Planning Service Improvement Plan (PSIP)** matters have been progressed including:

- (ii) Following Development Committee on 19th September 2024, consultation has started on our new draft ***Local Validation List***. This List relates to the information that needs to be submitted to support different types and scales of planning application. The consultation period finishes on 27th November 2024. The intention thereafter is to report the outcome of the consultation to Development Committee in December and adopt the final version of the List for use from January 2025. For more information see: [North Norfolk Local Validation List Consultation](#).
- (iii) ***Overview and Scrutiny Committee*** considered an update on PSIP matters at their meeting on 16th October 2024. The Committee welcomed the progress that had been made on delivering the Plan and concluded that they didn't need to receive any further reports on the subject – i.e. leaving on-going monitoring of delivery / performance against the Plan to the Development Committee. The report is available at: [Overview and Scrutiny Report on PSIP](#).

In terms of **Planning Policy**:

- (iv) Following receipt of the Planning Inspector's initial response letter on our ***Local Plan Examination*** on 19th July 2024, Cabinet agreed - at their meeting on 4th November 2024 - to start a new round of consultation on changes proposed in respond to the letter received. In doing so, Cabinet endorsed the recommendations that the Planning Policy and Built Heritage Working Party made on the subject during their meeting on October 10th 2024. The Working Party report is available at: [Local Plan Update and Action Plan Working Party Report](#).
- (v) Following the Cabinet meeting referred to above, the ***Further Consultation on the Local Plan*** commenced on 7th November 2024 and will conclude on 19th December 2024. The consultation can be accessed via: [Local Plan Consultation](#).

In terms of **Development Management**:

- (vi) The Development Committee has met only met once since the last Report. That Committee considered ***one major application*** – for 54 affordable homes at Station Road, North Walsham – see [Committee Report Application Reference PO201251](#).
- (vii) In the first 6 months of this financial year (i.e. 1st April 2024 to 30th September 2024), ***Development Committee*** met 8 times. Those 8 meetings have considered 26 different applications (an average of 3.25 per meeting). Further analysis has shown that:
 - Two of the 26 (7.7%) were deferred at the first time of consideration – with one subsequently determined within the same 6 month period – and the 2nd one determined at Committee in October;
 - 4 of the applications were in the major category – e.g. 10 homes or more;
 - The applications were in 16 different wards;
 - In addition to applications, Committee considered 1 Tree Preservation Order where objection(s) had been received to the provisional Order; and
 - There were no 'site visits' made by Committee in either of the two quarters.
 - The 26 applications that were considered at the 8 Committees amounted to 2% of the applications the Council determined in the 6 month period;
 - All of the applications that Officers recommended were approved, were then approved by the Committee (i.e. 100%);
 - The Committee approved three of the 6 (i.e. 50%) applications which Officers had recommended were refused; and
 - In total that means that 88% of applications determined by the Committee were resolved in accordance with the headline (i.e. approve / refuse) Officer recommendation.

- (viii) Separately, since the introduction of the new **Development Committee Call-In Form** system on 1st September 2024, by 6th November 2024, 14 Call In forms have been received and acknowledged – from 11 different councillors and one senior officer. Officers consider that the new system is working reasonably well and is increasing our consistency and transparency. A more formal review of the effectiveness of the new system will be carried out in / by summer 2025 – as previously agreed – but Officers would welcome hearing any views on the Form at anytime (e.g. when Councillors actually complete one).

In terms of **Planning Enforcement**:

- (ix) So far in 2024, our Planning Enforcement team has opened 323 different cases and has currently a case load of 187 live 'cases' that it is dealing with. Since 1st April the team have been monitoring case opening to case determination point. For the period to 30th September 2024, the average (mean) time from opening a case to determining the case was 22 working days. 'Opening' is defined as the first receipt of a query by a member of the public (etc) and the 'determination point' is defined as the – no action to be taken (e.g. planning permission isn't required) or a planning application is invited or the matter is resolved by agreement (e.g. someone stops doing something) or some form of formal action is commenced.

In terms of **Building Control**:

- (x) The Building Control team has implemented the **LABC ISO 9001 Quality Management System** for its processes and is currently undertaking internal auditing of procedures.
- (xi) The **Building Safety Regulator** has commenced its 5 year rolling program of assessing the adequacy of Individual Building Control Teams, with the prioritisation of inspections being based up risk. It is thought that NNDC with all of its surveyors accredited and not being part of shared or outsourced service would not be seen to be at the highest risk levels, but holistic reviews of service delivery are being undertaken internally before a likely inspection being carried out.
- (xii) The recent issue of the ICC (Industry Competence Committee) Guidance Note 1 – **Design Advice and Guidance**, has been issued to clarify the limitations on advice and guidance that can be given by Registered Building Inspectors. The team have considered the advice and ensured its support given is in accordance with this.
- (xiii) There has been national press on the failure of some **Private Building Control** bodies, and the excessive workload and resource issues that have subsequently affected Local Authorities. For further information see: ['Terrible' impact of Towcester building control firm collapse - BBC News](#). Whilst we have had some projects impacted within North Norfolk, the total number of projects is less than 50 so will be manageable within the team.

- (xiv) The **Building Safety Levy** has come to the forefront again following the recent election. This is a levy to fund the nationwide cladding remediation issues and will likely cause additional work for the Building Control team (new burdens funding and % retention of the levy are likely).

In terms of Government led **Changes to Planning**:

- (xv) The Council responded to the new Government's **draft National Planning Policy Framework** in September 2024. The draft can be found at: [Draft National Planning Policy Framework](#). The Council's response was considered and endorsed at the Planning Policy and Built Heritage Working Party meeting of 10th October 2024. See items 7 and 8 available via: [Agenda for Planning Policy & Built Heritage Working Party - 10th October 2024](#).

The Council objected to the proposed increase in its housing target that was contained within the draft – i.e. an increase to 943 new homes a year - an increase of 70% on the most recently published national target of 556.

- (xvi) Various elements of the **Budget of 30th October 2024** are directly relevant to the Council's Planning Service including:
- A commitment from Government that they will respond to the National Planning Policy Framework consultation before the end of the year – i.e. to confirm pro-growth reforms to the planning system;
 - Plans to implement legislative changes to ensure a 'simplified and streamlined' planning system will be introduced via a Planning and Infrastructure Bill early in 2025; and,
 - A £46 million to boost capacity and capability in local planning authorities (i.e. to fund another 300 local authority planners) to 'accelerate large sites that are stuck in the system, and boost and upskill local planning authority capacity to deliver the government's wider reform agenda'.

And **finally**:

- (xvii) The Government also announced – on 30th October 2024 - that our local partnership of Council's working on the Norfolk **Nutrient Mitigation** Fund will receive an additional £8.85m of capital funding and nearly £500,000 more of revenue funding. For further information see: [Local Nutrient Mitigation Fund Round 2: funding allocations](#). Broadland District Council are the accountable body for this funding with Breckland District Council, North Norfolk District Council, Norwich City Council and South Norfolk Council also involved. The Council has publicised this on its website – see: [New funding boost for Nutrient Neutrality planning](#).

2 Forthcoming Activities and Developments

The next Development Committee is due to be held on 14th November 2024 (i.e. before the Council meeting) and then there is one scheduled for 12th December 2024.

3 Meetings attended

September (from 20th)

20 Overview and Scrutiny Committee
23 Business Planning
25 Full Council
26 Brinton and Melton Constable Parish Councils

October

7 Cabinet & Business Planning
9 Nutrient Mitigation Member Working Group
10 Planning Policy and Built Heritage Working Party
12 Positivitea in Holt
16 Overview and Scrutiny Committee
17 Development Committee
21 Business Planning
24 Norfolk Strategic Planning Forum
31 Portfolio Holder Meeting

November

4 Cabinet and Business Planning
7 Joint Staff Consultative Committee

4 Future Meetings (after 8th November 2024) due to be Attended

November

12 Melton Constable Parish Council
13 Corpusty and Saxthorpe Parish Council
14 Development Committee
18 Business Planning
18 Edgefield Parish Council
20 Full Council
21 Planning Policy & Built Heritage Working Party

December

- 2 Cabinet and Business Planning
- 9 Anglian Water Workshop
- 11 Overview & Scrutiny Committee
- 12 Development Committee
- 18 Full Council