

REPORT TO OVERVIEW AND SCRUTINY

29th June 2021

COUNCILLOR	PORTFOLIO	DATE
Daren Veidman	Cabinet Member Planning	29 th June 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.

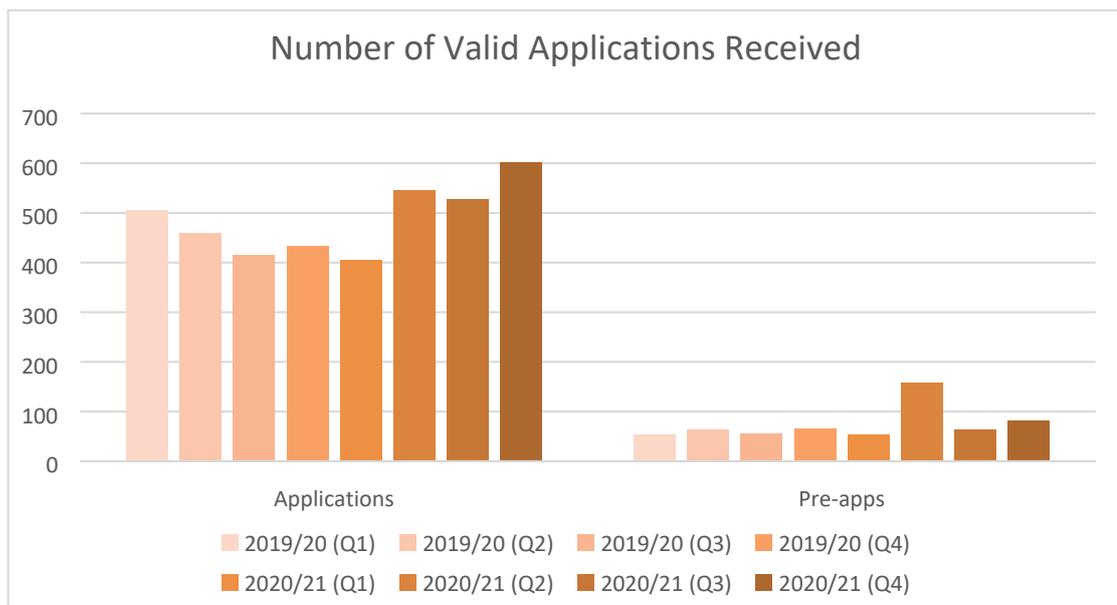
1.5 Our message has been very clear: "Sefton is open for business". In May and September 2020, newsletters were sent to agents who submit applications for planning permission and building regulations approval to keep them up to date with the changes. In October we offered a seminar to agents explaining 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.
- 1.9 Planning Services also contributed a number of staff to the surge testing initiative in Southport and have begun to publish all comments received on planning applications online from 1st February 2021. These factors have had some effect on maintaining high levels of performance.

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 and there has been a rise of 50% in Quarter 4 (January - March 2021) when compared to the same quarter 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, though showing a rise in the last quarter.

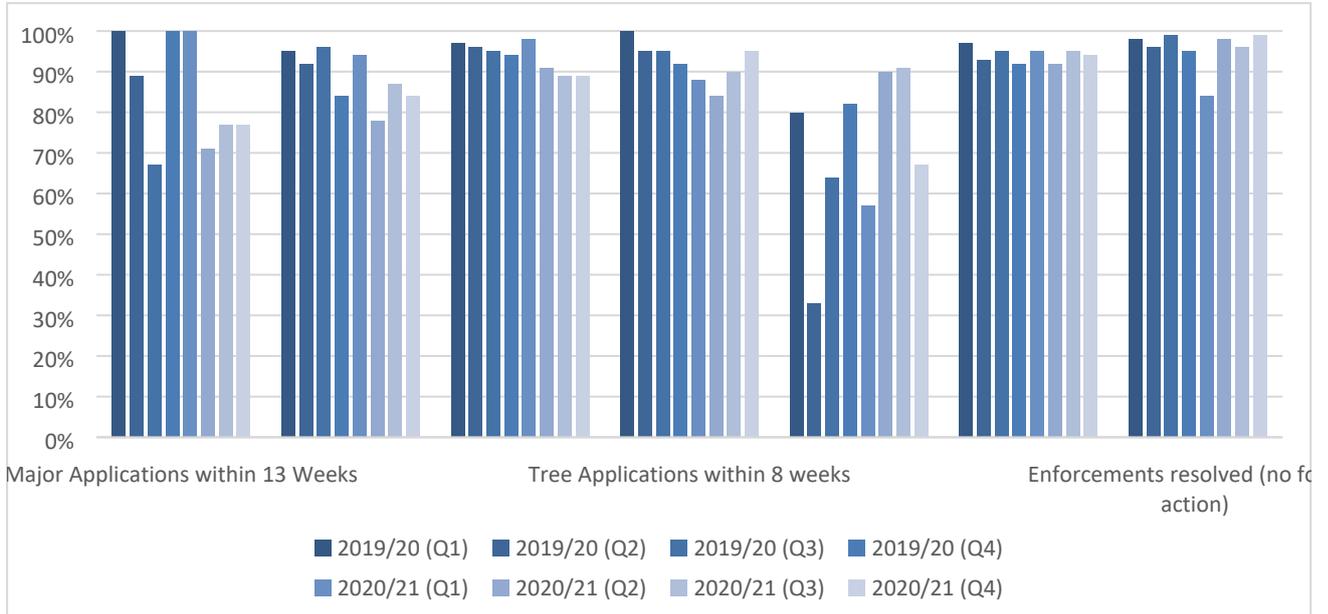
- 2.2 The chart below shows the performance of the Service over the last 3 quarters, compared to the equivalent quarters for 2019-20. The rate of determining applications has slowed down to some extent in Quarter 2 this year, but has begun to pick up again in Quarter 3. The drop in Quarter 2 is likely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

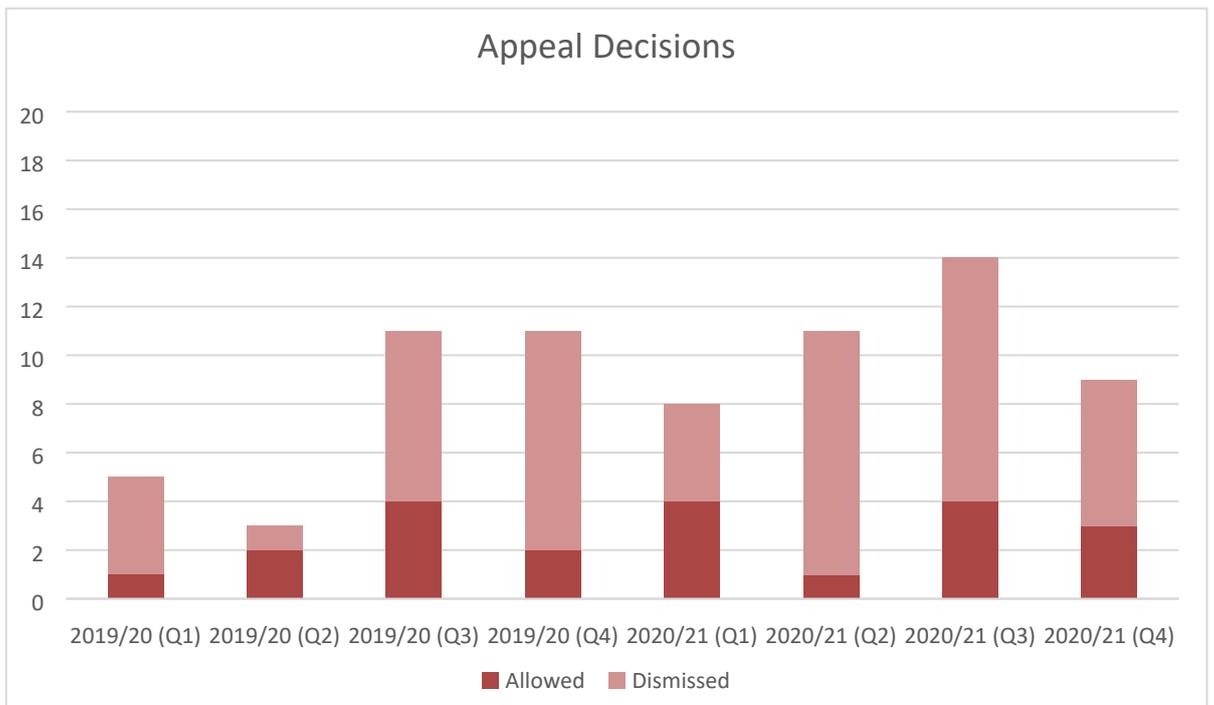
- we are carrying a number of vacant posts.

There has been a further drop in Quarter 4 due to a mix of factors including some key staff retiring, a higher level of sickness absence and a higher workload.

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



	Target	2019/2020				2020/2021				Difference			
		Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Major Applications within 13 Weeks	63%	100%	89%	67%	100%	71%	77%	77%	0%	-18%	+10%	-23%	
Minor Applications within 8 Weeks	68%	95%	92%	96%	84%	94%	78%	87%	84%	-1%	-14%	-9%	0%
Other Applications within 8 weeks	83%	97%	96%	95%	94%	98%	91%	89%	89%	+1%	-5%	-6%	-5%
Tree Applications within 8 weeks	83%	100%	95%	95%	92%	88%	84%	90%	95%	-12%	-11%	-5%	-3%
Appeals Dismissed	72%	80%	33%	64%	82%	57%	90%	91%	67%	-23%	+57%	+27%	-16%
Pre-Apps responded to in time	80%	97%	93%	95%	92%	95%	92%	95%	94%	-2%	-1%	0%	+2%
Enforcements resolved (no formal action)	75%	98%	96%	99%	95%	84%	98%	96%	99%	-12%	+2%	-3%	+4%



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.

Planning Committee

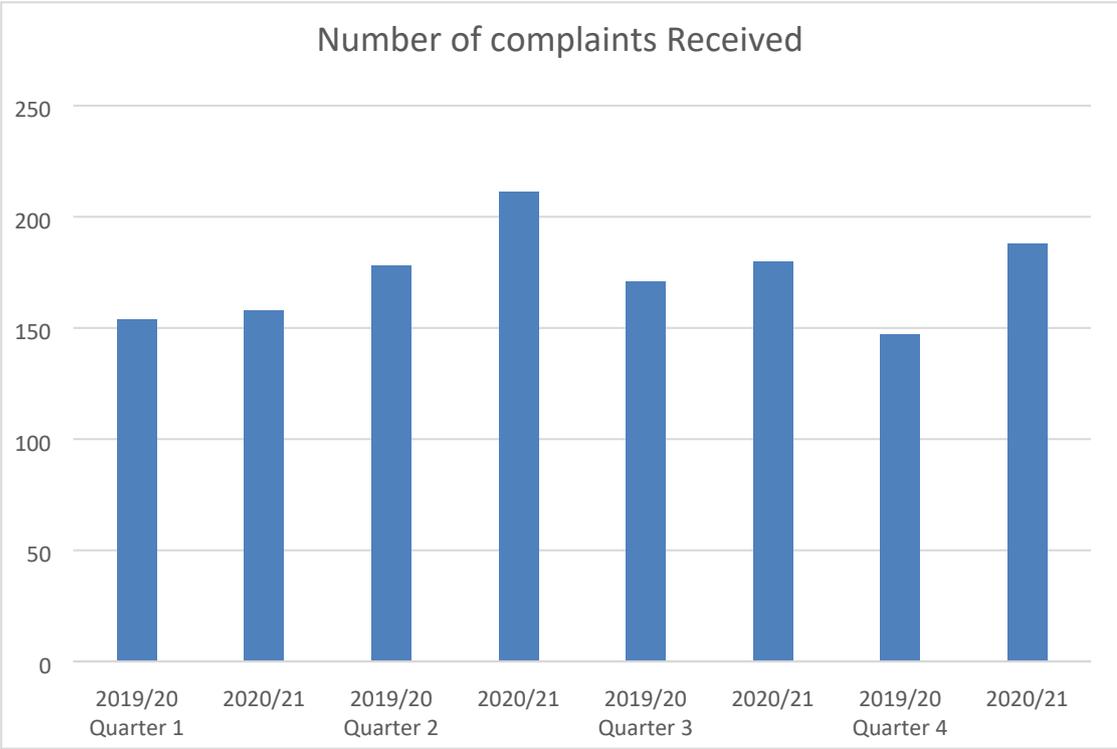
2.7 Planning Committee deal with major applications and those which are subject to a petition or have been 'called in'. The March 2020 Planning Committee meeting was cancelled and since then all Planning Committees except the most recent one have been virtual, using 'Teams Live Events' software.

The Planning Committee have met more regularly as needed in order to keep pace with demand.

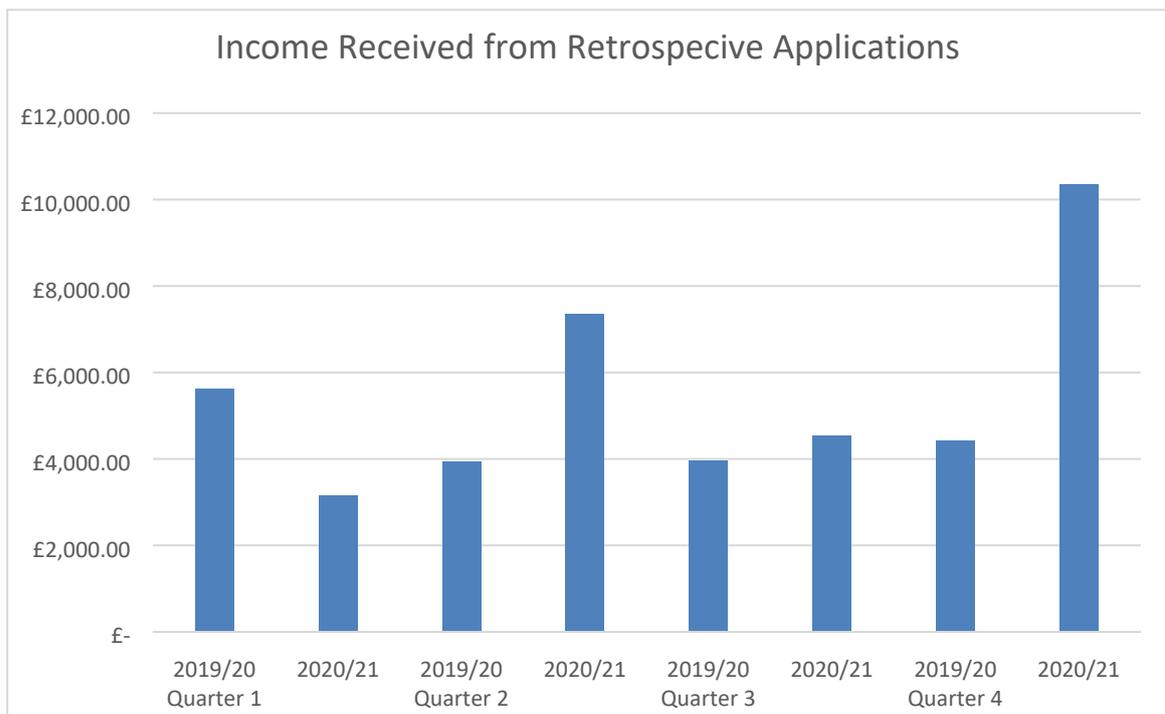
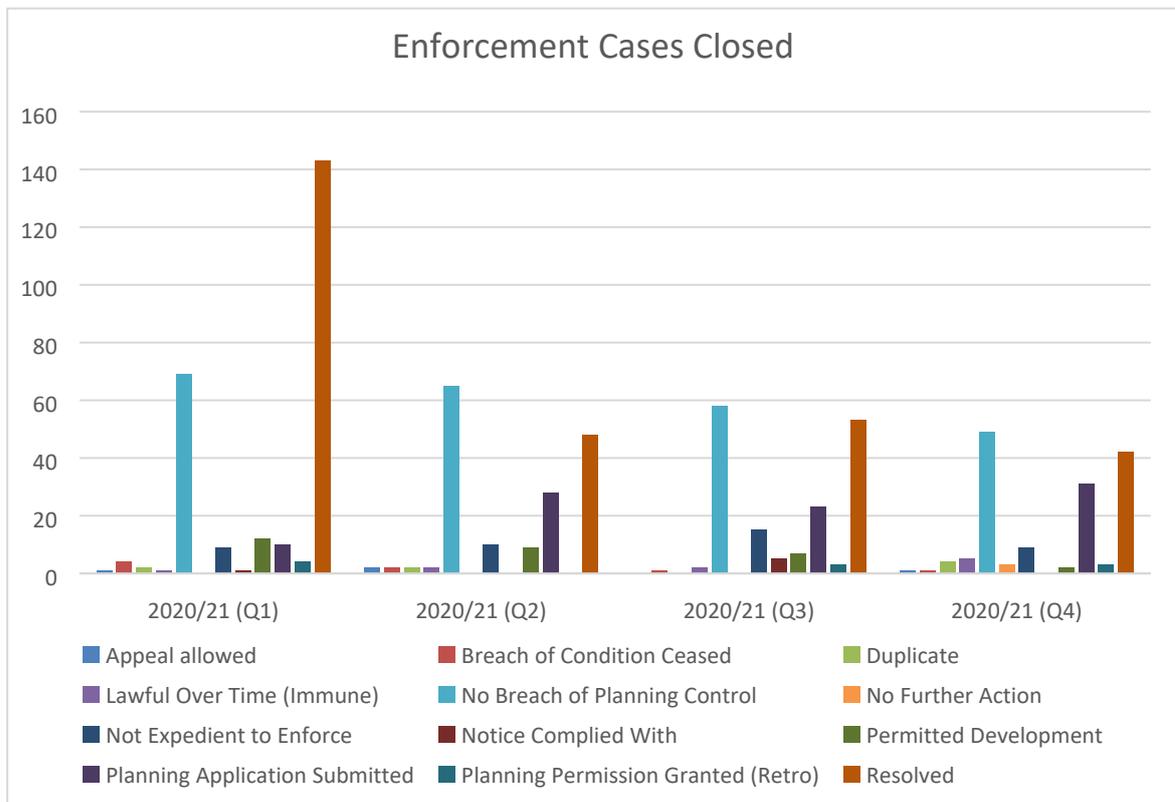
Enforcement

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, but with a further steep rise in Quarter 4.



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 been much busier over the past year. This also shows up in an increase in income, particularly in Quarter 4 (Jan – Mar 2021) when income was more than double the equivalent period of the previous year.



Other areas of activity

2.11 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.

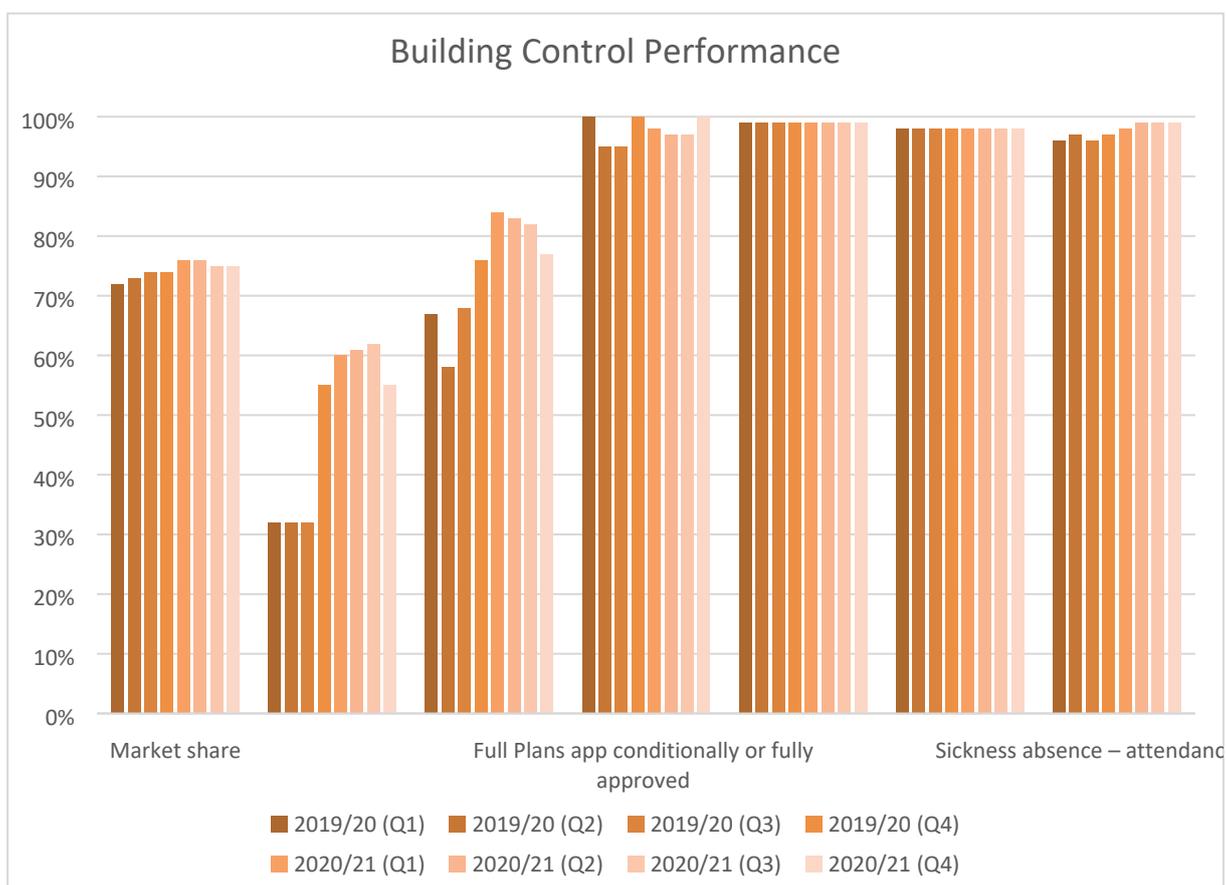
This will mean new ways of working and we will continue to adopt these where we feel they lead to an improved service.

3. Building Control

Performance targets

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

	Target	2019/2020				2020/2021				Difference			
		Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Market share	75%	72%	73%	74%	74%	76%	76%	75%	75%	+ 4%	+ 3%	+ 1%	+1%
Full Plans app decision / schedule within 3 weeks	62%	32%	32%	32%	55%	60%	61%	62%	55%	+ 28%	+ 29%	+ 30%	0%
Full Plans app decision / schedule within 5 weeks	72%	67%	58%	68%	76%	84%	83%	82%	77%	+ 17%	+ 25%	+ 14%	+ 1%
Full Plans app conditionally or fully approved	95%	100%	95%	95%	100%	98%	97%	97%	100%	-2%	+ 2%	+ 2%	0%
Site insp's carried out on day they were arranged for	95%	99%	99%	99%	99%	99%	99%	99%	99%	0%	0%	0%	0%
Customer satisfaction rating (from March 2019)	80%	98%	98%	98%	98%	98%	98%	98%	98%	0%	0%	0%	0%
Sickness absence – attendance levels	96%	96%	97%	96%	97%	98%	99%	99%	99%	+ 2%	+ 2%	+ 3%	+2 %



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 2020/21 show that the Team’s market share was 75% - 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 Team’s performance in respect of timely decision making on deposited applications shows that all statutory targets are being met. However, due to an increased number of Building Regulation applications being received, the performance against some of the locally set targets has shown a slight reduction in quarter 4.

Income and financial performance

3.2 Building Regulation income for 2020/21 delivered an 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 and safety at sports grounds.

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 2021 and inspections at Southport FC and Marine FC were undertaken towards the end of last 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, that event was cancelled. As the 2021 Grand National Meeting was staged without spectators, the event did not require any of the usual temporary Grandstands / hospitality structures checks.

Staffing

3.4 Since the appointment of a Building Control Officer in 2020, the Team has a full complement of staff. Three staff members are currently engaged in formal training / educational courses.

Appointment of consultants / contractors

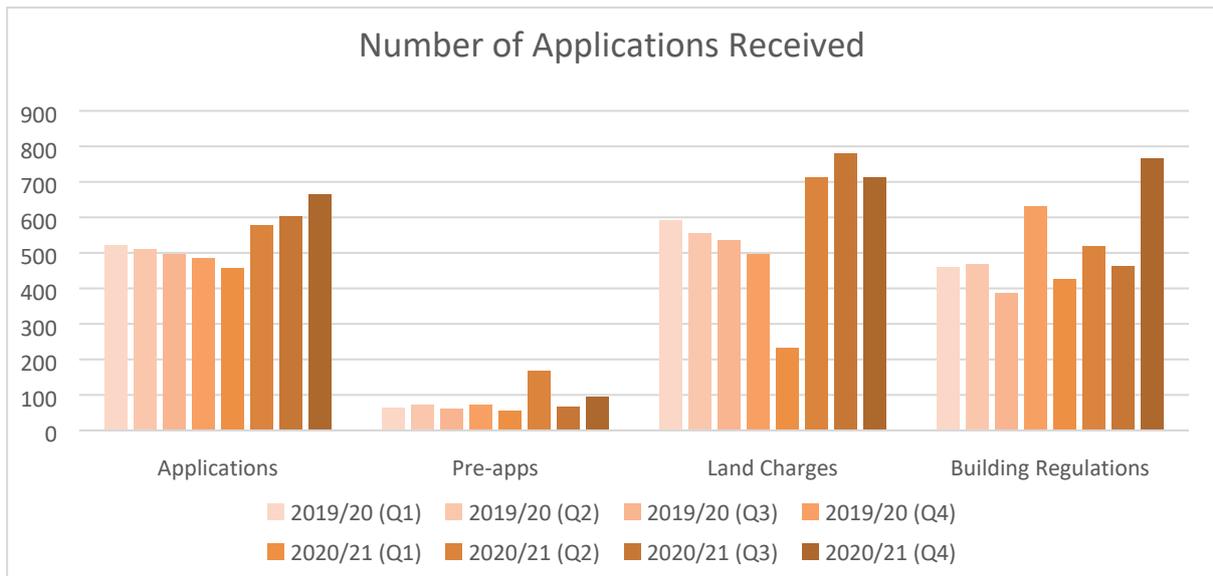
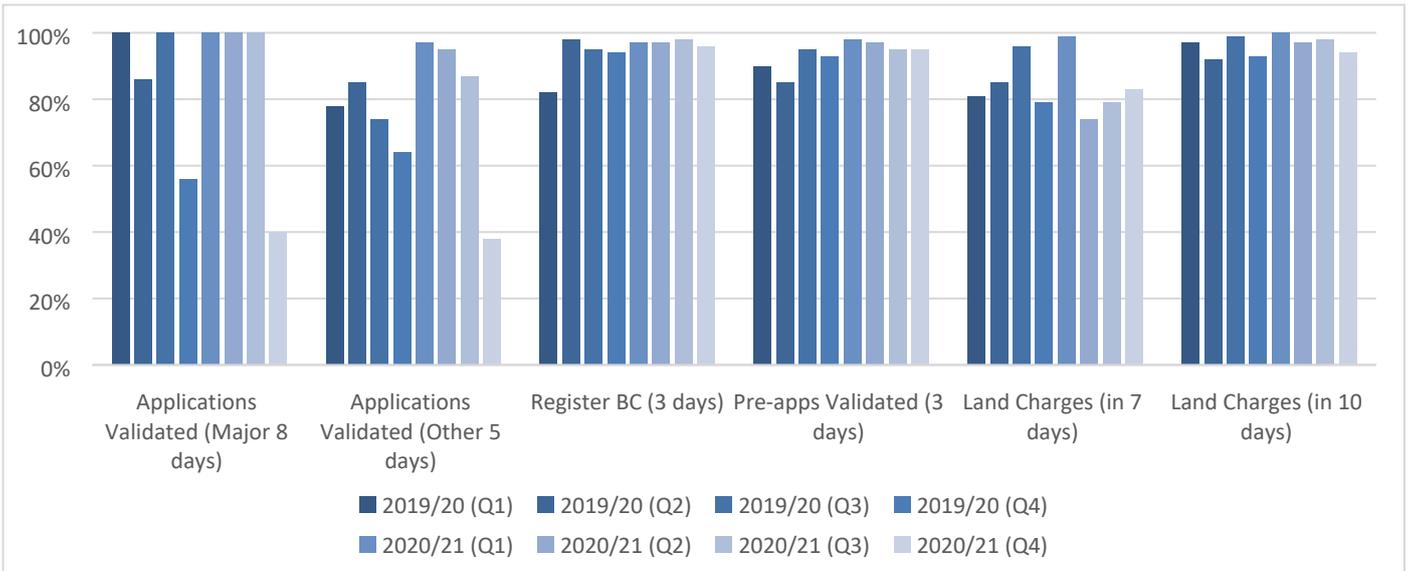
3.5 In late 2020, a locally based company was appointed to act as the Council's emergency contractor for the purposes of securing of vacant buildings and making safe dangerous structures. The appointment has ensured that the Council can effectively continue to deal with reports of dangerous structures and take the necessary action to ensure continued protection of the public. The contract appointment is for a period of three years.

4. Technical Support

4.1 Performance against targets for 2020/21 and comparison with 2019/20

	Target	2019/2020				2020/2021				Difference			
		Apr- Jun	Jul- Sep	Oct- Dec	Jan - Mar	Apr- Jun	Jul- Sep	Oct- Dec	Jan - Mar	Apr- Jun	Jul- Sep	Oct- Dec	Jan - Mar
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Applications Validated (Major 8 days)	80%	100%	86%	100%	56%	100%	100%	100%	40%	0%	+14%	0%	-16%
Applications Validated (Other 5 days)	80%	78%	85%	74%	64%	97%	95%	87%	38%	+19%	+10%	+13%	-26%
Register BC (3 days)	96%	82%	98%	95%	94%	97%	97%	98%	96%	+15%	-1%	+3%	+2%
Pre-apps Validated (3 days)	93%	90%	85%	95%	93%	98%	97%	95%	95%	+8%	+12%	0%	+2%
Land Charges (in 7 days)	80%	81%	85%	96%	79%	99%	74%	79%	83%	+18%	-11%	-17%	+4%

Land Charges (in 10 days)	100%	97%	92%	99%	93%	100%	97%	98%	94%	+3%	+5%	-1%	+1%
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- 4.2 As can be seen from the graphs above the number of applications and service requests across the Service has increased dramatically over the last year. Quarter 4 has seen a reduction in performance within the Technical Support Team. The team have struggled in Q4 due to the redeployment of staff for the COVID surge testing, 3 long term sickness absences of key staff in the validation team and 3 vacancies within the team.
- 4.3 The number of planning applications received in Q4 has increased substantially and this has contributed to the fall in performance levels. Despite poor performance in Q4 the overall annual performance levels are above target in all areas except land charges.
- 4.4 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 – Q4 due to the temporary relaxation of Stamp Duty.

4.5 Unprecedented increases in workload and a reduction in available resources have significantly impacted on the performance of the team and consequently that of the Building Control and Development Management Teams.

4.6 **Service Development**

Publishing Comments made on planning applications

4.7 From 1 February 2021 the service took the decision to publish neighbour and consultee comments on Sefton’s website. This involves the publication and appropriate redaction of all comments received in relation to planning applications. This has proved useful for our service users but has been a challenge to implement due to high volumes of responses and dwindling resources in the Technical Support team. There is currently a backlog in this area due to the vast number of representations being received; steps are being taken to address the resource requirements.

4.8 Our teams 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.

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 28, equating to approximately 5,000 homes (as at 31 March 2021). This equates to 69% of the homes allocated in the Local Plan. Planning Committee recently resolved to approve two housing schemes on the largest housing allocation in the Sefton 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 2021 .

Housing Delivery

5.4 The government published the Housing Delivery Test figures for 2019 on 19 January 2021. The results for Sefton are:

Year	Homes required	Homes Delivered
2017-18	563	522
2018-19	645	577
2019-20	578	741
Total	1,786	1,840

5.5 This means that Sefton have achieved over 100% (103%) of the homes required over the reported period (i.e. past three years). As a result, the Council are not 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 early 2022.

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-ordinated comments which were submitted in 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.

Bootle Area Action Plan

- 5.10 To help support the regeneration and transformation of the wider Bootle area it has been decided to produce a Bootle Area Action Plan (AAP). This will set out a vision, objectives, projects, policies and priorities for the area. This will be led by the Planning Policy Team. In order to assist with this work, the Council has been successful in securing funding from a range of sources for various aspects of the Bootle AAP. These are:
- £138,000 from the Combined Authority to help with the AAP document preparation, background evidence and community engagement
 - £50,000 from the MHCLG for the Council to test the Draft Model Design Toolkit in Bootle as a pilot scheme. Sefton was one of 14 LPAs that were successful (out of over 70 applicants)
 - £14,000 from the Local Government Association to procure guidance on a range of project delivery methods.

Other work

- 5.11 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.
- 5.12 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. This process will hopefully conclude in the Autumn 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 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. The Heritage Skills Learning Co-ordinator 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 4 period January to March 21, **202** 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

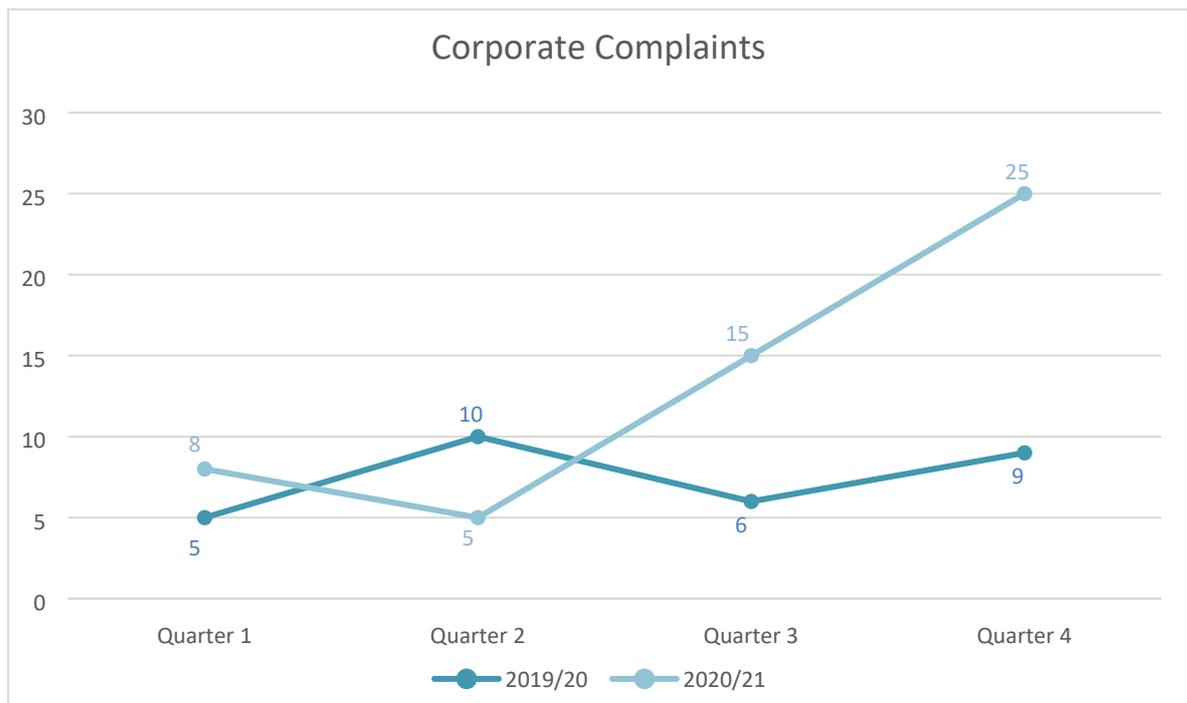
result of the fee being waived. In addition to this we also continue to assist in various appeals, on site monitoring and enforcement cases.

7. Corporate complaints

7.1 A recent feature has been a steady rise in the number of corporate complaints we have received. These are generally in response to the grant of planning permission to neighbouring properties.

7.2 The Council operate a two stage complaints' procedure. If residents are not satisfied by the response they receive at stage 2 response they can appeal to the Local Government Ombudsman who carries out an independent assessment.

7.3 The number of complaints over the past two quarters (1st October 2020 – 31st March 2021) is 40. This is only marginally fewer than the total number of complaints over the previous 6 quarters (43) – i.e. 1st April 2019 – 30th September 2020.



7.4 This steep rise in corporate complaints may relate to more people working from home and being more aware of development being permitted which they consider affects their living (and working) conditions. This has resource implications for the Service as we are currently responding to two complaints a week and it is time consuming to reply appropriately. However, the Local Government Ombudsman has not found fault with the Council in respect of any complaint referred to her over the past year.

8. Conclusion

- 8.1 The past year has been unprecedented for the Council. However, the Service has responded well to the challenge which overall has seen high levels of performance maintained despite increases in workload.
- 8.2 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.
- 8.3 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.
- 8.4 The Service has faced particular pressures in Quarter 4 for a number of reasons including the redeployment of staff for COVID surge testing, long term sickness absences and vacancies. This has been accompanied by the introduction of publicising all comments received online and a substantial increase in the number of planning applications. The combination of these factors has led to a drop in performance in some areas in this last quarter. This is being addressed by a package of measures which should begin to bear fruit early in 2021-22.
- 8.5 Major legislative change is heralded in the Planning White Paper but 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.