

# CABINET MEMBER UPDATE REPORT

Overview and Scrutiny Committee (Regeneration and Skills) – 19 January 2021

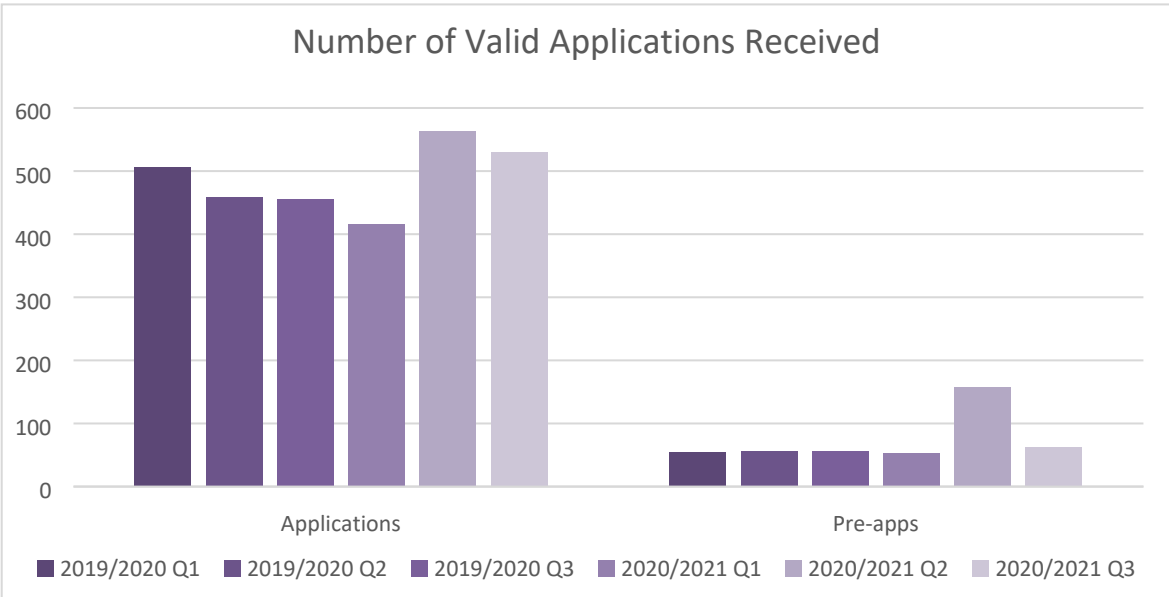
COUNCILLOR	PORTFOLIO	DATE
Daren Veidman	Planning and Building Control	19 January 2021

## Introduction

- 1.1 The Planning Service is set up to operate the Council's regulatory functions in relation to the development and use of land.
- 1.2 It comprises the following functions:
  - Development Management
  - Building Control
  - Local Plans
  - Heritage and Conservation

These are supported by the Technical Support team.
- 1.3 Since lockdown in March 2020, staff have adapted to running the Service from home. The Service responded to lockdown with a series of initiatives to stimulate economic activity. These included free meetings with developers and investors, and free pre-applications. Despite the severity of the challenges, the Service has continued to be provided with minimal disruption and has played its part in assisting economic recovery.
- 1.5 Our message has been very clear: "Sefton is open for business". In May and September 2020, newsletters were sent to agents who submit applications for planning permission and building regulations approval to keep them up to date with the changes. In October we offered a seminar to agents explaining changes to planning legislation.
- 1.6 The Chief Planning Officer was invited to lead national webinars that looked at Planning service delivery during COVID-19 and showcased the work at Sefton Council as excellent practice. This resulted in very positive publicity for the Council in the national planning press.
- 1.7 The graphs in section 2 below show that though there was a dip in applications for the period of lockdown itself (Quarter 1 April – June), activity has picked up since then and significantly exceeded levels from the equivalent periods last year.
- 1.8 Planning Services has also contributed to the Council response to Covid-19 by seconding two part-time members of the Technical Support team to the Invest Sefton for business grants scheme.

## 2. Development Management



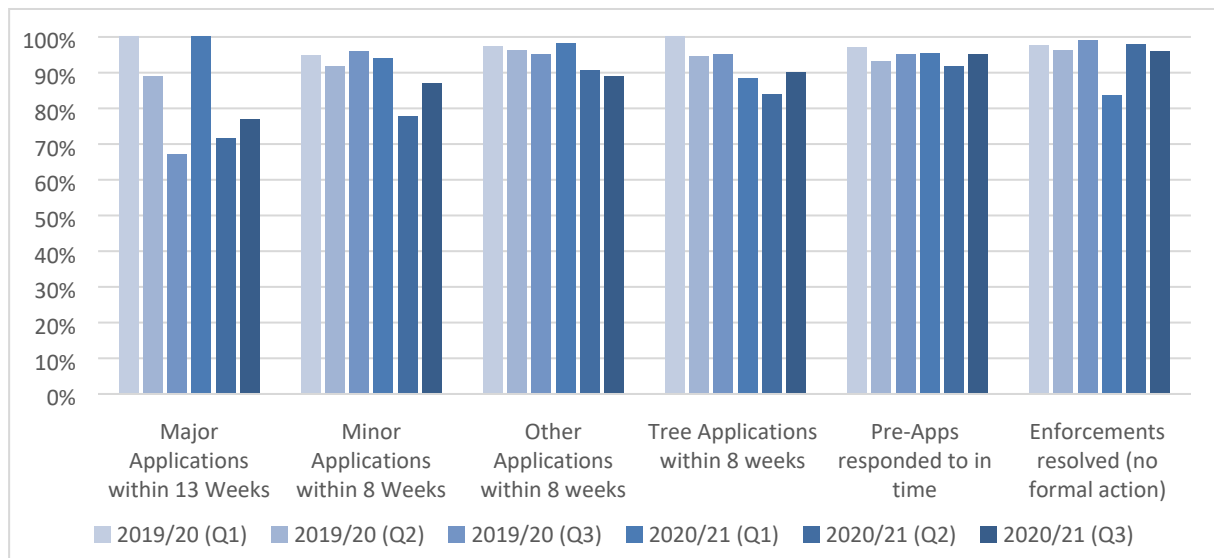
2.1 The above chart confirms that while there was a dip in application numbers during lockdown (Quarter 1: April - June) when compared to last year, this was followed by a significant increase in Quarter 2 (July – September) when compared to the same time last year. The numbers for Quarter 3 (October – December) still exceed those for the similar period last year.

The major rise in pre-applications during Quarter 2 is a direct result of the fact this service was offered free for much of this quarter to stimulate new economic activity and charges for most pre-applications were reinstated in October and numbers have dropped back again.

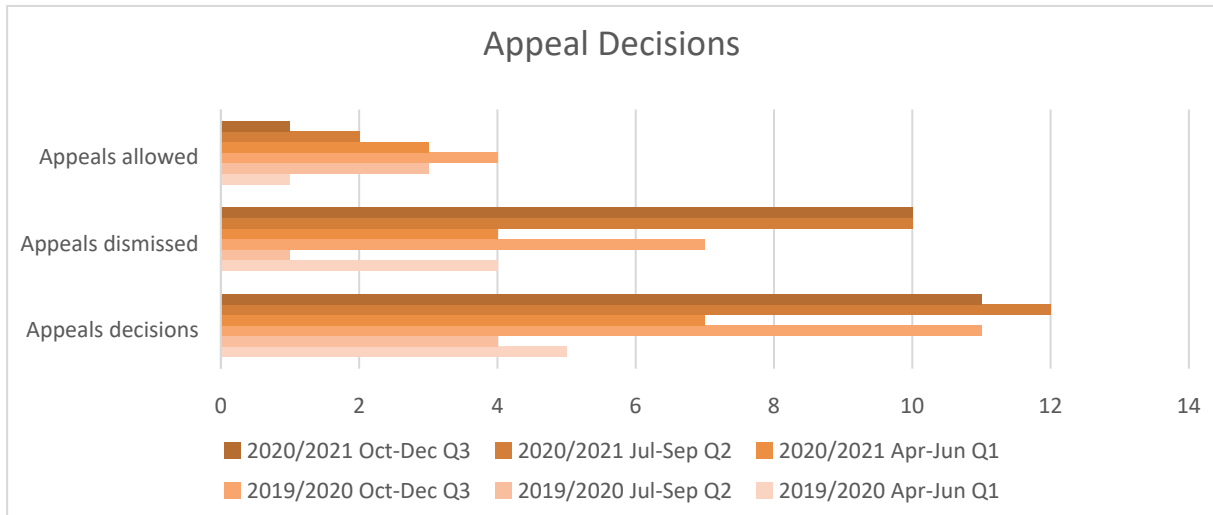
2.2 The chart below shows the performance of the Service over the last 3 quarters, compared to the equivalent quarters for 2019-20. The rate of determining applications has slowed down to some extent in Quarter 2 this year, but has begun to pick up again in Quarter 3. The drop in Quarter 2 is likely to be the result of a combination of factors:

- a real slow down of applications initially following lockdown, followed by a ‘bounce back’ towards the end of Quarter 1 generating a high workload in a short space of time
- a member of staff was off on long term sick leave
- we are carrying a number of vacant posts.

Key performance against national targets for speed and quality of decision making: comparison between first 3 quarters of 2019-20 and first 3 quarters of 2020-21.



	Target	2019/2020			2020/2021			Difference		
		Apr-Jun	Jul-Sep	Oct-Dec	Apr-Jun	Jul-Sep	Oct-Dec	Apr-Jun	Jul-Sep	Oct-Dec
		Q1	Q2	Q3	Q1	Q2	Q3	Q1	Q2	Q3
Major Applications within 13 Weeks	63%	100%	89%	67%	100%	71%	77%	0%	-18%	+10%
Minor Applications within 8 Weeks	68%	95%	92%	96%	94%	78%	87%	-1%	-14%	-9%
Other Applications within 8 weeks	83%	97%	96%	95%	98%	91%	89%	+1%	-5%	-6%
Tree Applications within 8 weeks	83%	100%	95%	95%	88%	84%	90%	-12%	-11%	-5%
Appeals Dismissed	72%	80%	33%	64%	57%	90%	91%	-23%	+57%	+27%
Pre-Apps responded to in time	80%	97%	93%	95%	95%	92%	95%	-2%	-1%	0%
Enforcements resolved (no formal action)	75%	98%	96%	99%	84%	98%	96%	-12%	+2%	-3%



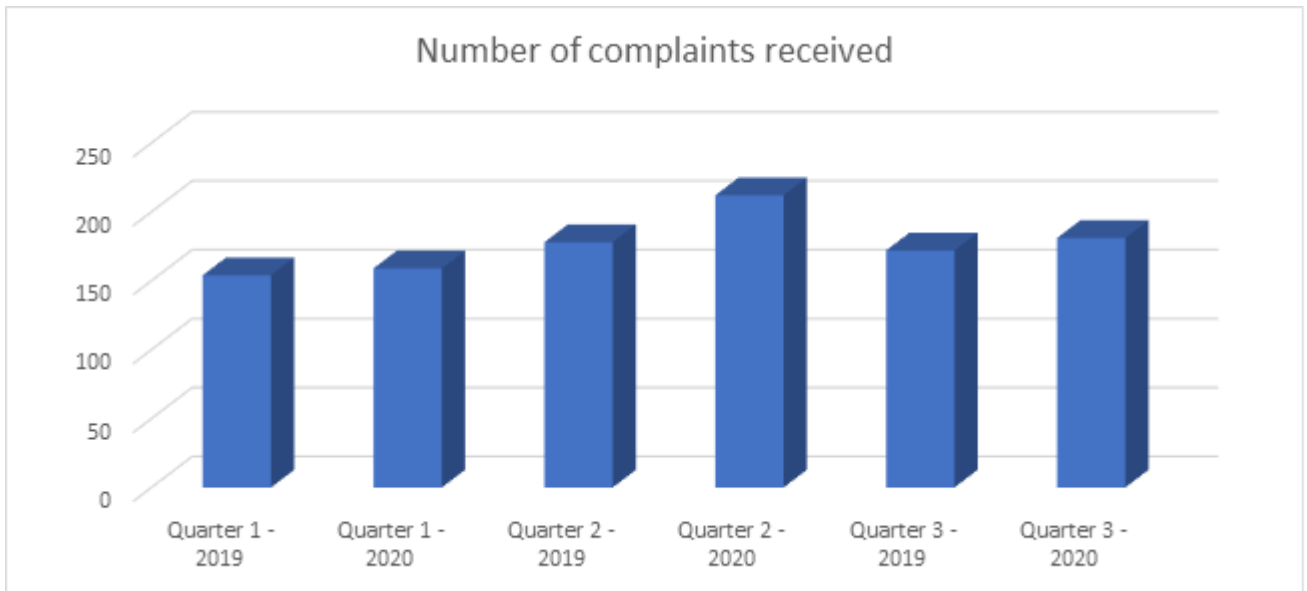
- 2.3 The pressure on this part of the Service continues with planning applications having been received for 27 of the 47 housing sites allocated in the Local Plan (approximately 5,000 homes).
- 2.4 Between April to June (quarter 1) we approved 180 units of residential accommodation, in July to September (quarter 2) we approved 45 units, and in October - December we approved 330 (taking account of the numbers in full or 'reserved matters' applications only, and not 'outline').
- 2.5 The capacity of the Service is stretched by the increased pressure relating to dealing with many complex and contentious applications. Whilst working from home has not presented any major issues it does however have some implications for performance. It is a significant team effort across the Service to assess and determine applications expediently and in line with Government targets.
- 2.6 Reference was made above to the loss of a member of staff due to sickness. This gap has been filled by recruiting to a fixed term post currently on the establishment.

### Planning Committee

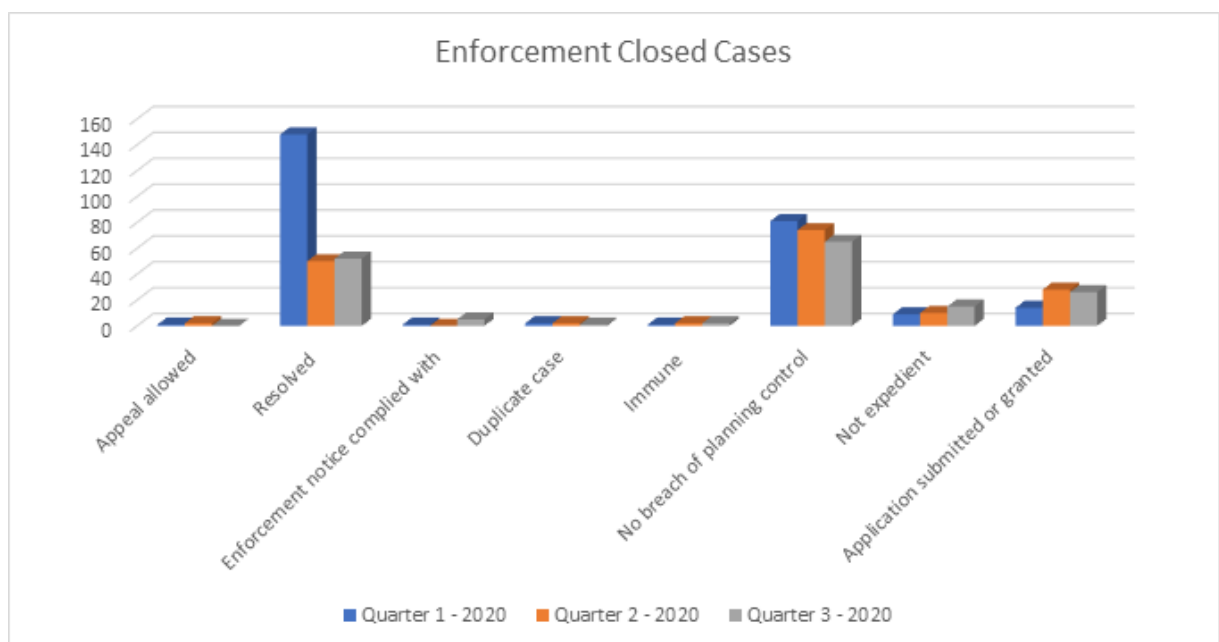
- 2.7 Planning Committee deal with major applications and those which are subject to a petition or have been 'called in'. The March Planning Committee meeting was cancelled and since then all Planning Committees have been virtual, using 'Teams Live Events' software. The first of these was 10<sup>th</sup> June with subsequent Committees at three weekly intervals to deal with the backlog of applications. This approach has proved to be effective not least because of the thorough preparation by teams both from Democratic Services and Planning Services and the flexibility and adaptability of the Committee itself.
- 2.8 Of the nine Planning Committee meetings held during this review period, 31 applications have been considered, around 2% of the total. Of these, 20 have been granted permission, and nine have been refused and two are pending.

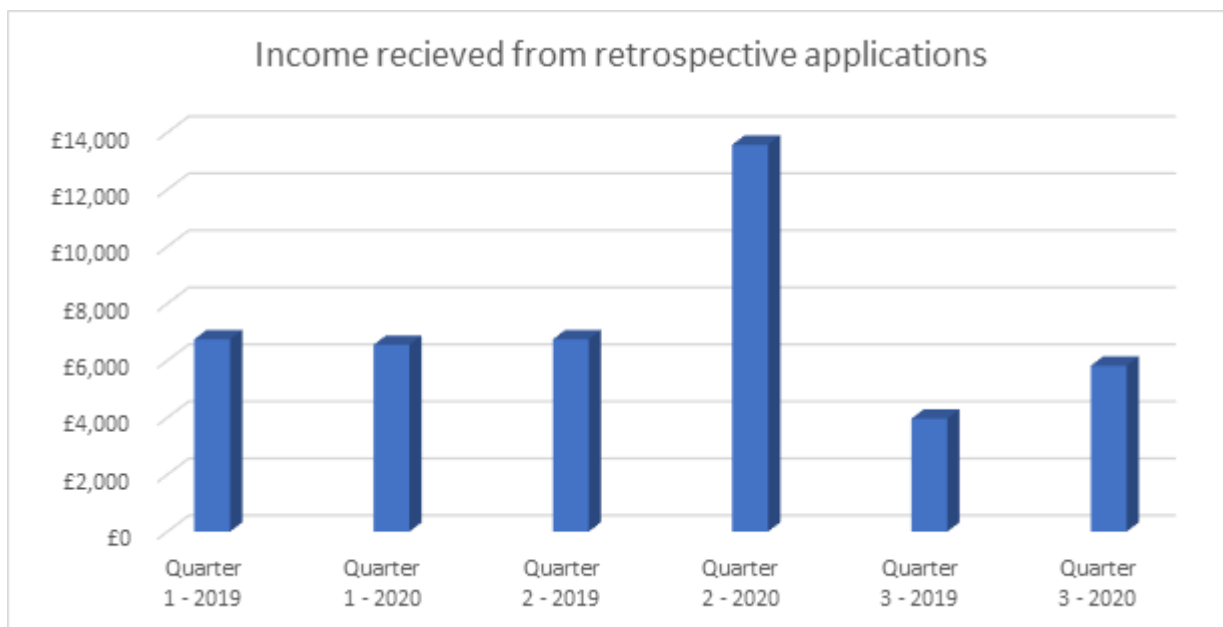
## Enforcement

- 2.9 At the start of lockdown there was a significant dip in the number of enforcement complaints. However within a few weeks this began to rise again and the number of complaints significantly exceeded those in Quarter 2 last year. This could be explained by more people working from home and deciding to carry out development to their home, and more people noticing what is happening as they are also based at home. Complaints for Quarter 3 have levelled off again with only a small rise over the same period last year.



The charts below show how most of the complaints were able to be resolved without the need to take formal enforcement action and the amount of income generated through requesting retrospective applications. The enforcement team has generally been busier over the past year and this also shows up in an increase in income.





## 2.10 Key areas of activity over the last quarter:

Unauthorised use of land at Formby Football Club as a waste recycling centre.  
 In order to expedite the removal of the company operating from the site and return the land to its previous condition, it was considered a temporary application for a period of 12 months would be the most appropriate way to ensure that the Council retained control over the use of the site and the timescale within which the use should cease, and avoid any lengthy appeals.

Residential development site under construction at Liverpool Road, Formby.  
 The development included the retention of a section of hedgerow which was removed without notification by a sub- contractor. The Local Authority Prosecutor found this to be an honest mistake and concluded it would not be in the public interest to prosecute the sub-contractor who accepted a caution. Despite not being at fault for the removal of the hedge, the developer has agreed to replace the hedge which should be completed in January 2021.

34 St Andrews Road, Crosby. Sizeable extensions to the sides, rear and roof had not been built in accordance with the approved plans. A retrospective planning application was refused and a breach of condition notice served which required the development to be built in accordance with the plans. A further application being submitted and the breach of condition notice was withdrawn. The second application was also refused. The applicant will either have to appeal that decision or alter the property to accord with the approved plans.

### Other areas of activity

2.11 In 2019 we recruited to the Planning Officer (Trees) post with a view to generating income through working collaboratively with the Green Sefton team. This had not proved easy because of the demands on Green Sefton. However, we are continuing to explore opportunities to generate income.

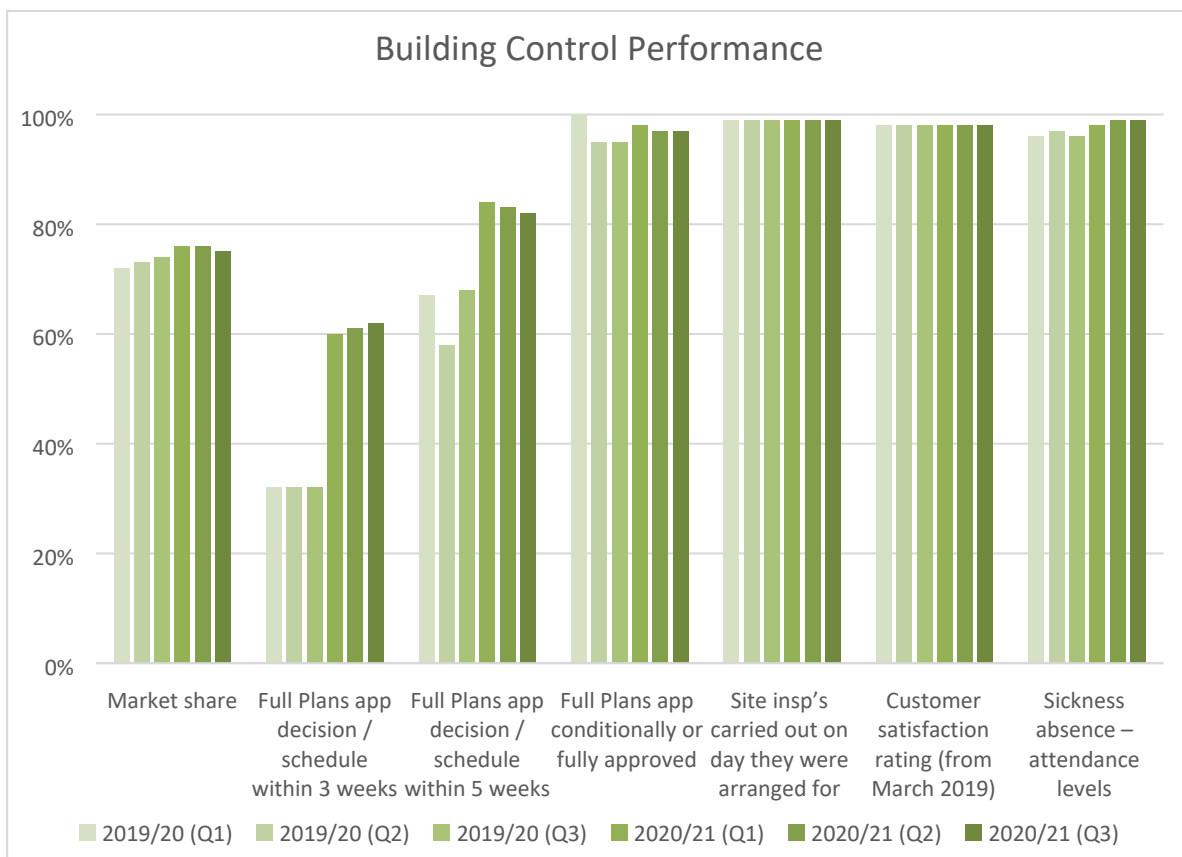
2.12 We continue to look for opportunities to organise our staff and procedures to make sure that the maximum effort is directed towards those schemes which are the most sensitive, complex and contentious, and that we provide the best possible service within the current unforeseeable constraints. This will mean new ways of working and we will continue to adopt these where we feel they lead to an improved service.

### 3. Building Control

#### Performance targets

The Building Control Team's performance over the last three quarters is shown in the tables below:

	Target	2019/2020			2020/2021			Difference		
		Apr-Jun	Jul-Sep	Oct-Dec	Apr-Jun	Jul-Sep	Oct-Dec	Apr-Jun	Jul-Sep	Oct-Dec
		Q1	Q2	Q3	Q1	Q2	Q3	Q1	Q2	Q3
Market share	75%	72%	73%	74%	76%	76%	75%	4%	3%	1%
Full Plans app decision / schedule within 3 weeks	62%	32%	32%	32%	60%	61%	62%	28%	29%	30%
Full Plans app decision / schedule within 5 weeks	72%	67%	58%	68%	84%	83%	82%	17%	25%	14%
Full Plans app conditionally or fully approved	95%	100%	95%	95%	98%	97%	97%	-2%	2%	2%
Site insp's carried out on day they were arranged for	95%	99%	99%	99%	99%	99%	99%	0%	0%	0%
Customer satisfaction rating (from March 2019)	80%	98%	98%	98%	98%	98%	98%	0%	0%	0%
Sickness absence – attendance levels	96%	96%	97%	96%	98%	99%	99%	2%	2%	3%



3.1 The Building Control Team continues to meet its key statutory targets in relation to plan-checking and the carrying out of site inspections. It is also meeting the majority of the locally set performance targets. Results for the first 3 quarters of 2020/21 show that the Team's market share is 76% - which is equal to or better than that of neighbouring authorities and is significantly above the average for English Councils, which stands at 67%. The Teams performance in respect of timely decision making on deposited applications has significantly improved following issues of long-term sickness and vacant posts being resolved.

#### Income and financial performance

3.2 Building Regulation income for 2019/20 delivered a small operating surplus - which will be used to off-set the cost of providing the statutory elements of the service such as dealing with dangerous structures, safety at sports grounds etc. The full financial effects of the current Covid-19 pandemic are uncertain but will be monitored closely.

#### Safety at sports grounds

3.3 As part of conditions of the Safety Certificates held by Southport FC, Marine FC and Aintree Racecourse, the Building Control Team undertakes annual inspections in order to check the grandstands are properly maintained. The inspection of the five grandstands at Aintree Racecourse were undertaken in January 2020 and inspections at Southport FC and Marine FC were undertaken later in the year. Building Control Officers undertook inspections of the temporary grandstands / hospitality structures being erected in the lead-up to the April 2020 Grand National meeting at Aintree Racecourse although, of course, this event was cancelled. The Building Control Team will be carrying out further inspections at Aintree Racecourse early in the new year – in hopeful preparation for the 2021 Grand National meeting.



## Staffing

3.4 A vacancy for a Building Control Officer was advertised in February 2020 and the post was subsequently filled in April 2020. This has resulted in an improvement in the Team's performance relating to the speed at which it assesses deposited Building Regulation applications.

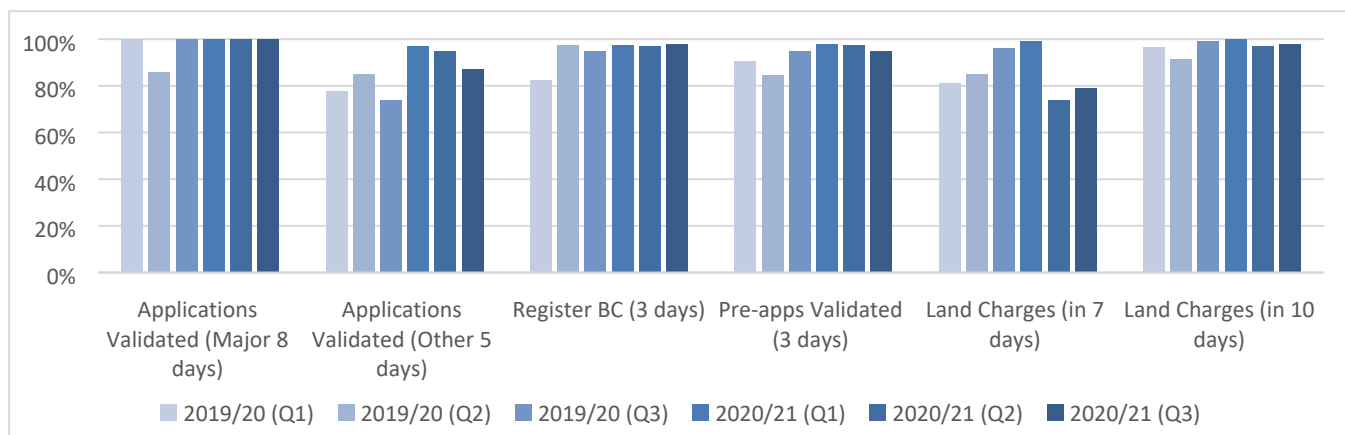
## Appointment of consultants / contractors

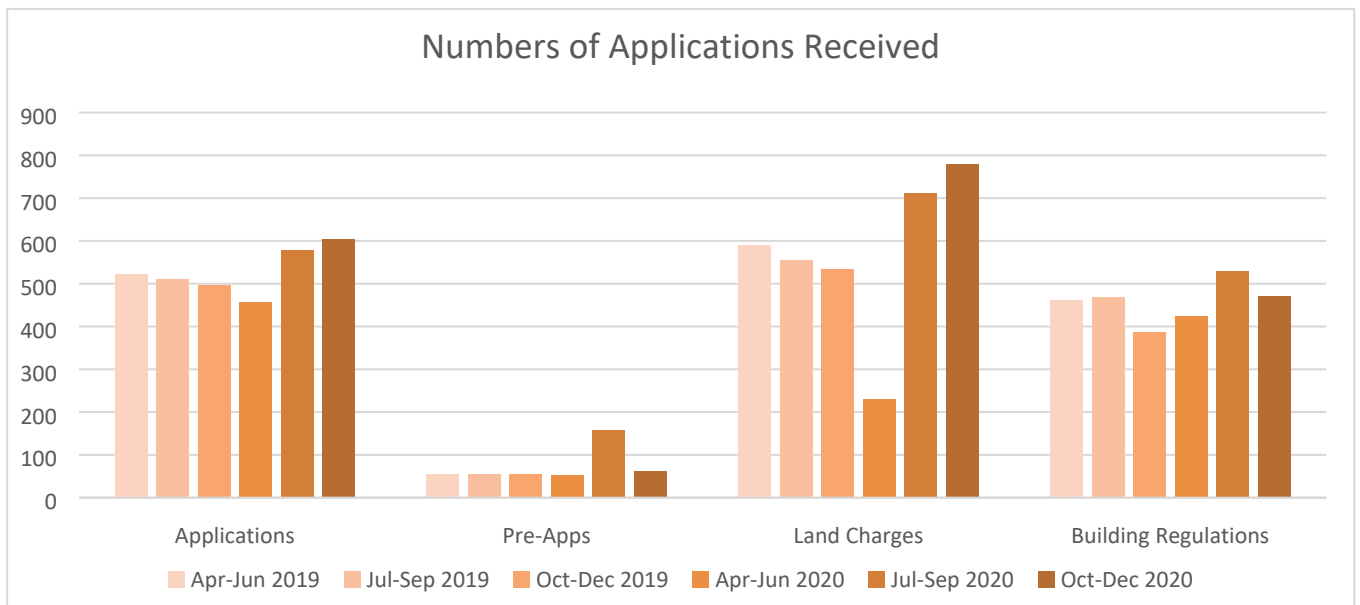
3.5 Following the completion of a tendering process, in September 2020, a locally based company was appointed to act as the Council's emergency contractor for the purposes of securing of vacant buildings and making safe dangerous structures. The appointment has ensured that the Council can effectively continue to deal with reports of dangerous structures and take the necessary action to ensure continued protection of the public.

## 4. Technical Support

4.1 Performance against targets for the period of April to December 2020 (Quarters 1 and 2)

	Target	2019/2020			2020/2021			Difference				
		Apr-Jun	Jul-Sep	Oct-Dec	Apr-Jun	Jul-Sep	Oct-Dec	Apr-Jun	Jul-Sep	Oct-Dec		
		Q1	Q2	Q3	Q1	Q2	Q3	Q1	Q2	Q3		
Applications Validated (Major 8 days)	80%	100%	86%	100%	100%	100%	100%	100%	100%	+0%	+14%	0%
Applications Validated (Other 5 days)	80%	78%	85%	74%	97%	95%	87%	+19%	+10%	+13%		
Register BC (3 days)	96%	82%	98%	95%	97%	97%	98%	+15%	-1%	+3%		
Pre-apps Validated (3 days)	93%	90%	85%	95%	98%	97%	95%	+8%	+12%	0%		
Land Charges (in 7 days)	80%	81%	85%	96%	99%	74%	79%	+18%	-11%	-17%		
Land Charges (in 10 days)	100%	97%	92%	99%	100%	97%	98%	+3%	+5%	-1%		





4.2 The number of applications received has risen in Q2 and Q3 this year to above the levels of 2019. There has been a sharp rise in the number of pre-application enquiries in Q2 this year. There has also been a dramatic rise in the number of local land charge search requests in Q2 and Q3 due to the measures the Government have put in place to stimulate the housing market.

4.3 The team continue to work well out of the office, a small number of staff attend the office on a rota basis to ensure the duties that can only be performed in the office are maintained.

4.4 Performance has improved particularly in the validation of planning applications and registration of pre-application enquiries which is now well above target.

4.5 The land charges function is an essential part in the conveyancing process and recovery of the economy. Our Land Charges Service is performing a little below target due to the increase in demand number of requests for local land charge searches. It is likely that the numbers have increased dramatically in Q2 and Q3 due to the temporary relaxation of Stamp Duty.

#### 4.6 **Service Development**

##### Working from home

4.7 Before the pandemic, the Service had already become 'agile' but some staff only worked one or two days a week from home, and some not at all. The major change at lockdown was everyone working from home and having to operate remotely with no physical support.

4.8 Staff have adapted incredibly well to working from home. Teams keep in touch virtually and a weekly 'Team Talk' keeps everyone up to date with the latest news in the Service.

## Staff Survey

- 4.9 A follow up staff survey revealed a high percentage of staff were still satisfied working at home. It showed that staff saw many benefits of working at home, saving time on commuting, providing more flexibility and offering a better work-life balance. On the down side, staff missed the support of colleagues both work-wise and informally, some felt the boundaries between work and home life were becoming blurred.
- 4.10 Overall staff performance has not suffered significantly by working from home and some staff said they felt they were working more productively from home.
- 4.11 An action plan has been put in place to ensure communications between teams continues and that issues arising are identified at an early stage.

## **5. Local Planning**

### The Sefton Local Plan

- 5.1 Planning applications continue to be submitted on allocated sites. Of the 47 housing sites allocated in the Local Plan (policy MN2) planning applications have been received for 27, equating to approximately 4,800 homes (as at 31 December 2020). This equates to 66% of the homes allocated in the Local Plan. There have also been several pre-applications enquiries on a number of other housing and employment allocations, and we expect applications on a number of these to be submitted over the next 6-12 months.

### Supplementary Planning Documents (SPDs) and other policy documents

- 5.2 The Planning Policy Team are currently working on a number of Supplementary Planning Documents to support the Local Plan. These include:
- Affordable Housing
  - Conversions to Flats and HMOs
  - New Housing
  - House Extensions
  - Design
  - Sustainable Travel
  - Shopfronts, Security and Signage
  - Boundary Treatments
- 5.3 Whilst these have been delayed a little due to staff being temporary used for other projects, it is anticipated these will be made available for public consultation in the Spring.

### Housing Delivery

- 5.4 The government published the Housing Delivery Test figures for 2019 on 13 February 2020. The results for Sefton are:

Year	Homes required	Homes Delivered
2016-17	501	644
2017-18	563	532
2018-19	645	564
Total	1,709	1,740

- 5.5 This means that Sefton have achieved over 100% (102%) of the homes required over the reported period (i.e. past three years). As a result, the Council are no longer required to produce a Housing Delivery Action Plan and only need to add a 5% buffer to its future supply of housing land (as opposed to 20%). This is due in part to a number of housing completions occurring on some of the large Local Plan allocations and a large reduction in the number of demolitions.
- 5.6 Nevertheless, Planning Services realises it cannot be complacent about housing delivery and, particularly with the current economic outlook, acknowledges that housing delivery may struggle in coming years. It has therefore set up a multi-disciplinary Housing Delivery Group, led by officers of the Local Planning team, that is looking at ways we can unlock development potential in Sefton. This includes exploring options for funding, coordinating infrastructure requirements, identifying and looking for solutions for barriers that may restrict development of some sites and addressing issues of land assembly.
- 5.7 It is expected that the next set of Housing Delivery figures will be published in February 2021.

#### Liverpool City Region work

- 5.8 The Combined Authority undertook early engagement with the public on the Spatial Development Strategy (SDS) for the Liverpool City Region concluding on 14 January 2020 to which the Council submitted comments. The next stage of consultation on the SDS was published in October 2020 and the Local Plans Team are co-ordinating comments to be submitted by February 2021.
- 5.9 The Statement of Common Ground on strategic, cross-boundary planning matters which was jointly prepared by the Combined Authority and the City Region authorities (including West Lancashire) has been approved and guides co-operation between Local Planning Authorities. This has recently been reviewed by the Planning Policy teams of each city region authority.

#### Other work

- 5.10 The Planning Policy team continues to provide policy advice on all relevant planning applications and pre-application inquiries, including large housing developments on the Local Plan allocations.

- 5.11 Due to a large increase in planning applications and requests for pre-application advice, the Planning Policy team are assisting colleagues in Development Management by taking on a case load of planning applications.

Whilst this helps the Council by ensuring that we can continue to deliver a timely and effective service, it also helps maintain and builds upon skills in the Planning Policy team who can see how effective policies can be implemented.

- 5.12 Following recent applications and appeal hearings for traveller accommodation sites, it has been decided that the Council's evidence base for gypsy and traveller accommodation needs to be updated. The Planning Policy team will be commissioning consultants to undertake this work over the next few months and will manage the process until its conclusion in summer 2021.
- 5.13 The Council is also undertaking a replacement Playing Pitch Strategy so that we have the evidence to deal with applications on existing playing pitches or can help secure contributions for improvements to existing pitches from large development proposals. The new strategy will also help support the Council's applications for funding for improvements to its playing pitches. This will be a complicated and multidisciplinary piece of work and will be managed and led by the Local Planning team.

## **6. Heritage and Conservation**

### Heritage at Risk

- 6.1 We are continuing to work towards the removal of the 6 Conservation Areas from the National Heritage at Risk Register. This includes a number of different work areas including raising their profile through Twitter and Facebook, regeneration funding bids, working with the local community, Conservation Area Appraisals and Management Plans, taking enforcement and other legal action in relation to a number of derelict sites and listed buildings in these areas, including the major Lord Street Verandah project.
- 6.2 Recent success includes the restoration and renovation of the Listed former Sunnymede School in Birkdale and the continued restoration of verandahs on Lord Street, Southport, along with the improvements undertaken at previous derelict and vacant sites.
- 6.3 Progress has been made on a number of Heritage at Risk sites including working with colleagues and partners on a number of Council owned Listed Buildings to secure their improvement such as urgent works at Victoria Baths and Hesketh Park Conservatory which recently obtained external funding for urgent works from Historic England.

### Regeneration

- 6.4 The externally funded Southport Townscape Heritage project has continued to work with interested property owners to look at progressing capital building grants including a number of site meetings with potential grantees.

Whilst the current circumstances are difficult and there has been a drop off in interest and financial commitment by some previously interested parties, we have made ourselves accessible and open for business and continue to progress a number of projects that are not far off a full application submission.

- 6.5 It has proved difficult to progress and host a number of complementary training and education initiatives, but options are being looked at for new ways of working and discussions continue with the National Lottery Heritage Fund on both this part of the project and the capital building grants. We have appointed a part time Heritage Skills Learning Co-ordinator who is now in post and she has begun investigation and progression in a number of key areas.
- 6.6 Discussions have taken place on a number of Heritage at Risk sites which are considered to be key strategic sites to find new uses or upgrade them to modern facilities so that they continue to be or find their optimum viable use and save them from further deterioration.
- 6.7 Design work has begun on the public realm improvements of Scarisbrick Avenue with an initial scheme budget of £920k being identified from the Highways Challenge Fund. This public realm project is integral to the Southport Townscape Heritage project and is within the main cluster of target properties in order to compliment the buildings themselves. The public realm will focus on high quality paving, new street lighting and wayfinding.

#### Advice to Development Management team

- 6.8 The pressure on this part of the Service has increased significantly with again another increase in consultation requests since the last quarter. For the Quarter 3 period October to December, **192** consultation responses were sent on planning applications and pre-applications relating to a number of Listed Buildings and developments within a number of our Conservation Areas and non-designated heritage assets. This is a significant rise on the figures for the previous two quarters, mainly in response to the rise in pre-applications as a result of the fee being waived. In addition to this we also continue to assist in various appeals, on site monitoring and enforcement cases.

## **7. Conclusion**

- 7.1 The past nine months have been unprecedented for the Council. However, the Service has responded well to the challenge which has seen high levels of performance maintained despite increases in workload.
- 7.2 This is largely due to technology which had already been put in place prior to COVID-19, and the support structures the Service has in place to ensure that everybody feels able to perform their role to the best of their ability, which is borne out by two staff surveys over this period.

- 7.3 The service has risen to the challenge posed by Covid with an innovative package of measures to promote and encourage economic activity by incentivising development, and the Council has been recognised nationally for this exceptional approach. We are seeing the results of this now with numbers of applications for planning permission and building approval restored to, and exceeding, pre-Covid levels.
- 7.4 Major legislative change is heralded in the Planning White Paper and we will outline the implications of this for the Planning Service in subsequent updates. In the meantime, the Service continues to respond to the very unsettled context in which we are currently operating and is prepared to adapt to further changes on the horizon.