

CABINET MEMBER UPDATE REPORT Overview and Scrutiny Committee (Regeneration and Skills)		
COUNCILLOR	PORTFOLIO	DATE
Daren Veidman	Cabinet Member Planning & Building Control	5 March 2024

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.

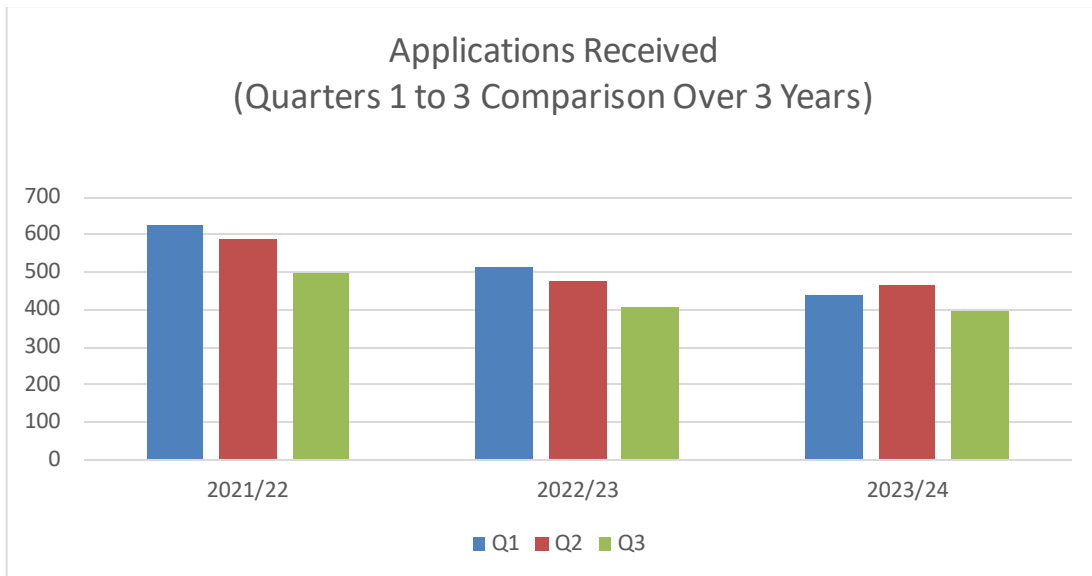
1.3 A key focus of the service has been looking after staff wellbeing. We have carried out two surveys and devised an action plan. These have been received positively and sickness absence has reduced to 40% of pre-Covid levels.

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 towards the end of this quarter (beginning 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.

Performance Monitoring

1.6 A directorate wide plan has been prepared to include all the divisions within the Economic Growth and Housing department, and also a corporate plan for the whole Council. The plan demonstrates the links to Sefton's 2030 vision and to departmental work themes and identifies performance measures to use in the future. These comprise both national and local targets which best



Speed of determining planning applications

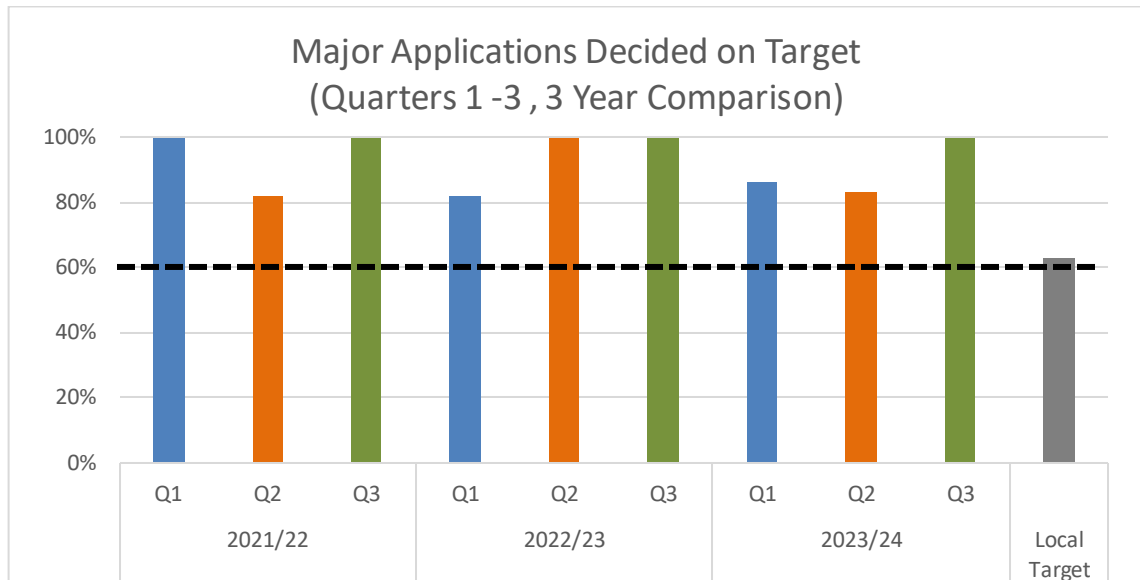
- 2.3 Figure 2.2 shows the major applications decided on target. The figure for Quarter 3 (100%) well exceeds both national (60%) and local (63%) targets.
- 2.4 The vast majority of applications are within the ‘minor’ and ‘other’ categories. Figures 2.2b & c show an improvement in Quarter 3 in the speed of determination within both categories from Quarter 1 – ‘minors’ up from 82% to 93%, and ‘others’ up from 94% 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 and the Planning Service was given extra resources to assist with this high workload. 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. During Quarter 3 we have provided training on writing reports more efficiently and during Quarter 4 we offered training on good practice in formulating conditions for reports.
- 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 came 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 statutory 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 - Three (April – December)

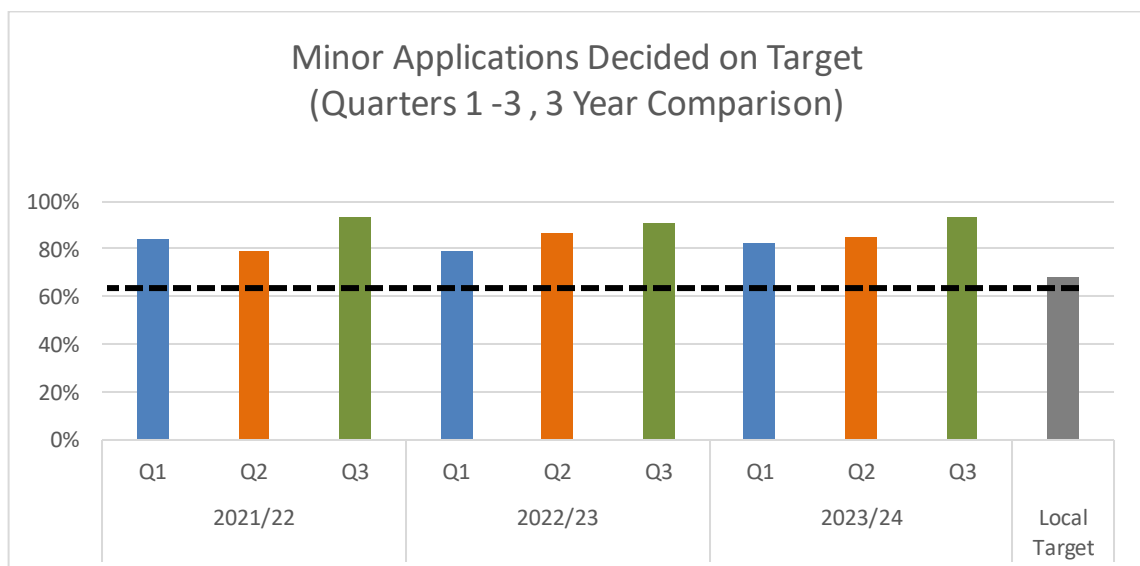
3 Year Comparison: 2021/22, 2022/23 & 2023/24

Figure 2.2a – Major Applications



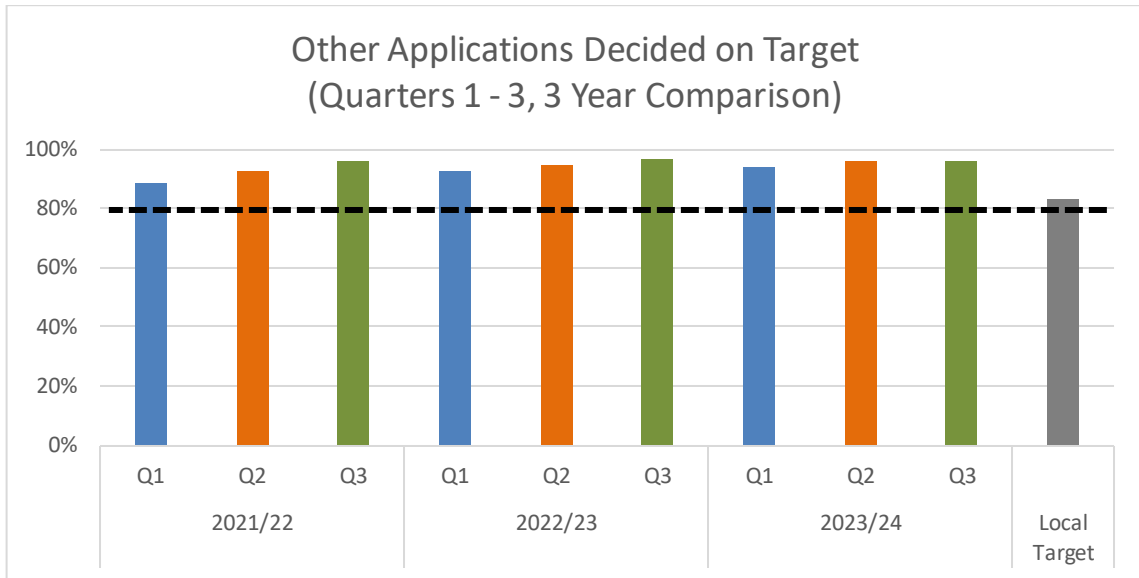
--- National Target

Figure 2.2b – Minor Applications



--- National Target

Figure 2.2c – Other Applications



--- National Target

2.7 Overall, performance well exceeds national targets and also our own more demanding local targets. However, we manage to do this through agreeing 'Extensions of Time' (EoTs) with applicants to allow further work to be done on applications to enable them to be approved. On 19th December 2023 the Government has announced its intention to consult on the restriction of the use of EoTs and we need to review the how we operate to be prepared for any changes which may be introduced.

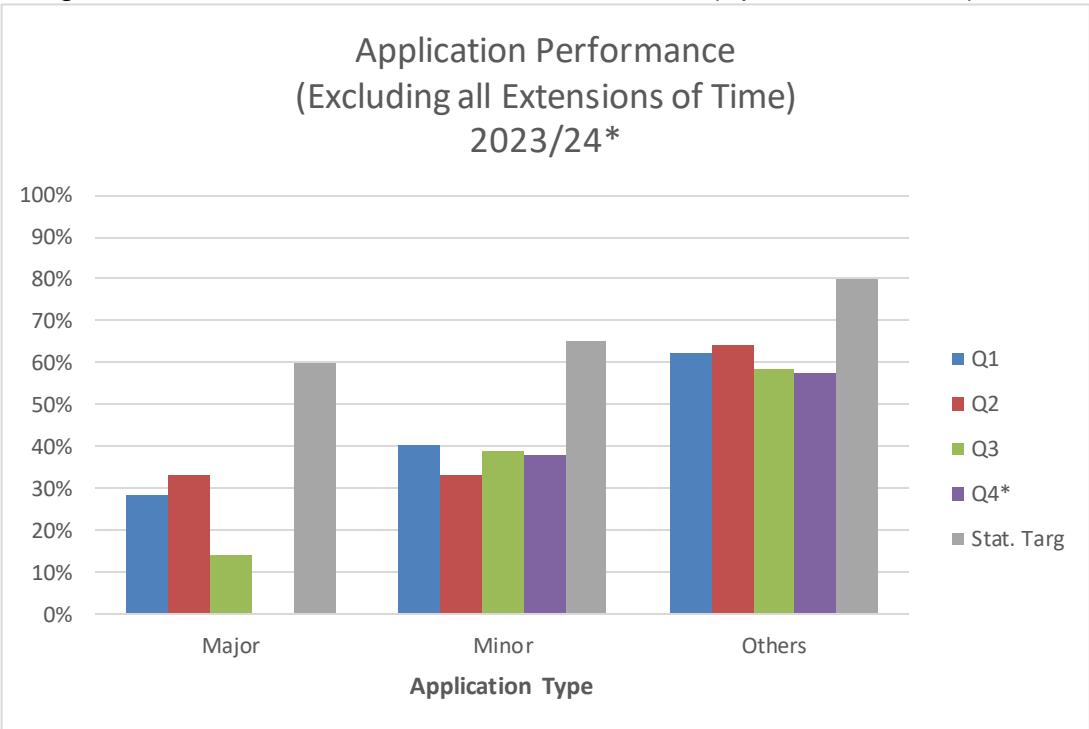
2.8 Figure 2.3 below shows performance so far this year against national targets disregarding the use of EoTs. It demonstrates that performance falls well short in each category of application:

- For 'Majors', less than 30% are determined within this timeframe against a target of 60%
- For 'Minors', the figure is under 40% against a target of 65%
- For 'Other' applications (mainly householders), the figure is around 60% against a national target of 80%.

- 2.9 We are monitoring performance to see where there may be scope to determine applications more quickly. However, if the Government were to greatly restrict the use of EoTs there would be less opportunity to negotiate improvements to schemes or to await supporting information the need for which may only become apparent during the course of the application.
- 2.10 To meet targets would lead us to make decisions without negotiating improvements or awaiting further information. This would lead to more applications being refused. Currently we enjoy an excellent reputation with the many agents who submit applications. If we were to refuse applications more quickly our reputation would suffer as agents would either have to appeal our decision (which is time-consuming) or obtain the further information and resubmit the application which would require a further fee.
- 2.11 The situation is complicated by the fact that we regularly depend on consultees to provide comments which are necessary to determine an application (e.g. from the Highways and Drainage teams). Although they try to respond within agreed timescales, staffing pressures mean they are not always able to achieve this.
- 2.12 If we are expected to rely less on EoTs it is likely we will need more staff to determine applications within statutory timeframes. If we fail to meet national targets this could lead to intervention/special measures which means that decisions would be taken direct by the Planning Inspectorate.

Figure 2.3

Performance against national targets for speed of decision making without using Extensions of Time: Quarters One to Three (April – December)



**Quarter 4 up to 13/02/2024*

Pre-application enquiries

2.13 We have one dedicated officer who focuses on responding to pre-application inquiries. The number of inquiries had dropped considerably over the period shown and has been variable over the past three quarters (see Figure 2.4 below). 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 2.5). 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 2.4 Pre-application Enquiry Responses 2021-24 (Quarters One to Three, 3 Year Comparison)

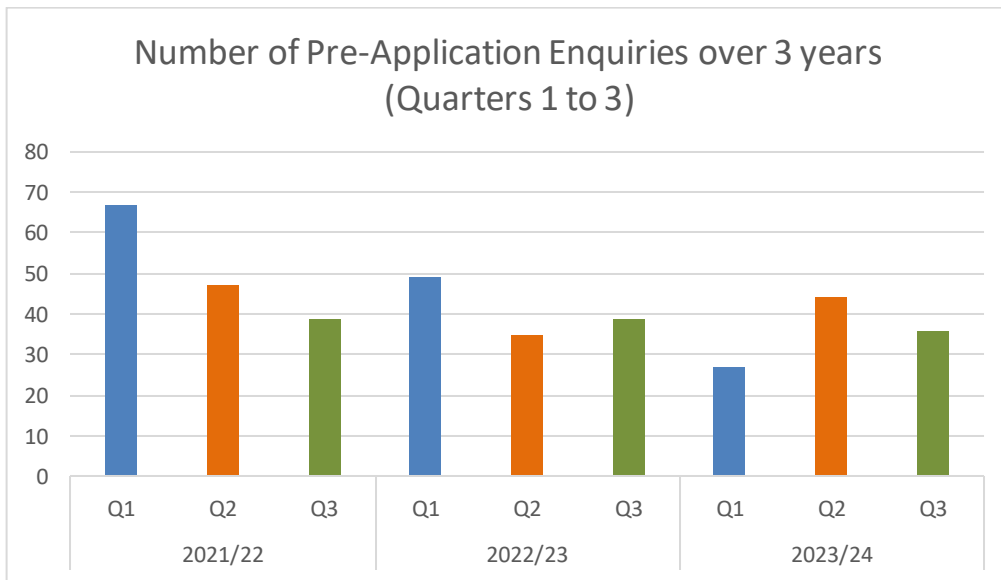
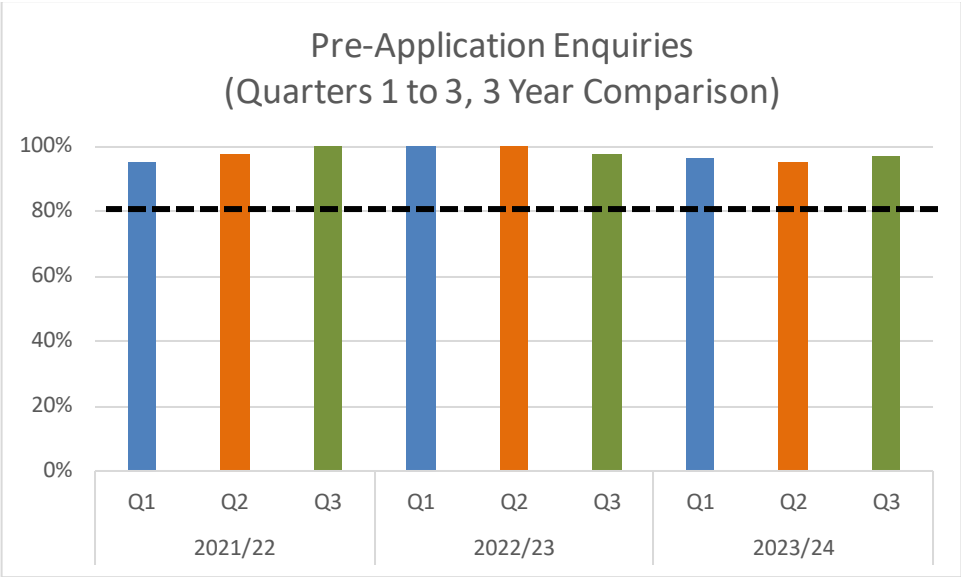


Figure 2.5 Pre-Application Responses on Target (Quarters One to Three, 3 Year Comparison)



----- Local Target

Proportion of applications allowed at appeal and percentage of applications approved

2.14 The Service has kept significantly under the maximum tolerance in relation to the number of applications allowed at appeal (Figure 2.6). We are just on our target of approving 90% of all applications in the most recent quarter (Figure 2.7). 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. We have highlighted this new approach in the Planning Services Charter, published this quarter.

Figure 2.6

Percentage of decisions allowed on appeal: Quarters One to Three, 3 Year Comparison

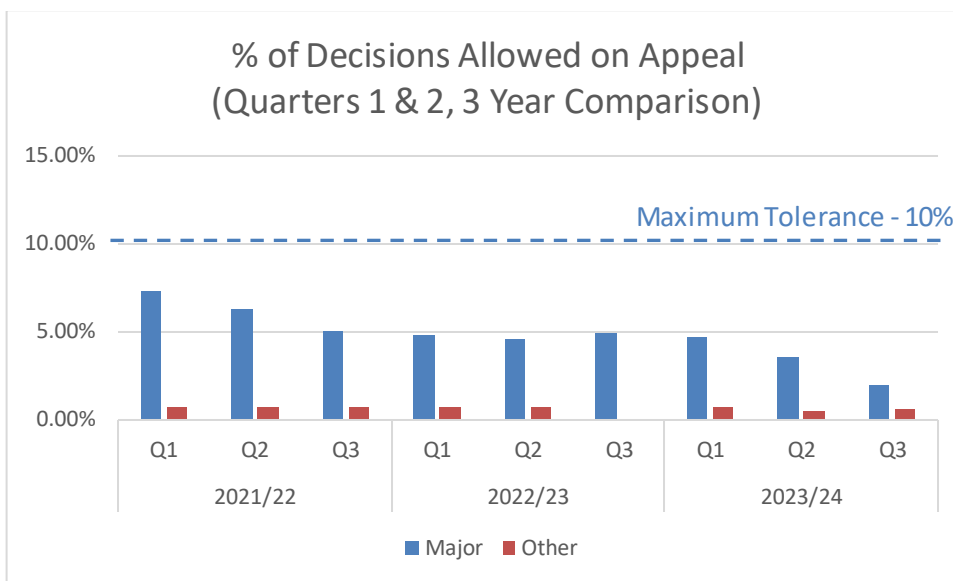
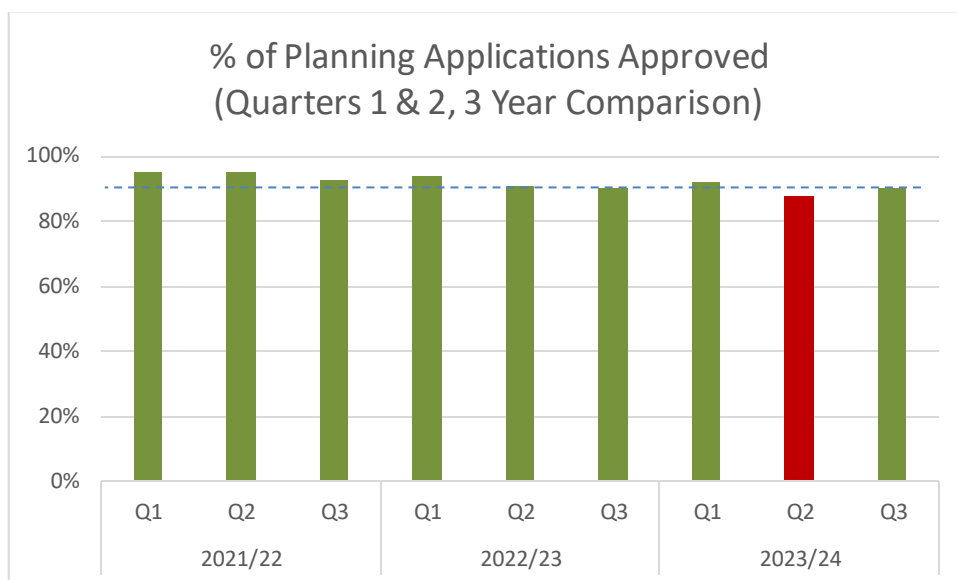


Figure 2.7

Percentage of planning applications approved: Quarters One to Three, 3 Year Comparison



----- Local Target

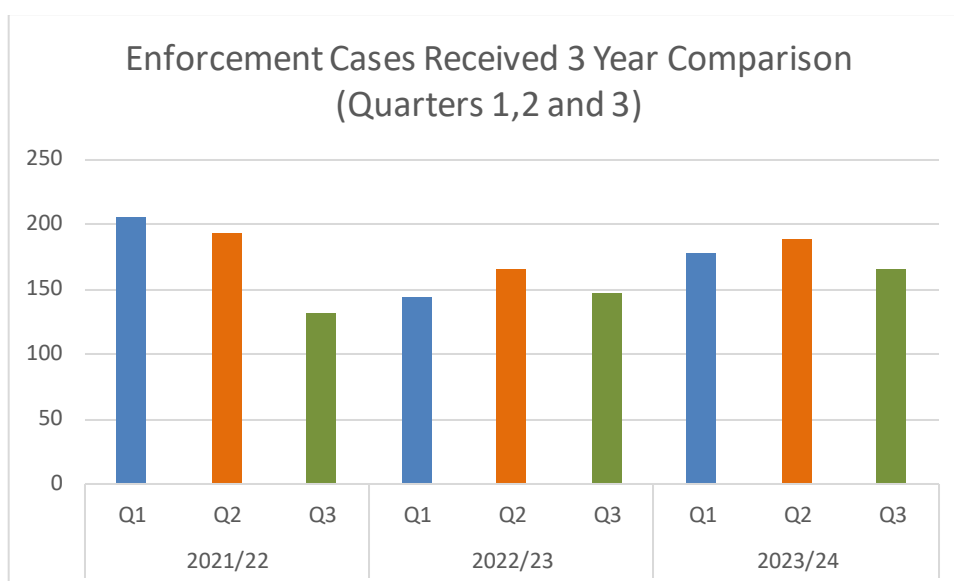
2.15 It is still a significant team effort across the Service to assess and determine applications expediently and in line with Government targets.

Enforcement

2.16 The number of complaints received has increased over the past three quarters when compared with the equivalent quarters from last year (up from 459 in 2022 to 533 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 2.8

Enforcement cases received: Quarters One to Three, 3 Year Comparison



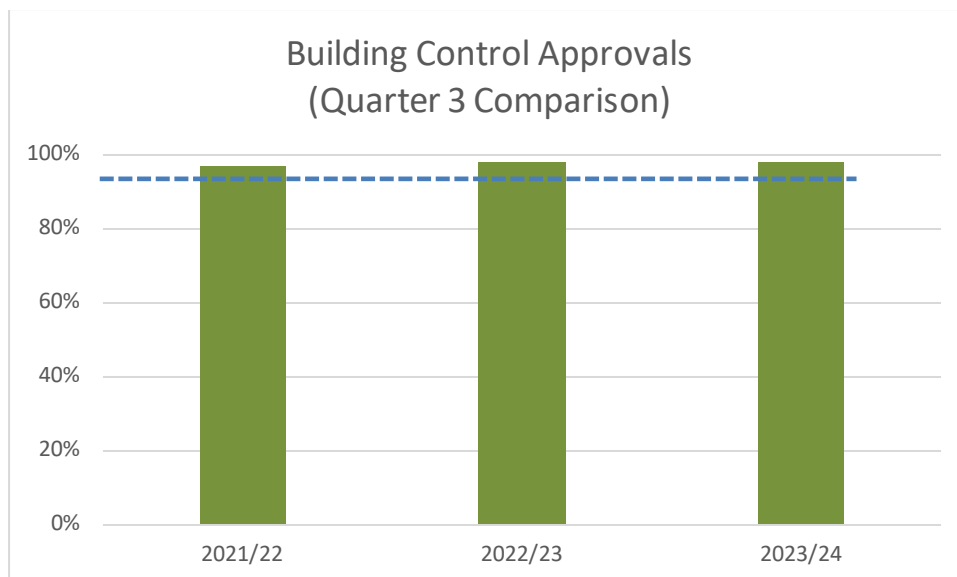
3. Building Control

Performance targets

- 3.1 This section focuses on the Building Control Team's performance in the third 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 long-term staff absence and dealing with on-going staffing vacancies. However, in spite of this, the percentage of Building Regulation applications given full or conditional approval, is 98% for Quarter 3 of 2023/24, compared to the locally set target of 95%.
- 3.3 The Team's market share remains just above the national average for local authority building control teams, although over the last 21 months, this 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 them 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 3, with a 3 year comparison



----- Local Target

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. Financial results from the first three quarters of 2023/24 indicate that Building Control income remains on course to meet projected budgetary levels.

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 in November 2023 and inspections at Southport FC and Marine FC have also been recently carried out. The Building Control Team will shortly commence checking plans and details for the temporary structures planned for the 2024 Grand National race meeting.

Staffing

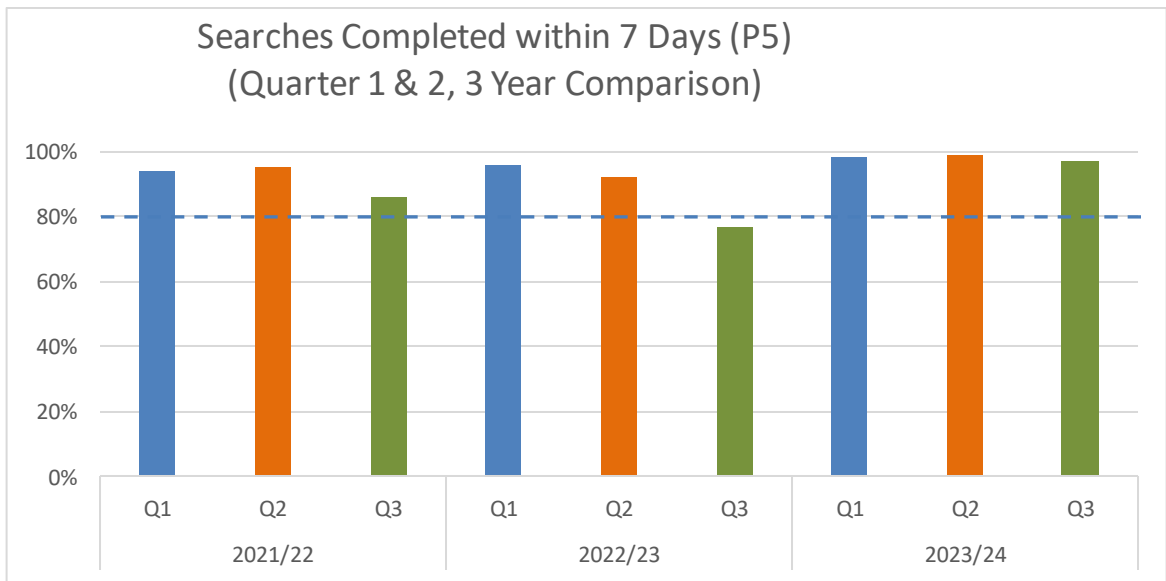
3.6 A vacant Building Control Officer post was filled in early December by an internal candidate, who was a Trainee Building Control Officer being funded by LABC. One of the Building Control Team Leaders has resigned and will be leaving the Authority on 31 December 2023. This post is currently being advertised and it is hoped that it will be filled early in the new year. In addition, the Team is also covering for a member of staff currently on maternity leave.

4. Technical Support

- 4.1 Figure 4.1 below shows our performance in quarters one, two and three for the last 3 years. Performance remains above target for all three quarters this year. We are currently running at 17% above target on this indicator.

Figure 4.1

Searches completed within 7 days: Quarters One to Three, 3 Year Comparison

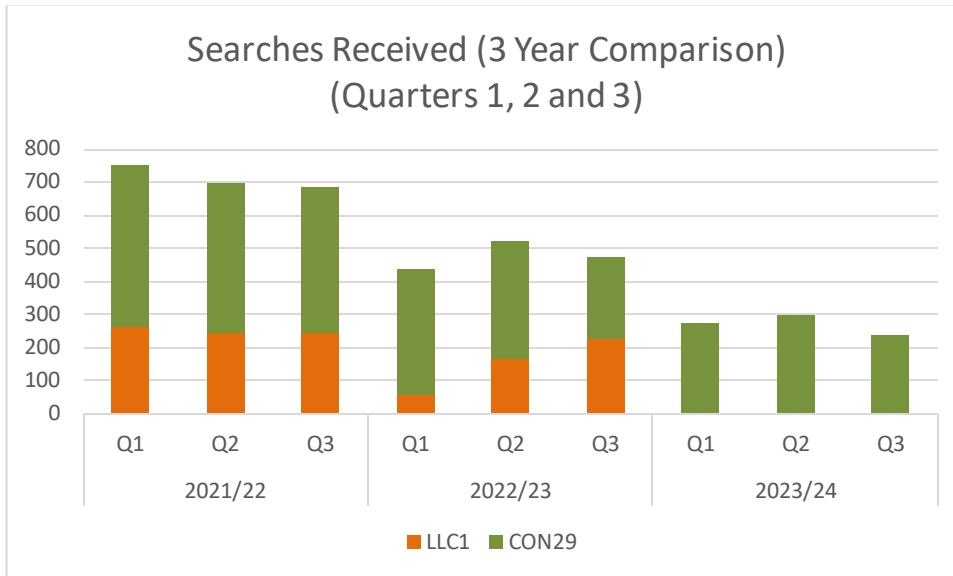


----- Local Target

- 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, two and three. 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.

Figure 4.2

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



- 4.3 The fall in the number of searches received has significantly reduced the amount of income expected in Q3. 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 Act which has recently secured royal assent. This will be supported by secondary legislation and regulations that will be published in 2024 which will guide how the next Local Plan will be progressed. A Cabinet recommendation was recently approved to await clarification on the new plan-making system before any decision is made on a new Sefton Local Plan, even though the current Local Plan is now over 6 years old and would normally be expected to be reviewed by now.
- 5.2 The government has indicated 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 autumn 2025 and early 2026.
- 5.3 As of 20 December 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. There are current applications with the Council on 4 other Local Plan housing allocations.

- 5.4 The Council, in its recent Strategic Housing Land Availability Assessment (SHLAA), have been able to demonstrate a 8.7 year supply of deliverable housing land. This is much higher than the required 5 year supply required by government guidance. Sefton have also recently passed the latest Housing Delivery Test (published 19 December 2023), having had 142% of the required homes completed over the previous 3 years (to 2021/22).

Year	Homes required	Homes Delivered
2019-20	578	799
2020-21	415	737
2021-22	610	738
Total	1602	2274

Supplementary Planning Documents (SPDs) and other policy documents

- 5.5 A number of Supplementary Planning Documents and Information Notes were adopted in 2023. 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

- 5.6 A number of other SPDs will be progressed during 2024. These are:

- Developer Contributions to Southport Tourist Infrastructure
- Nature (update)
- Boundary Treatments
- Short Term Holiday Lets

Liverpool City Region work

- 5.7 The Combined Authority have recently published a draft Spatial Development Strategy. The policy team are co-ordinating a Sefton response.

Bootle Area Action Plan

- 5.8 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.

5.9 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.

5.10 The draft ('Preferred Options') Bootle Area Action Plan was approved at Cabinet on 22 June 2023. Public engagement on the Bootle Area Action Plan was undertaken during September to November. The policy team are currently assessing all comments submitted which will be published early in 2024.

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 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.

5.13 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.

5.14 To inform both the Local Plan review and Bootle AAP (see above) the Council undertook 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.

5.15 The Local Plan team have recently completed its second 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>. This will be updated early in 2024 with the results of the recent survey.

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.
- 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. This year 2 buildings have been removed from the Heritage at Risk register these are 509-515 Lord Street, Southport and St. Nicholas Fountain, Blundellsands.
- 6.3 This year the Council surveyed 152 of its listed building entries, 27% of the total. This exceeds the target of 20% per year.
- 6.4 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](#)
- 6.5 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

- 6.6 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. This was the overall winner at the Sefton Design Awards which took place in October 2023.

- 6.7 The second project has now been completed at 4a Bold Street and works includes a new traditional shopfront and tidying up the verandah. Further grant offers are in place on Bold Street and large scale improvements should be shown over the next 12 months. Discussions are now taking place with the Heritage Fund to extend the project by 12 months.
- 6.8 The learning and skills activities for Southport Townscape Heritage project have been focused on raising awareness of Southport's built heritage and include Heritage skills construction events, guided walks and trails with community groups and schools.
- 6.9 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.

Advice to Development Management team

- 6.10 The number of consultation responses sent in Q1, Q2 & Q3 for 2023 is 310, for the same period in 2022 is 303 and 2021 is 500.

The decrease from 2021 is due to removing the buffer zones for consultations so it means that requests for consultation are more targeted.

- 6.11 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 almost four 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. We still hold on-line chats for mental health and we are leading on mental health in the city region with Combined Authority support.

- 7.3 We prepared a Planning Services Charter during the Quarter 3. This sets out our values, our service standards, our priorities and how we are accountable (including reporting to this Committee). It makes clear that if proposals have not gone through our pre-application advice service, we will spend limited time on securing amendments before determining applications based on the scheme submitted to us. This is critical to the Service working more efficiently. In Quarter 3 we set up the Planning Clinic, a new service to help other departments across the Council engage with us whilst their schemes are in the design phase. About 5 projects have already been submitted to the Clinic and the feedback is that this initiative is appreciated. This should help ensure that our requirements are taken into account in the preparation of schemes and enable smoother progress through the pre-application stage and in making planning and building regulation applications.
- 7.4 The Planning Service received very positive feedback at our last Agents' Forum in October 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 and being nominated as a finalist for the national awards in London in November. As part of the same awards, the Chief Planning Officer was shortlisted in the category of 'Inspirational Leader of the Year'.
- 7.5 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 were submitted across multiple categories from best heritage and commercial schemes through to best individual house and best house extension. A Design Awards Evening was held in the Grand Hotel, Southport, on 20th October. This was a hugely successful event complimented by many who attended both personally and on social forums.
- 7.6 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 introduced by the Levelling Up and Regeneration Act 2023. Further reforms to the planning system were announced in December 2023 and we need to be geared up to respond to the challenges they will present.