

CABINET MEMBER UPDATE REPORT

Overview and Scrutiny Committee (Regeneration and Skills)

COUNCILLOR	PORTFOLIO	DATE
Daren Veidman	Cabinet Member Planning & Building Control	7 November 2023

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
- Enforcement
- Building Control
- Local Plans
- Heritage and Conservation
- Trees

These are supported by the Technical Support team.

1.3 A key focus as we have worked from home has been looking after staff wellbeing. We have carried out two surveys and devised an action plan. These have been received positively and sickness absence has reduced to 40% of pre-Covid levels.

1.4 We recognise the importance of customer satisfaction and the need to understand how our customers feel about the service they receive. We have addressed this with a survey of agents who submit planning applications to us and the overall response is they consider us to be the most efficient planning authority in the Liverpool City Region. We are planning to carry out a comprehensive customer survey in quarter 4 (January – March 2024).

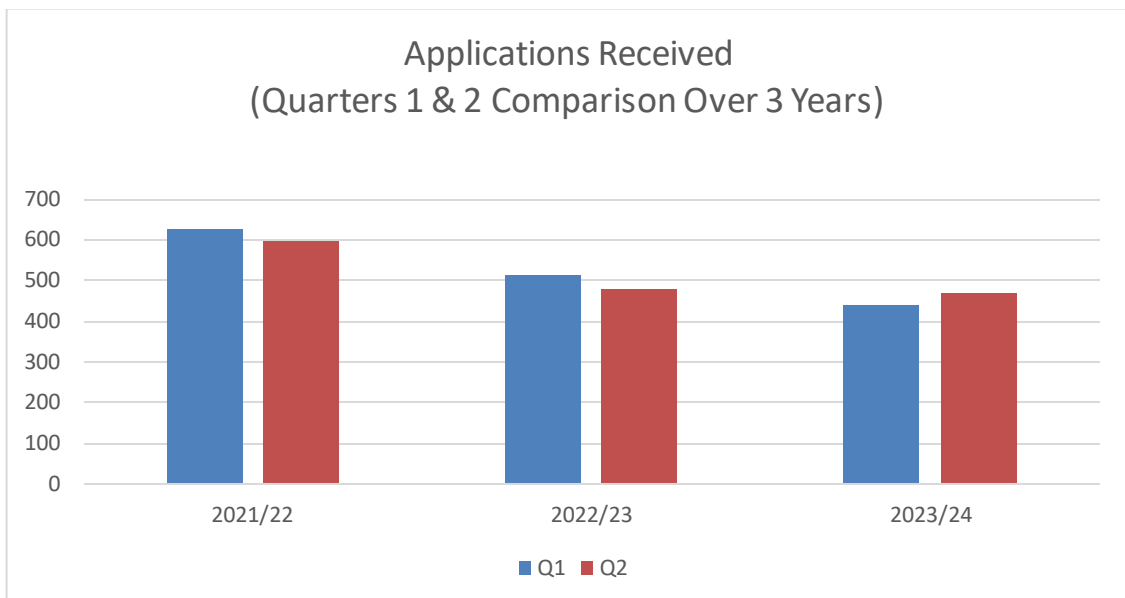
1.5 We also know how importance it is to look after staff given most are still working from home most of the time and this is likely to continue. The Management Team have completed Mental Health First Aid training during the past year and some other members of staff have now also completed this training.

2. Development Management

Number of planning applications received

- 2.1 Figure 2.1 below shows the number of planning applications received during the first two quarters of the past three years (that is April – September for the years 2021, 2022 and 2023). The numbers rose significantly during Covid after an initial decline, reaching 628 in April – June 2021. The numbers of applications since then have fallen back to levels similar to or slightly below pre-Covid levels.
- 2.2 However, the last quarter indicates that the rate of reduction seems to be slowing down with very similar numbers of applications having been received in Quarter 2 this year (468) compared to Quarter 2 last year (478) and, for the first time in 3 years, the number of applications received in Quarter 2 has exceeded those submitted in Quarter 1.

Figure 2.1 Applications received: Quarters One & Two, 3 Year Comparison



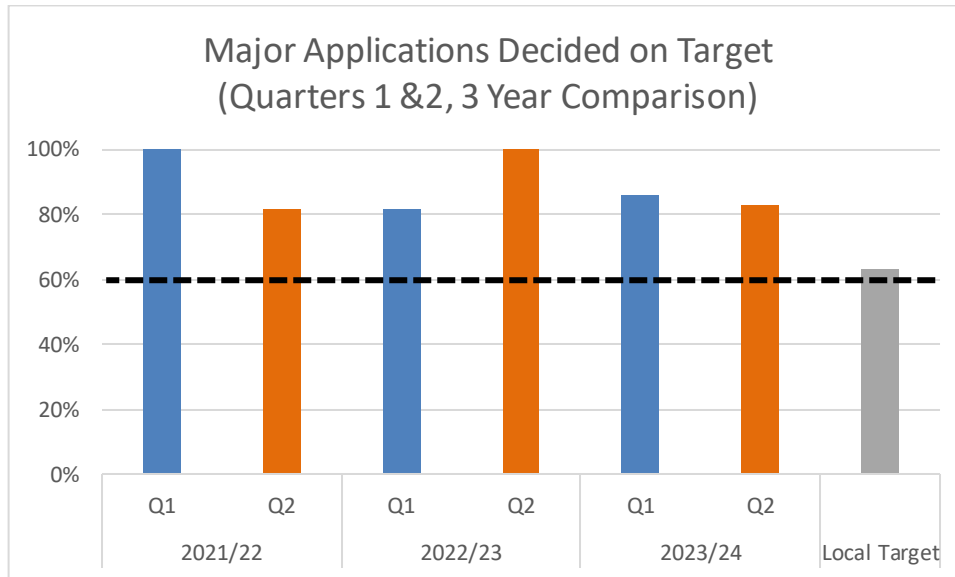
Speed of determining planning applications

- 2.3 Figure 2.2 shows the major applications decided on target. The figure for Quarter 2 (83%) well exceeds both national (60%) and local (63%) targets. It is down from Quarter 2 last year which was 100%. However, given the small number of major applications determined in each quarter, this drop of 17% represents just one major application which was not decided on time.
- 2.4 The vast majority of applications are within the 'minor' and 'other' categories. Figure 2.2 shows an improvement in Quarter 2 in the speed of determination within both categories from Quarter 1 –'minors' up from 82% to 85%, and 'others' up from 92% to 96%. This is no doubt assisted by an overall decline in the number of applications which has returned to just below pre-Covid levels.
- 2.5 However, the performance needs to be viewed in context. When the numbers of applications were significantly higher during Covid (including April - June 2021), many staff put in extra time – unpaid – to try to maintain previous high levels of performance. Now the applications are easing off, it has enabled the team to take on board many duties which were temporarily put on hold. For example, procedures have been reviewed in a number of areas and this is enabling the team to work more effectively.
- 2.6 The planning process has generally become more complex with an increasing threat of judicial review if procedures are not followed exactly. The team is also preparing for the introduction of a significant new approach - the assessment of Biodiversity Net Gain – which comes into force in January 2024. These factors add time to make sure applications are being assessed fully and properly. We are dependent on consultees replying promptly to enable us to determine applications on time and we have been hampered by slow responses from a number of key consultees. We are addressing this matter direct with those consultees.

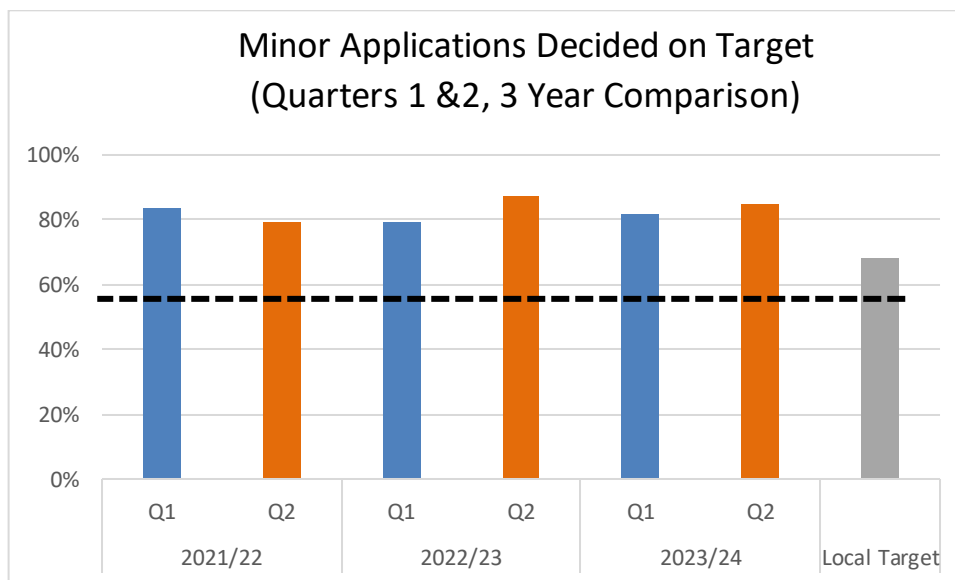
Figure 2.2

Key performance against national targets for speed of decision making:
Quarters One & Two (April – September)

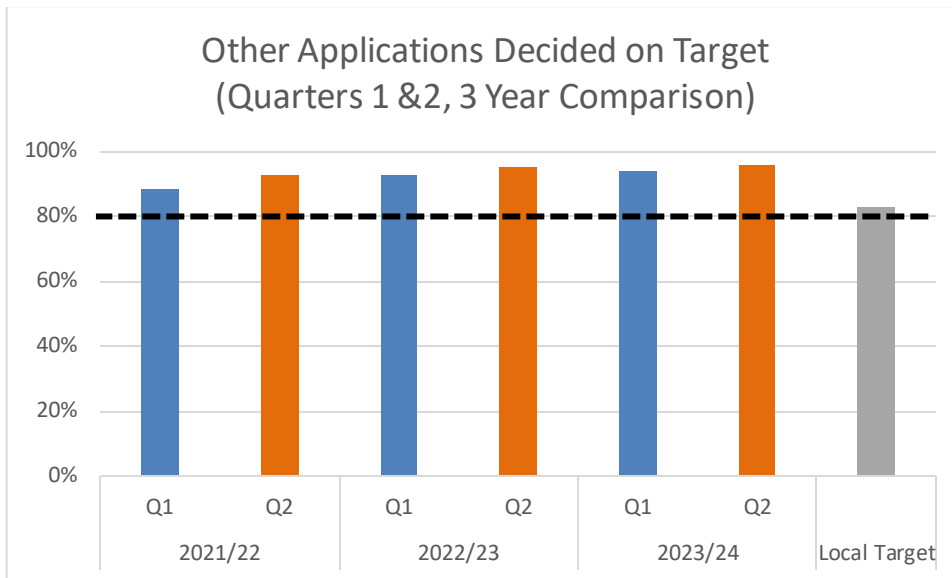
3 Year Comparison: 2021/22, 2022/23 & 2023/24



--- National Target



--- National Target



--- National Target

- 2.7 We recruited new staff to help deal with the increase in applications during Covid. In this quarter the Planning Manager has taken flexible retirement and one of the Team Leaders is covering his days off, reducing capacity within the team. There has also been an increase in staff sickness in Quarter 2 and this, with continuing maternity leave, has further reduced capacity within the team. The staff recruited during 2021 are now fully settled in and are making a major contribution to the performance of the team. We will continue to keep the staff complement under review. Overall, performance well exceeds national targets and also our own more demanding local targets.

Pre-application enquiries

- 2.8 We have one dedicated officer who focuses on responding to pre-application inquiries. The number of inquiries had dropped considerably over the period shown but in the last quarter has begun to rise again – see Figure 2.3 (67 in Q1 2021 dropping to 27 in Q1 2023, but rising to 44 in Q2 this year). At its peak, the officer was working in excess of her allocated hours and was responding to inquiries under considerable pressure. The speed in dealing with pre-applications has remained very high and consistently surpasses our target of 80% response rate within 28 days (Figure 2.4). The officer responsible for this area has been able to devote more time to each inquiry and provide a higher quality of response when numbers have been lower, and also takes on a caseload of planning applications when she has spare capacity.

Figure 2.3 Pre-application Enquiry Responses 2021-24 (Quarters One & Two, 3 Year Comparison)

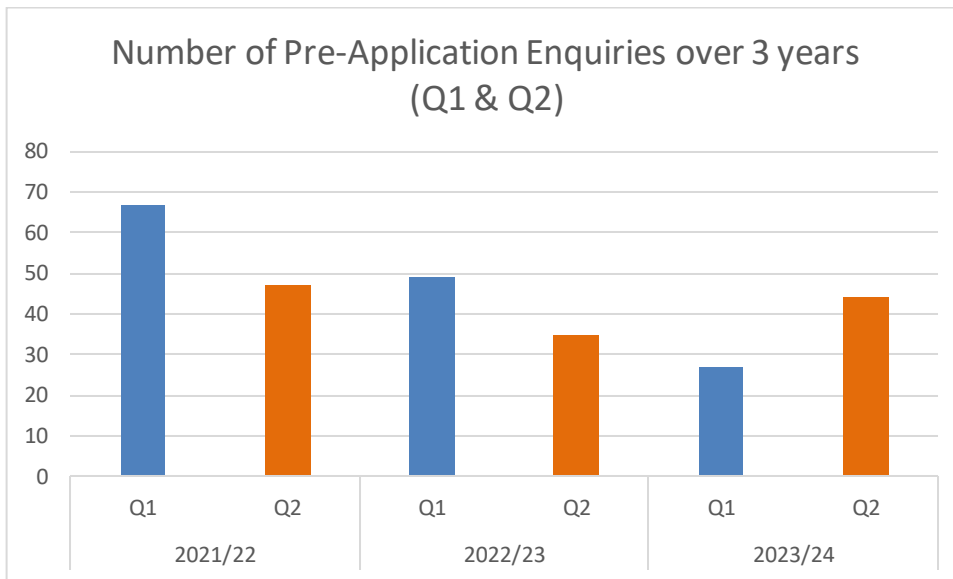
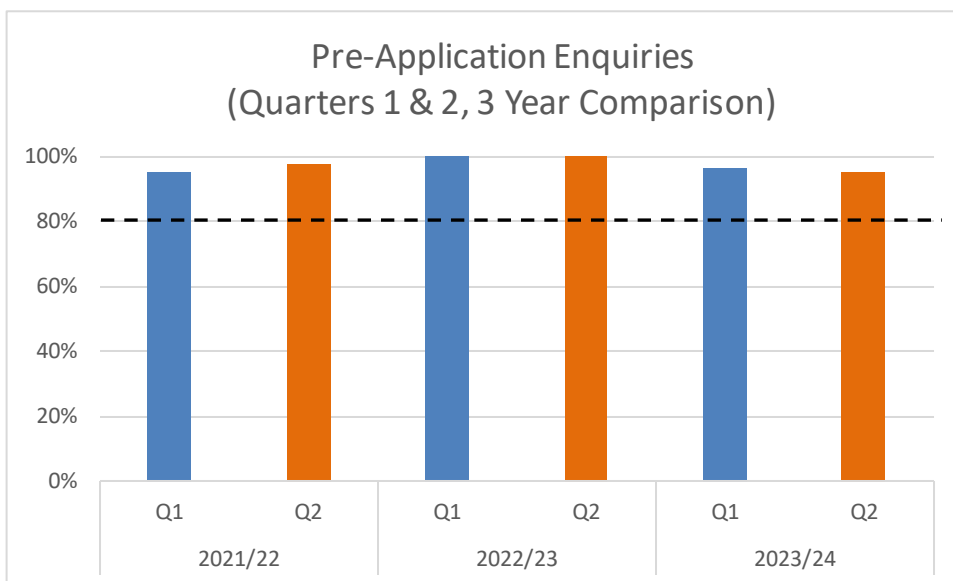


Figure 2.4 Pre-Application Responses on Target (Quarters One & Two, 3 Year Comparison)



----- Local Target

Proportion of applications allowed at appeal and percentage of applications approved

2.9 The Service has kept significantly under the maximum tolerance in relation to the number of applications allowed at appeal (Figure 2.5). We have just dipped below our target of approving 90% of all applications in the most recent quarter (Figure 2.6). This reflects a stricter approach we have adopted over this quarter. We have advised applicants we will give them one main opportunity to revise their scheme to make it acceptable otherwise we will be likely to recommend refusal. Linked to this we are promoting our pre-application service which enables prospective applicants to seek advice upfront and be more likely to submit an acceptable scheme right from the start.

Figure 2.5

Percentage of decisions allowed on appeal: Quarters One and Two, 3 Year Comparison

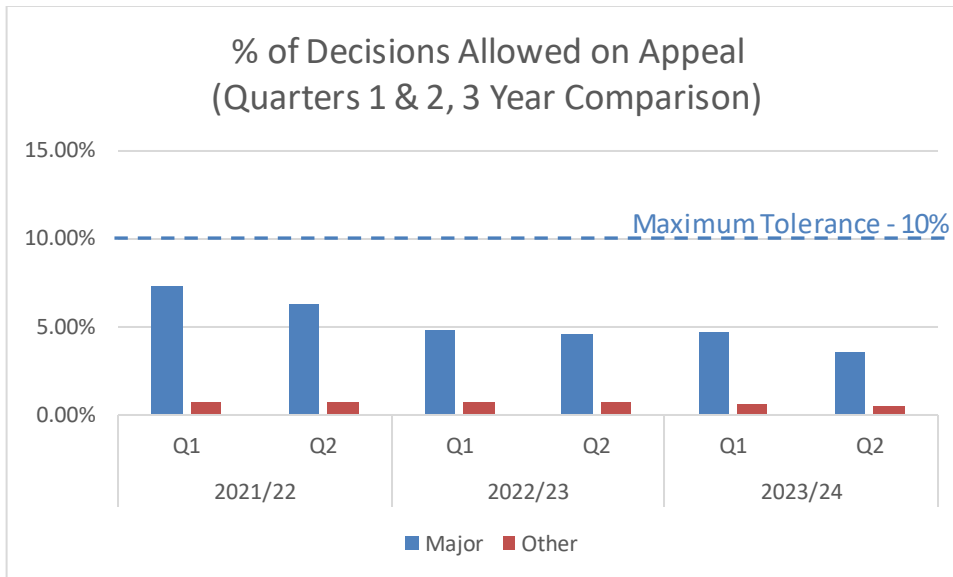


Figure 2.6

Percentage of planning applications approved: Quarters One & Two, 3 Year Comparison



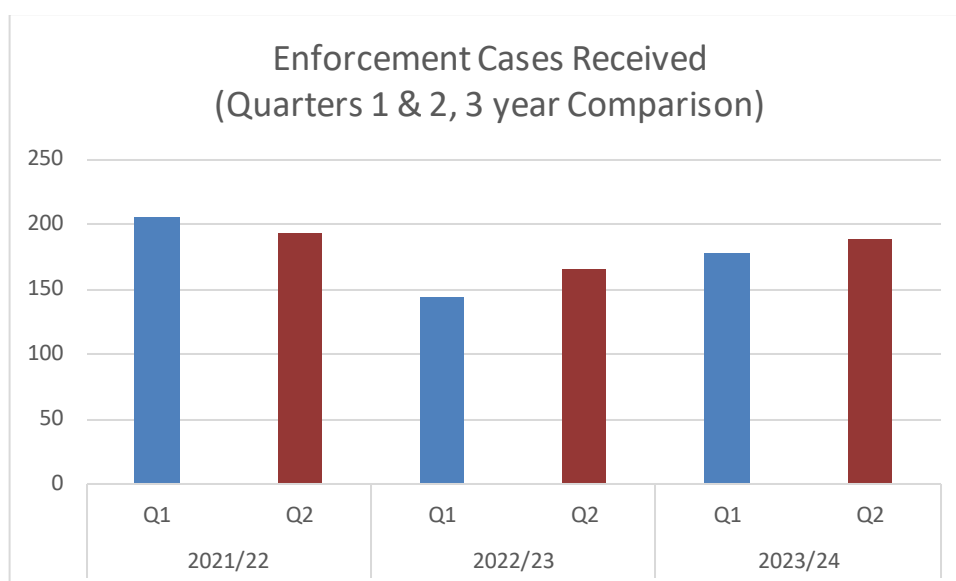
2.10 It is still a significant team effort across the Service to assess and determine applications expediently and in line with Government targets.

Enforcement

2.11 The number of complaints received has increased over the past two quarters when compared with the equivalent quarters from last year (up from 311 in 2022 to 358 in 2023) - see Figure 2.7 below. There is no obvious explanation for the rise of complaints except that it tends to mirror the amount of development activity taking place.

Figure 2.7

Enforcement cases received: Quarters One & Two, 3 Year Comparison



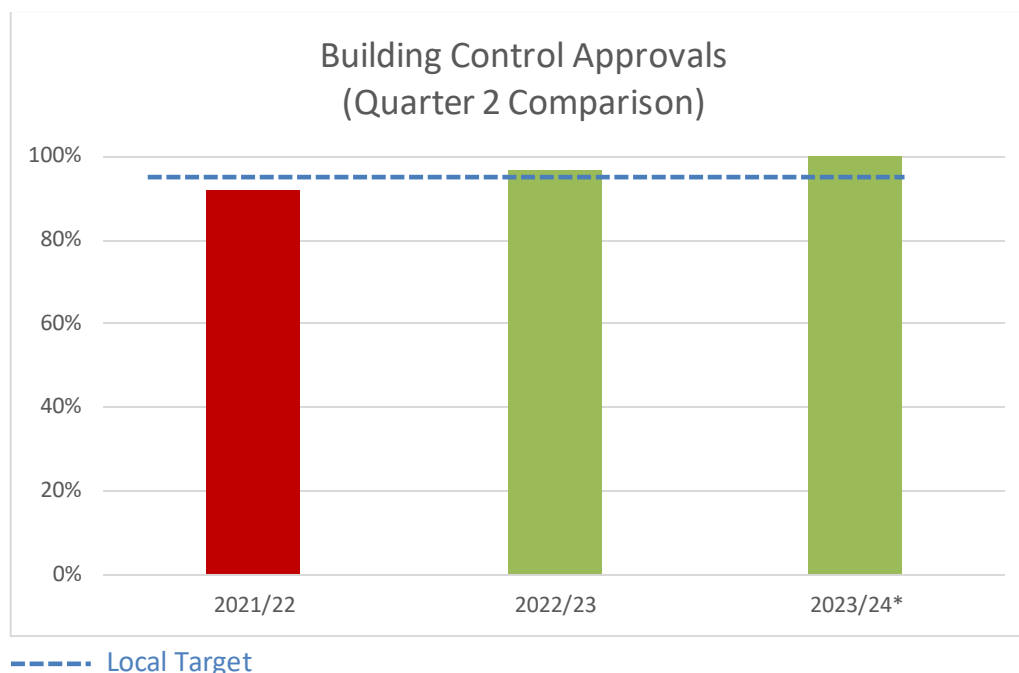
3. Building Control

Performance targets

- 3.1 This section focuses on the Building Control Team's performance in the second quarter of 2023/24 and compares overall performance with the same period from the last 3 years.
- 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, although it is struggling to meet its locally set plan-checking targets due to the long-term absence of 2 members of staff and on-going staffing vacancies. However, in spite of this, the percentage of Building Regulation applications given full or conditional approval, is 98% for Quarter 2 of 2023/24 compared to the locally set target of 95%.
- 3.3 The Team's market share remains at the national average for local authority building control teams, although over the last 18 months the figure has reduced, as the recent loss of some key members of staff to private sector Building Control continues to have an adverse effect by taking key clients with them. An improvement plan has been put in place to address overall performance and once staffing levels are brought back up to the establishment, this should start to take effect.

Figure 3.1

Percentage of building regulation applications approved: Quarter two, 3 year comparison



Income and financial performance

3.4 Building Regulation income for the previous 3/5 year financial cycle, shows that the Section's costs continue to be covered - in terms of the fee-earning work element. Initial financial figures from the first two quarters of 2023/24 indicate that Building Control income has made a strong start to the financial year – with a number of large housing developments commencing on site.

Safety at sports grounds

3.5 As part of conditions of the Safety Certificates held by Southport FC, Marine FC and Aintree Racecourse, the Building Control Team undertakes annual inspections to check the grandstands are properly maintained. The inspection of the five permanent grandstands at Aintree Racecourse was undertaken early in 2023 and inspections at Southport FC and Marine FC are due to be carried out towards the end of this year. The Building Control Team will shortly commence checking plans and details for the temporary structures planned for the 2024 Grand National race meeting.

Staffing

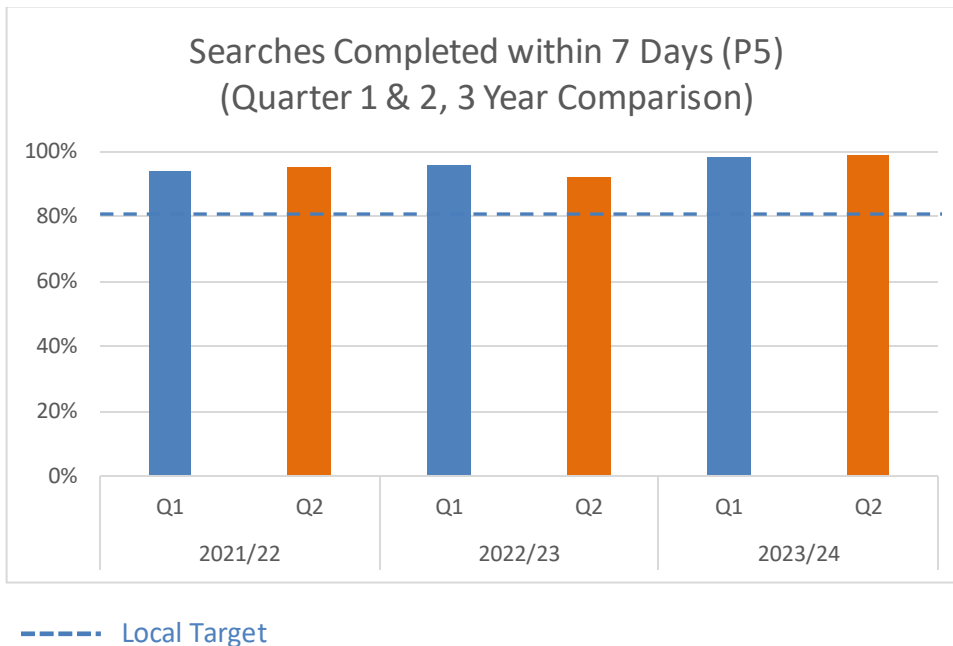
3.6 It is hoped to advertise a vacant Building Control Officer post early in November 2023. In addition, the Team has also been covering for a member of staff on maternity leave.

4. Technical Support

- 4.1 Figure 4.1 below shows our performance in quarters one and two for the last 3 years. Performance has improved compared to Quarter 1 and is now at its highest since 2021. Performance is currently running at 19% above target.

Figure 4.1

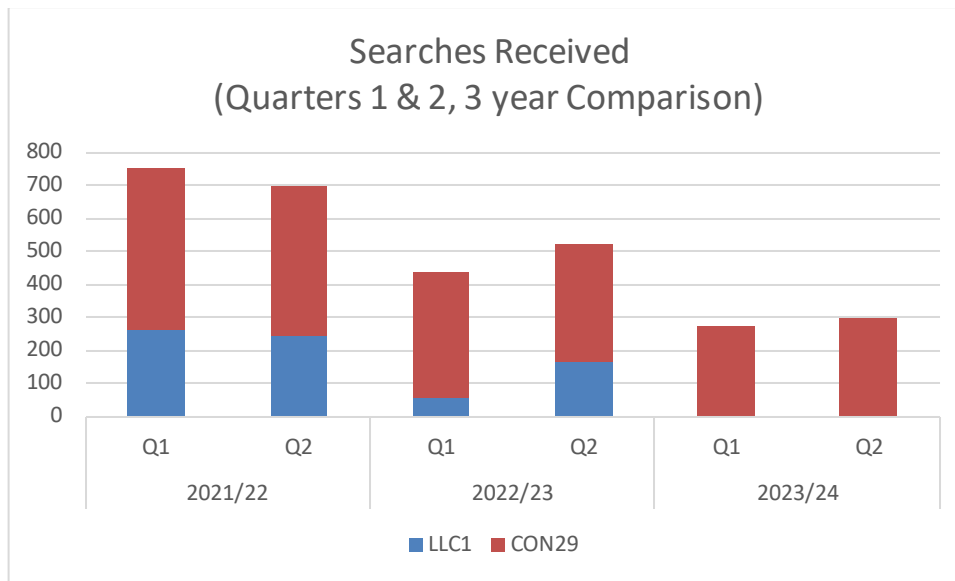
Searches completed within 7 days: Quarter One 3 Year Comparison



- 4.2 In January 2023, the Land Registry assumed responsibility for the Land Charges register. Figure 4.2 below shows the numbers of searches received over the last 3 years for quarters one and two. It shows that the makeup of the type of searches received has changed over the last 3 years, since the LLC1 portion of the search moved to the HM Land Registry earlier this year. This is having an overall impact on the total number of searches. Quarter 2 shows a further reduction in the number of search requests.

Figure 4.2

Number of searches received: Quarters One and Two 3 Year Comparison



- 4.3 The fall in the number of searches received has significantly reduced the amount of income expected in Q2. Search requests have fallen to a similar level as in 2020 at the start of Covid due to slower housing market turnover. The team is currently carrying vacancies and resources have been reallocated to other areas of the team to ensure resilience in service delivery and improvements to how we monitor performance.

5. Local Planning

The Sefton Local Plan

- 5.1 Changes to the plan-making process are included in the Levelling Up and Planning Bill which is currently making its way through parliament. A Cabinet recommendation was recently approved to await clarification on the new plan-making system before work on a new Sefton Local Plan commences, even though the current Local Plan is now over 6 years old.
- 5.2 The government is currently consulting on changes to the plan-making system to support the emerging Levelling Up and Planning Act. This proposes that Councils will be allocated a 'wave' in which to commence a new style Local Plan, based on how old their current Local Plan is. Based on these proposals it is likely, subject to confirmation, that Sefton will be expected to commence a new Local Plan under the new system between in the next few years.
- 5.3 As of 30 September 2023, planning approval has been granted for 76.6% of the total indicative site capacity on Local Plan housing allocations, up from 74.5% last December. The latest approval (1st March) on a Local Plan housing allocation was 146 homes on the Waddicar Farm site in Melling.

Supplementary Planning Documents (SPDs) and other policy documents

- 5.4 A number of Supplementary Planning Documents and Information Notes were recently adopted. These will now assist in making planning decisions. They are:
- Affordable Housing SPD
 - Conversions to Flats and HMOs SPD
 - New Housing SPD
 - House Extensions SPD
 - Social Value (Employment and Skills) SPD
 - Contributions towards primary education from development Information Note
 - Recreation Mitigation on the Coast Information Note

Liverpool City Region work

- 5.5 The Combined Authority are working towards the next stage of consultation on the Spatial Development Strategy later this year. Sefton are asking for housing numbers to be based on the standard methodology approach and not a continuation of the Local Plan approach. The draft SDS is progressing through the internal approval stages and is expected to be public later this year.

Bootle Area Action Plan

- 5.6 To help support the regeneration and transformation of the wider Bootle area a Bootle Area Action Plan (AAP) is being progressed. This will set out a vision, objectives, projects, policies and priorities for the area. This is being led by the

Planning Policy Team. 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.

5.7 Public consultation on the Bootle AAP Issues and Options paper was undertaken from November 2021 to 31 January 2022. The engagement included a 12-page newsletter delivered to all 22,000 homes and businesses in the Bootle AAP area.

5.8 The draft ('Preferred Options') Bootle Area Action Plan has now been written and was approved at Cabinet on 22 June 2023. Public engagement on the Bootle Area Action Plan is underway and the Council have recently hosted a number of drop-in events at Bootle Strand. The period for comments on the Bootle AAP ends on Monday 6th November 2023. All comments made will be reported before the end of the year.

Other work

5.9 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.

5.10 Following recent applications and appeal hearings for traveller accommodation sites, it was decided that the Council's evidence base for gypsy and traveller accommodation needed to be updated. The Council commissioned a Gypsy and Traveller Accommodation Needs Assessment which is now completed and available online.

5.11 The Council has also recently undertaken 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 was a complicated and multidisciplinary piece of work and was managed and led by the Local Planning team. The Council have received a final report which is now approved and available online.

5.12 To inform both the Local Plan review and Bootle AAP (see above) the Council commissioned an Employment Land and Premises Supply assessment. This looks at all of Sefton's allocated and designated employment land, including

Bootle Office Quarter. The Council have received a final report which is now approved and available online.

- 5.13 The Local Plan team have recently completed its first Movers' Survey. This looks at where people moved to newly built homes in Sefton and why. It also looks at what services and facilities they have had to switch because of their move. The initial results can be found at <https://www.sefton.gov.uk/media/5703/movers-survey-report-2022-first-edition.pdf>. The next round of the Movers' Survey will be undertaken late 2023.

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. These are Lord Street, Promenade, West Birkdale, North Meols (Southport), Christ Church and Waterloo Park (Waterloo). 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 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.
- 6.3 In order to help prevent major repairs to historic homes and to help in the cost of living crisis the Heritage team have now published helpful guidance for homeowners in the maintenance of their property. Providing useful bespoke guidance for these important buildings will help prevent deterioration and buildings failing into costly disrepair. [Guide to Maintaining Sefton's Historic Homes](#)
- 6.4 In order to help deal with the Climate Emergency and the cost of living crisis the Heritage team have also published guidance for homeowners to help them improve energy efficiency in their historic homes and save money. [Guide to Improving Energy Efficiency in Sefton's Historic Homes - Digital](#)

Regeneration

- 6.5 The capital build part of the Southport Townscape Heritage project is progressing, and discussions continue with owners of targeted buildings. The first grant application has now been completed - 509-515 Lord Street. The project restored and repaired a long term vacant grade 2 Listed Building and removed it from the Council's Buildings at Risk Register. The project brought back 2 vacant retail units into use and converted the vacant upper floors into 9 apartments.

- 6.6 The learning and skills activities for Southport Townscape Heritage project have been focused on raising awareness of Southport's built heritage. A talk about the project and Southport's heritage has been created and presented to community groups and schools including using the display information, the Built on Sand exhibition also being used as a pop-up in Wayfarers Arcade. The 'Southport's Streets – Seen by You' exhibition attracted over 40 entries from local artists and lots of interest from visitors. We continue to work closely with Sefton CVS, schools and community organisations e.g. the Brighter Living High Park project and Southport Hoteliers. Plans are underway for Heritage Open Days in September.
- 6.7 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.

Policy

- 6.8 The Heritage team have completed draft Conservation Area and Management Plans for Hesketh Road, Carr Houses, Lunt Village and Homer Green. The public consultation event for Hesketh Road took place on 3rd August and the public consultation event for the remaining Conservation Areas on 4th October. Once the public comments are compiled it is intended to adopt these background planning documents by the end of the year.

Advice to Development Management team

- 6.9 The number of consultation responses sent in Q1 & Q2 for 2023 is 204, for the same period in 2022 is 212 and 2021 is 362. The decrease from previous years is due to removing the buffer zones for consultations so it means that requests for consultation are more targeted.
- 6.10 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 two years have been unprecedented for the Council and with significant increases in the numbers of applications and staffing issues it was difficult for a period to maintain a high level of performance. However, staffing levels have improved and numbers of applications have reduced so once more targets are generally being exceeded.
- 7.2 Appropriate technology has been put in place to support staff who mainly work from home, and staff have performed very well. Staff surveys show the service has been able to respond to key issues in order to maintain essential services whilst maintaining staff morale. We continue to hold staff 'away sessions' to bring members of different teams together, as well as helping to integrate those who have joined the Service since the start of Covid and have never known what it is like to be part of a Service working together in one office.
- 7.3 The Planning Service received very positive feedback at our last Sefton Agents' Forum in February 2023. This was validated by our Service being awarded "Planning Authority of the Year" by the Royal Town Planning Institute North West Branch in June 2023. We have been nominated as a finalist for the national awards in London in November. As part of the same awards, the Chief Planning Officer has also been shortlisted in the category of 'Inspirational Leader of the Year'.
- 7.4 A new initiative was launched this quarter with a Design Awards competition to showcase the best of design in Sefton over the past 10 years. This has attracted a lot of interest and many high-quality schemes have been submitted across multiple categories from best heritage and commercial schemes through to best individual house and best house extension. This was held in the Grand Hotel, Southport, on 20th October.
- 7.5 The Service continues to respond to the unsettled context in which we are currently operating. We will closely monitor the number of planning applications we receive and keep staffing under review in the Development Management team, as well as trying to ensure the Building Control team is well equipped to face its own particular challenges. We are prepared to adapt to further changes on the horizon, in particular the major legislative change heralded in the Levelling Up and Planning Bill and recently announced reforms to the planning system which will have implications for the review of the Local Plan.