

CABINET MEMBER UPDATE REPORT
Overview and Scrutiny Committee (Regeneration and Skills) – 8 March 2022

COUNCILLOR	PORTFOLIO	DATE
Daren Veidman	Cabinet Member Planning	8 March 2022

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

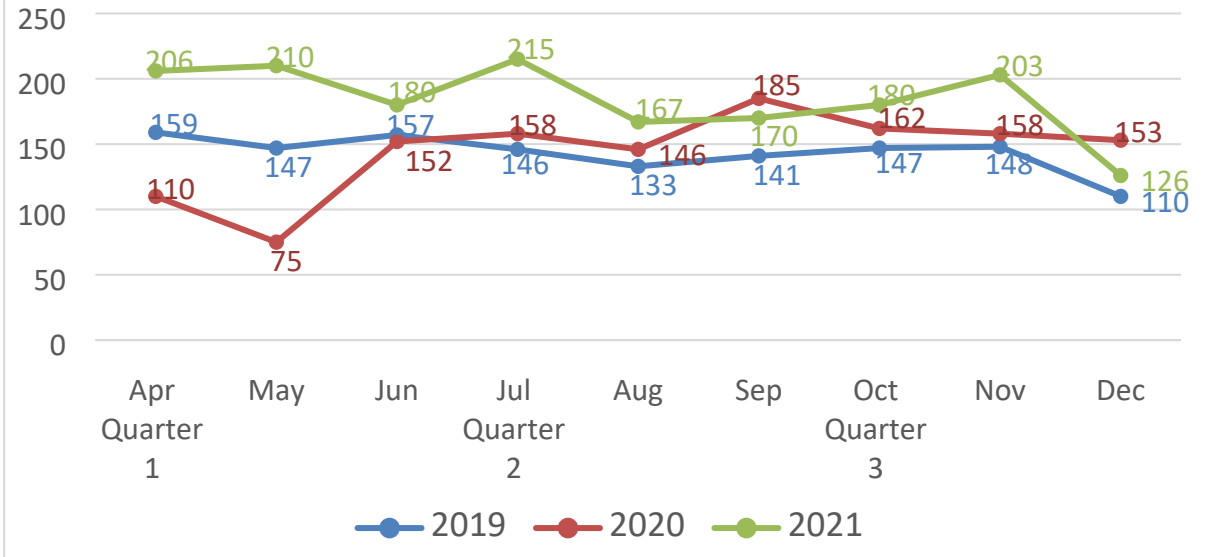
These are supported by the Technical Support team.

- 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.
- 1.4 Our message has been very clear: “Sefton is open for business”. The graphs in in this report compare Quarters 1, 2 and 3 from the past three years, providing a comparison of activity pre-COVID, in the early days of COVID and more recently as we were beginning to emerge from COVID and before the onset of the Omicron variant.

2. Development Management

- 2.1 The graph below shows the number of planning applications received during Quarters 1, 2 and 3 in the years 2019, 2020 and 2021. It demonstrates that though there was a significant dip in applications following the onset of COVID 19, activity has picked up since then and the number of applications received in Quarters 1, 2 and 3 was 28% higher than the number for the same period in both 2019 and 2020 (figures for both years being very similar).

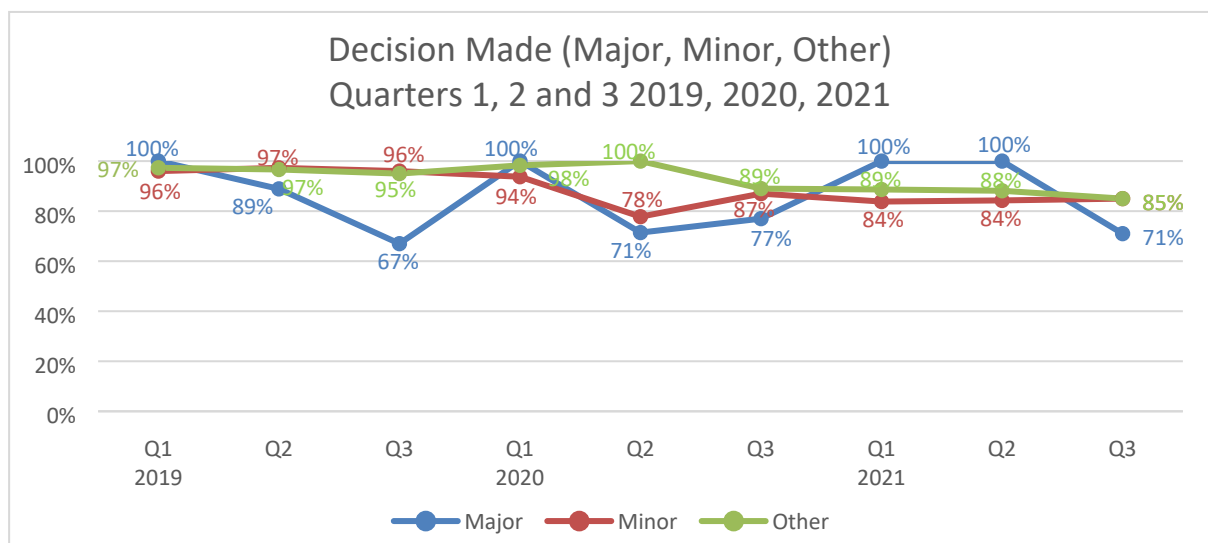
Planning Application Comparison Quarters 1, 2 and 3 (2019, 2020, 2021)



2.2 The chart below shows the performance of the Service over the same time periods. The rate of determining applications ‘minor’ and ‘other’ applications (this comprises the vast majority of all applications) has slowed down a little in 2021. This is only to be expected given the high numbers of applications received during 2020. The determination rate still significantly exceeds national and local targets.

2.3 This is a major achievement but has depended on the ability to agree ‘Extensions of Time’ with the applicant. This gives us more time to determine applications and still meet Government targets. The case for more resources has been accepted and we have been able to recruit to a number of posts in December and expect new appointments to be in post early in 2022.

Key performance against national targets for speed and quality of decision making: Quarters 1 -3 (April – December): 2019 - 2021

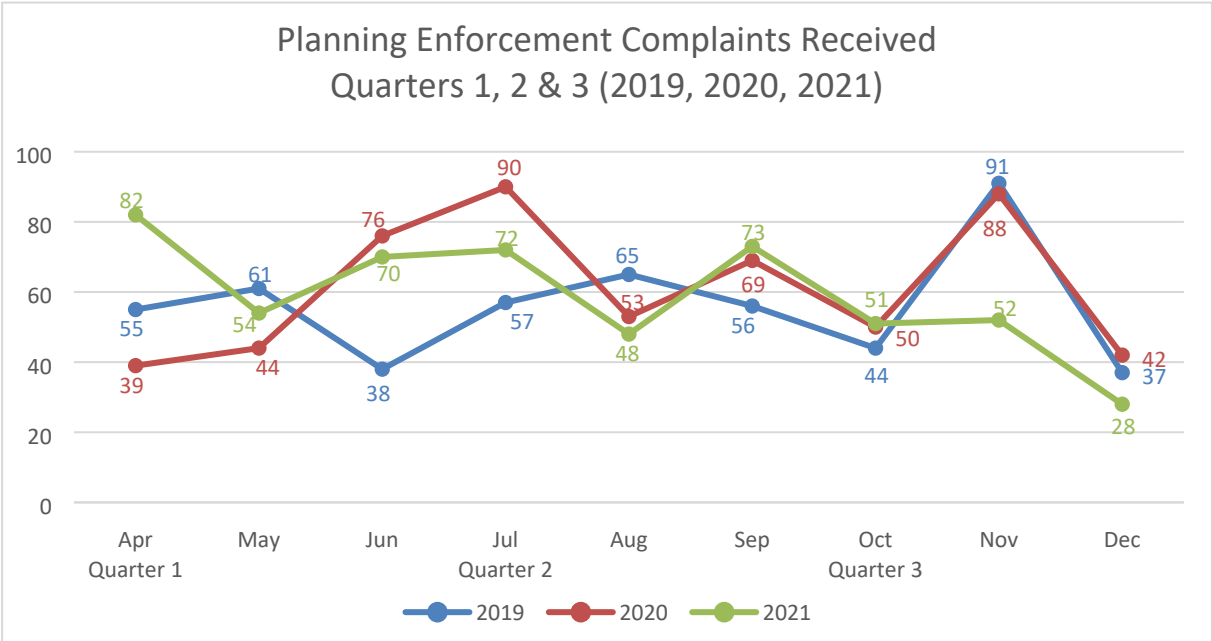


2.4 The pressure on this part of the Service continues with planning applications having been received for 31 of the 47 housing sites allocated in the Local Plan (approximately 5,400 homes (as at 30 November 2021). This equates to 73% of the homes allocated in the Local Plan.

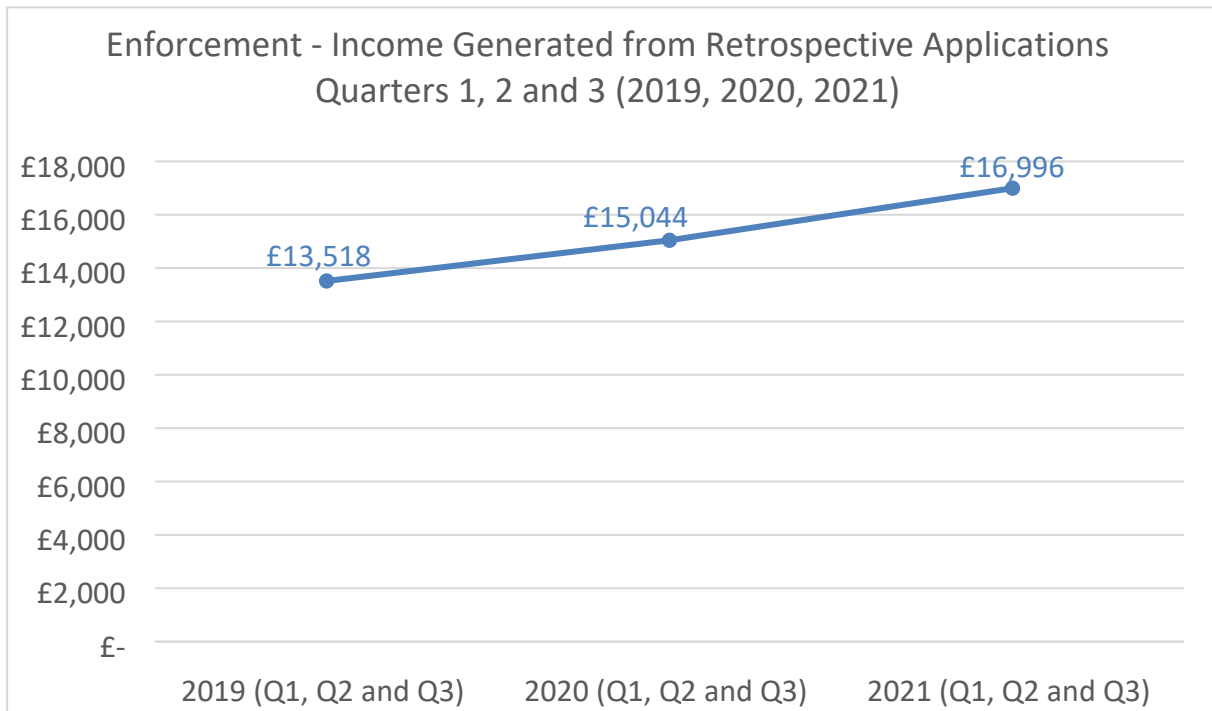
2.5 The capacity of the Service is stretched by the increased pressure relating to dealing with many complex and contentious applications. Whilst working from home has not presented any major issues it does however have some implications for performance. It is a significant team effort across the Service to assess and determine applications expediently and in line with Government targets.

Enforcement

2.6 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 the same period the previous year. There was another peak in complaints in late 2020 when there was a further lockdown. These might 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 in 2021 show lower levels than just after the onset of COVID, but higher than pre-COVID numbers. The numbers in Quarter 3 have been lower than in the same period for 2019 and 2020.



2.7 The chart below shows the income generated from following up complaints which has resulted in planning applications being submitted, with a steady rise from 2019 to 2021.



2.8 During Quarters 1 – 3 in 2021 there have been some contentious enforcement complaints to deal with, notably:

Formby Football Club – The enforcement notice that has been served has not been fully complied with. The use of the site as a waste recycling centre has ceased and the operators have left the site but have left some material behind. The land owners have claimed that this material was in situ previously and the land has now been returned to its previous condition. The Council disputes this and the matter is now being dealt with by the Council’s Legal department with a view to prosecuting for non-compliance with the notice. The preliminary hearing was heard in December during which the defendant pleaded not guilty to failing to comply with the enforcement notice. The matter is therefore proceeding to trial in the Magistrates Court in March unless the remaining material is removed and the enforcement notice is fully complied with before that date.

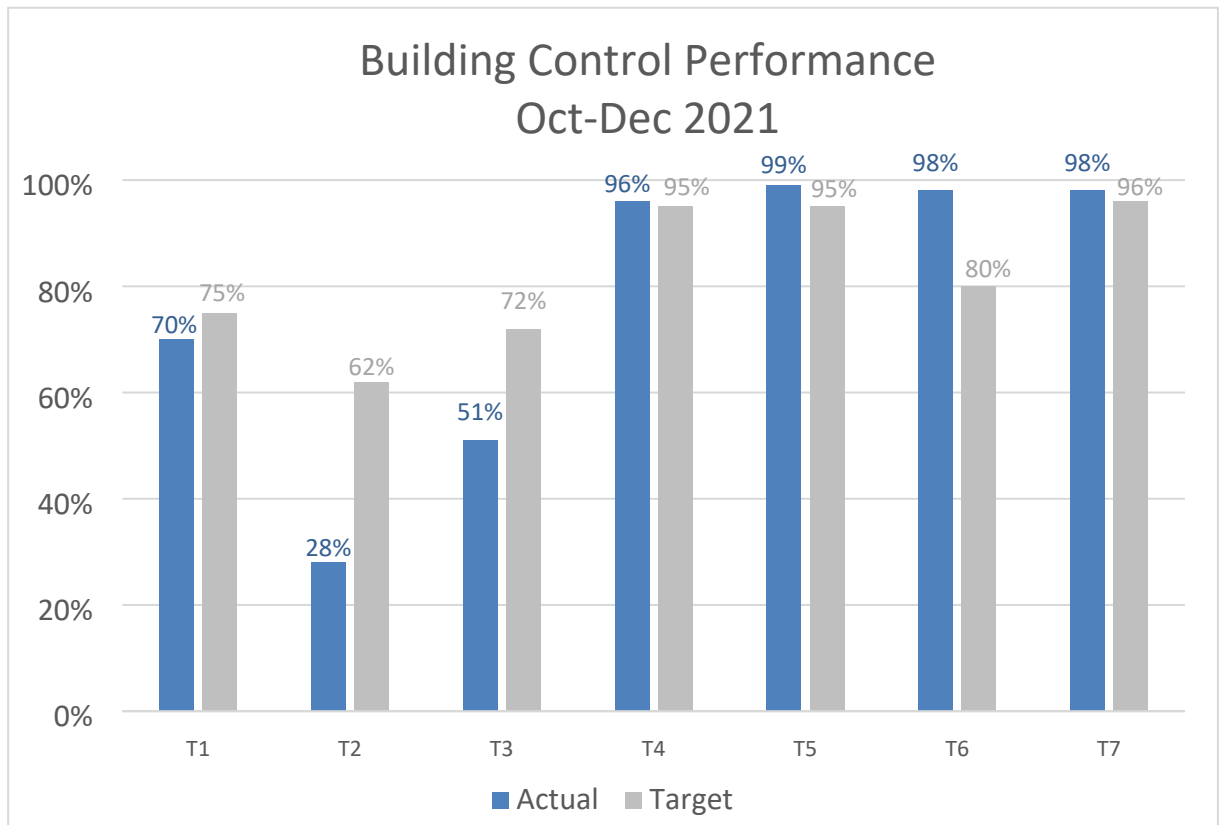
Rock Lane Travellers Site, Melling

In December the Planning Inspectorate issued their decision, quashing the enforcement notice and granting planning permission for the continuation of the use of the site for residential purposes including the siting of caravans.

3. Building Control

Performance targets

3.1 The number of building regulation applications received over the past 18 months is shown elsewhere in this report. This section focuses on the Building Control Team’s performance over that last quarter (Quarter 3 Oct - Dec 2021), as shown in the tables below:



	Detail	Target	Actual	Remarks
T1	Market share	75%	71%	Target not being met – increased workload/ reduction in marketing
T2	Full Plans app decision / schedule within 3 weeks	62%	31%	Target not being met – increased workload, covering site work, staffing
T3	Full Plans app decision / schedule within 5 weeks	72%	55%	Target not being met – increased workload, covering site work, staffing
T4	Full Plans app conditionally or fully approved	95%	96%	Target being exceeded
T5	Site insp’s carried out on day they were arranged for	95%	99%	Target being exceeded
T6	Customer satisfaction rating (from March 2019)	80%	98%	Target being exceeded - from 2019 ISO customer questionnaire
T7	Sickness absence – attendance levels	96%	98%	Target being exceeded

3.2 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 year 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%. However, results from the first, second and third quarters of 2021/22 show that the Teams market share has reduced slightly.

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 and staffing shortages, the performance against some of the locally set targets (including market share) has shown a slight reduction in the first three quarters of 2021/22.

Income and financial performance

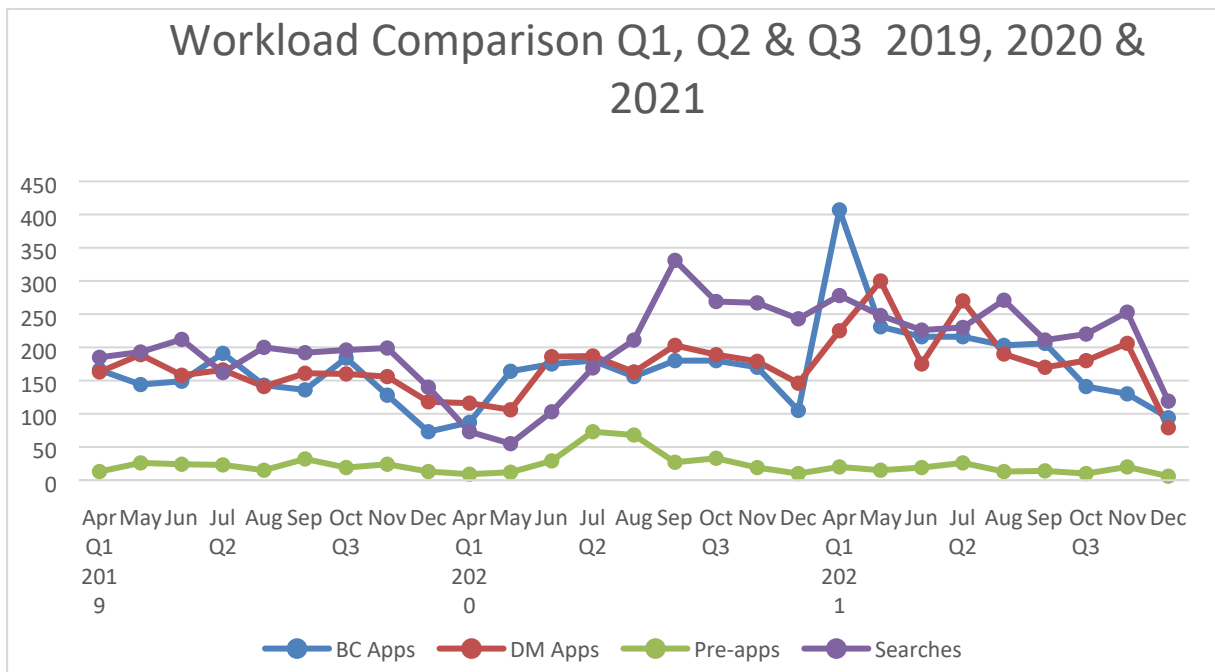
3.3 Building Regulation income for 2020/21 delivered an operating surplus - which will be used to off-set the cost of providing the statutory elements of the service, such as dealing with dangerous structures and safety at sports grounds. Income remains on course to deliver another operating surplus.

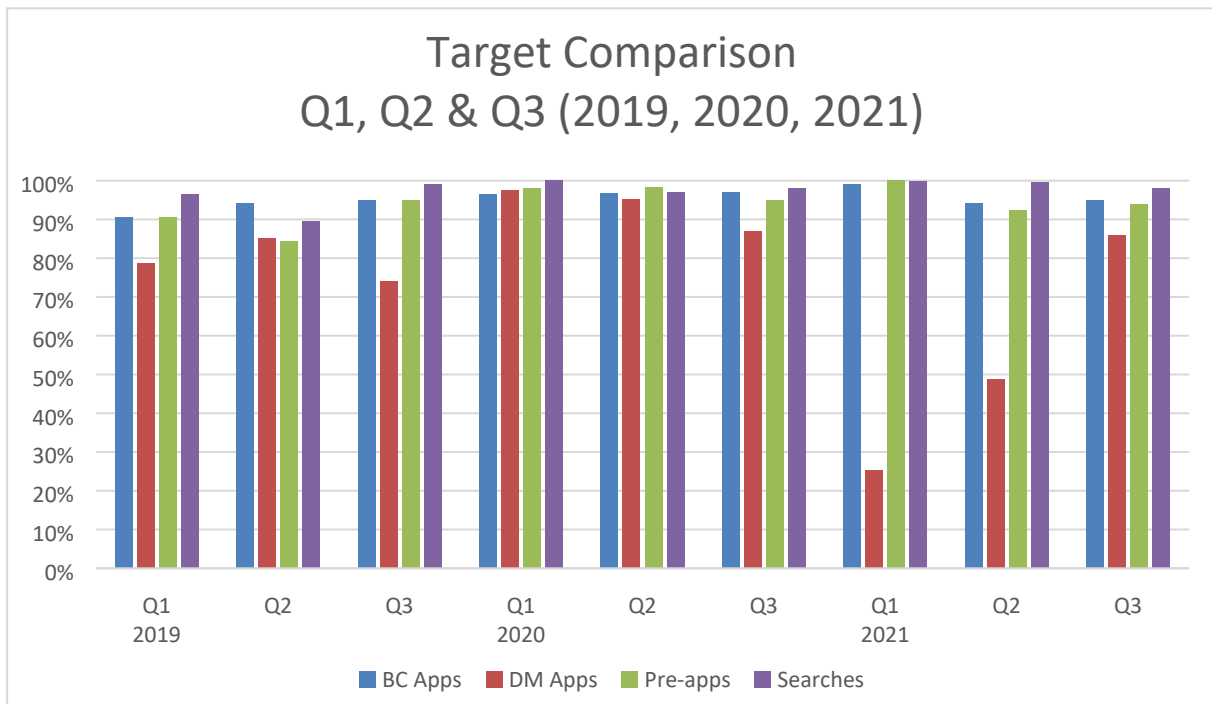
Safety at sports grounds

3.4 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 are due be undertaken towards the end of 2021/ beginning of 2022. In January 2022, Building Control Officers will start the process of checking plans and details for temporary structures for the April 2022 Grand National meeting at Aintree Racecourse.

4. Technical Support

4.1 The chart below shows performance over the last three quarters (April –June, July – September and October - Dec 2021) compared with the same periods for 2019 and 2020.





4.2 As can be seen from the graphs above, the number of applications and service requests across the Service has continued to at a high level. Quarter 3 has seen an improvement in performance over Quarter 2 in respect of the validation of planning applications. Performance is good, and over target in most areas. One key member of the team has left the team this quarter and another has commenced maternity leave. This will have an impact on the performance of the team until additional resources are in place.

4.3 The team is multi-functional and resources are allocated to the most urgent priorities daily. Whilst there has been an increase in performance on the planning application and land charges functions this has led to a slight reduction in performance against the targets for building control and pre-application enquiries.

4.4 **Service Development**

Work is progressing at pace to ensure the transfer of the Local Land Charges Register to HM Land Registry. The project is now in the data extraction and data cleansing phases and completion is anticipated in mid 2022.

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 31, equating to approximately 5,400 homes (as at 30 November 2021). This equates to 73% of the homes allocated in the Local Plan.

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 2022.

Liverpool City Region work

5.4 The Combined Authority undertook early engagement with the public on the Spatial Development Strategy (SDS) for the Liverpool City Region concluding January 2020 to which the Council submitted comments. The next stage of consultation on the SDS is expected in Summer 2022 and the Council will fully engage with this, and the supporting evidence.

Bootle Area Action Plan

5.5 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 secure consultants 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 Local Planning Authorities 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.

5.6 Public consultation on the Bootle AAP Issues and Options paper is currently ongoing.

- 5.7 The Design Pilot work is now completed, and the report was been submitted to the MHCLG. The Design Pilot focussed on canal side sites in Bootle. Public engagement was undertaken on this over the summer. The Design Pilot will help to inform the strategy and policies in the emerging Bootle AAP. The report received exceptionally positive feedback from the MHCLG (now DLUHC - Department of Levelling Up, Housing and Communities).

Other work

- 5.8 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.
- 5.9 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.
- 5.10 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.
- 5.11 To inform a future Sefton Local Plan review, and the emerging Bootle AAP, the Council wish to commission an Employment Land and Premises Study. This will look at the need for employment land and premises in Sefton and assess the Council's current supply and make a recommendation on whether a shortfall, or over-supply, exists or not. This will be commissioned before Easter and will report later in the summer of 2022.

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..
- 6.2 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 and long term use and sustainability.

Regeneration

- 6.3 The capital build part of the Southport Townscape Heritage project is progressing, and discussions continue with targeted building and discussions with interested property owners. The first grant application has been awarded and works have started at 509-515 Lord Street, a grade 2 Listed Building on the Council's Buildings at Risk Register.
- 6.4 The learning and skills part of the Southport Townscape Heritage project has made significant progress in developing complementary training and education initiatives. This includes Southport's Victorians is a ninety minute interactive play aimed at school children aged 9-14yrs. Excerpts of the script have been filmed for Youtube and we are looking to find ways of introducing it into the curriculum, working with Southport based Primary Schools. A successful and comprehensive week of Heritage Open Days 10-19th Sept has been undertaken in the town centre, the first events within the project. This included devising new town trails and a special children's heritage treasure trail. Volunteers are being recruited for a variety of events programmed over the next three years. We are working closely with The Atkinson, CVS, Southport Civic Society and other local organisations.
- 6.5 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.

Other Projects

- 6.6 After a successful joint bid from Sefton, Knowsley and Wirral Councils the Ministry of Housing, Communities and Local Government awarded a grant to develop both the supporting documentation (selection criteria) and to establish a system for members of the public to propose heritage assets for local listing. The Merseyside Environmental Advisory Service (MEAS), a joint environmental service, are leading on the project which will hopefully enable the development of a platform for nominations very soon.

Advice to Development Management team

- 6.7 The pressure on this part of the Service has increased significantly over the past year for consultation requests 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.
- 6.8 This is a significant rise in workload in this area. Back in Quarter 3 of last year this number was up 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. However this number has been exceeded in Quarter 1 this year despite the fee no longer being waived. In addition, this part of the Service continues to assist in various appeals, on-site monitoring and enforcement cases.

7. Conclusion

- 7.1 The past months have been unprecedented for the Council. The Service has strived to maintain high levels of performance, but sustained increases in the numbers of applications and staffing issues have begun to impact on performance and a number of key targets are unlikely to be met this year.
- 7.2 Appropriate technology has been put in place to support staff and services, and staff have performed to the best of their ability. Staff surveys show the service has been able to respond to key issues in order to maintain essential services whilst maintaining staff morale.
- 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 which is maintaining inward investment into the Borough.
- 7.4 A new measure aimed at making the planning process more transparent and participants more accountable in the form of publishing comments online has taken a short while to embed, and this has impacted on resources.
- 7.5 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 unsettled context in which we are currently operating and we look forward to being able to improve performance in areas where it has been under strain due to high workload levels. We are prepared to adapt to further changes on the horizon.