

Report Title: Adoption of Supplementary Planning Documents - Short Term Holiday Lets and Boundary Treatments

Date of meeting:	5 December 2024
Report to:	Cabinet
Report of:	The Assistant Director - Economic Growth and Housing
Portfolio:	Housing and Highways
Wards affected:	All
Included in Forward Plan:	Yes
Is this a key decision:	Yes
Exempt/confidential report:	No

Summary:

The Council has recently consulted on the following Supplementary Planning Documents (SPDs):

- Boundary Treatments SPD
- Short-term Lets SPD

Having considered the responses received, in conjunction with the Cabinet Member for Housing and Highways, it is proposed that the SPDs, incorporating any changes recommended in the report and appendices, should be reported to Cabinet for adoption, to enable them to be given weight as material considerations when planning applications are determined.

Recommendation(s):

That Cabinet

(1) approve the Short-term Lets and Boundary Treatments Supplementary Planning Documents (SPDs) for adoption and use in planning decisions

1. The Rationale and Evidence for the Recommendations

1.1 Consultation on the following draft Supplementary Planning Documents (SPDs) took place between March and April 2024:

- Boundary Treatment SPD;
- Short-term Lets SPD

1.3 Only a few comments were received on the SPDs. These are summarised below and are set out in full in Appendix A. Where the Council have made any changes is set out in the Appendix.

1.4 The SPDs once adopted will form a material consideration in all planning applications and appeals.

Boundary Treatments SPD

1.5 The purpose of the Boundary Treatment SPD is to set out the design guidance for new or changes to boundary walls, fences, railing, gates and hedges so that they will be of high quality safe and well designed.

1.6 Good quality boundary treatment can provide security, privacy for occupants and neighbours, can make a house and street scene visually more attractive and coherent with the surroundings, can help provide linkage with the wider landscape and can be beneficial to wildlife. Poor quality boundary treatment can make a site and an area less safe, can be obtrusive visually, it can be dangerous through reducing highways safety and can impact negatively on heritage assets such as Listed Buildings and Conservation Areas. This SPD has produced to ensure that there is a consistent and appropriate approach to decision making on planning applications for boundary treatments.

1.7 A number of comments were received on this SPD from:

- Canals and Rivers Trust welcomed section 10 on boundary treatment facing the canal and in particular providing open and positive fronting to the canal.
- Highways England have commented on the importance of sight lines in development for highways safety. They have also commented on the need to ensure that boundary treatment that is the responsibility of National Highways, are not removed or replaced through development.
- Mersey Forest have suggested that where trees are lost, a 1 to 1 replacement is inadequate and have put forward alternatives. The Council response is that a 1:1 replacement is the Local Plan policy and so cannot be changed in an SPD.
- Historic England have advised to seek advice from the Sefton Conservation Officers. This has been done.

1.8 No changes have been made to this SPD as a result of the comments made.

Short-term Lets SPD

1.9 The Short-term Lets SPD was written in response to the rise in the number of properties that are being rented out short term, increasingly for tourism/visitor purposes. Short-term lets can provide very flexible accommodation that can sometimes be more suited to family groups than traditional hotel and Bed and Breakfast accommodation. As a borough that has a number of visitors, particularly to the north of the borough with people visiting Southport, the Sefton Coast and the various golf courses, short-term lets may be very beneficial.

1.10 Despite these advantages, short-term let accommodation in the wrong places, can be very damaging, especially for some residential communities. Where short-term lets become intensively used, especially with large groups of people (often for stag and hen parties and for football

weekends), and therefore not compatible with a surrounding residential area, this can cause lots of late night disturbance and have a detrimental impact upon the local area. The SPD has been brought in to ensure that only appropriate Short-term Let conversions take place in Sefton to support the local visitor economy, whilst preventing those that would be detrimental to local residents.

1.11 Two comments were received on this SPD from:

- Highways England considered that the SPD will not have a material consideration on the strategic road network.
- Historic England have advised to seek advice from the Sefton Conservation Officers. It is considered by the Council that the heritage aspect of Short-term lets are dealt with adequately by the existing Local Plan policies.

1.12 No changes have been made to this SPD as a result of the consultation.

1.13 It should be noted that the previous Government consulted on a new 'Use Class' for Short Term Lets, and allowing, under "Permitted Develop" rights, to convert to one from a residential property without planning permission. It is unclear whether these will be brought in by the new Government and the Council have written to the Secretary of State to clarify. If the Permitted Development rights were brought in, they would undermine this SPD and we would have to review it.

2. Financial Implications

None. Both SPDs will be implemented through the Development Management regime, which secures planning fees.

3. Legal Implications

The SPDs have been produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

4. Corporate Risk Implications

None

5 Staffing HR Implications

None. Will use existing staff resources.

6 Conclusion

If approved, the SPDs will be published on the Council's planning web pages and be used in assessing planning applications and appeals.

Alternative Options Considered and Rejected

The alternative would be not to adopt the SPDs. This would require planning decisions to be made using outdated policies. In the case of the Short-term Lets SPD, there will be no local policy coverage.

Equality Implications:

There are no equality implications.

Both SPDs are unlikely to have any material impacts upon protected characteristics as

they deal with relatively minor development. The Boundary Treatment SPD is unlikely, in most instances, to have any material impact upon anyone with protected characteristics. The only instance where this may be applicable is by protecting highways safety, through having adequate sightlines. This is likely to protect all residents, but may in particular benefit those with limited mobility, people with young children, and those visually impaired.

The Short-term Lets SPD again is unlikely to have any material impact upon those covered by protected characteristics compared with the rest of the population due to the nature of the developments.

There are no obvious opportunities for either SPDs to increase opportunities for any characteristics, nor will they help or hinder relationships between different characteristics and the rest of the population.

Impact on Children and Young People:

Boundary Treatments and Short-term Lets are not likely to have a material impact upon children and young people. The nature of the subject matter in both SPDs don't really impact upon any particular demographic more or less than others.

Climate Emergency Implications:

The recommendations within this report will have a Neutral impact.

The Boundary Treatments SPD deals only with boundary treatments and as such will have minimum impact upon climate change. Where it will do is where it involves the loss of trees or hedges. Trees are required to be replaced as per the Local Plan. However, many domestic hedges have no protection, and this SPD does not, and cannot, change that.

The Short-term lets SPD will have little impact upon climate change. Currently there is no requirements for planning permission in many instances for short-term lets and this SPD sets out guidance for when they do. In most instances, they will only be granted permission where they keep the existing residential character and as such are unlikely to involve significant building work. The SPD is also about encouraging Short-term lets in the right location rather than increasing or decreasing numbers and so the SPD will not be likely to make a material impact upon visitor numbers making journeys into or out of the borough.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Services and Commercial (FD.7820/24) and the Chief Legal and Democratic Officer (LD.5920/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

The proposed SPDs have been through two rounds of formal consultation. This involved an initial scoping stage, where views were sought on whether the SPDs were needed and what they might cover.

The second stage was on the draft SPDs, inviting comments on those drafts.

At both stages, the Council wrote to statutory consultees and those individuals and groups that had asked to be notified about plan-making consultation. The SPDs were also advertised online, in Local Newspapers and on social media adverts.

A number of comments were received at each stage, and it was considered whether the SPD should be amended as a result of those changes.

Implementation Date for the Decision:

Following the expiry of the “call-in” period for the Cabinet decision.

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Appendices:

The following appendices are attached to this report:

Appendix A - Boundary Treatments SPD

Appendix B - Short-term Lets SPD

Appendix C – List of comments submitted through the consultation on the SPDs

Background Papers:

None