

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON MONDAY, 20TH FEBRUARY, 2023, 7.00 - 8.10 PM

PRESENT: Councillor Barbara Blake (Chair), Councillor John Bevan, Councillor Nicola Bartlett (from item 7), Councillor Cathy Brennan, Councillor Lester Buxton, Councillor George Dunstall, Cllr Ajda Ovat, Councillor Matt White, and Councillor Alexandra Worrell (from item 7).

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Luke Cawley-Harrison.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. URGENT BUSINESS

There were no items of urgent business.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

There were no deputations / petitions / presentations / questions.

6. MINUTES

It was noted that a list of actions arising from the previous meeting were included as an addendum. In relation to possible member site visits, some members suggested that it would be useful to visit a Greater London Authority scheme. The Chair noted this and commented some proposed site visits in Haringey were set out in the addendum.

RESOLVED

To confirm and sign the minutes of the Strategic Planning Committee meeting held on 20 October 2022 as a correct record.

At 7.05pm, Cllr Alexandra Worrell and Cllr Nicola Bartlett entered the meeting.

7. MEMBERSHIP

It was noted that, following the decision of the Full Council on 13 February 2023, Cllr Cathy Brennan was now a member of the Strategic Planning Committee in place of Cllr Yvonne Say. In accordance with the Committee's decision at the meeting on 23 May 2022, it was confirmed that this membership change would also apply to the Planning Sub-Committee.

The Chair expressed thanks to Cllr Say, on behalf of the Committee, for her work on the Strategic Planning Committee and Planning Sub-Committee and welcomed Cllr Brennan.

8. PLANNING AND BUILDING CONTROL 2022-23 - QUARTER 3 UPDATE

The Head of Development Management introduced the report which provided an update on the work of the Planning and Building Control Service for Quarter 3. It was stated that the number of planning applications had reduced slightly compared to 2021-22 and it was believed that these figures had returned to a more normal level following a surge after the Covid-19 pandemic. It was noted that performance in relation to appeals had improved slightly compared to 2021-22.

In relation to overall performance, it was noted that 100% of major applications had been processed in time. It was commented that 84% of minor applications had been processed in time which was a slight decline but was still above the national average; it was stated that there had been some delays caused by the transfer to the new planning system.

In relation to the performance indicators measured by the government, it was noted that the Council had not breached any of the thresholds. The end to end times for major applications had increased from 205 to 287 days but it was noted that all of these had been subject to planning performance agreements or time extensions due to the scale of the required legal agreements. For minor applications, the end to end times had also increased from 72 to 93 days but it was explained that work had been undertaken to clear older applications which could skew the figures. It was commented that the number of applications over 26 weeks was now approximately 170 and there would be a focus on reducing this number.

The Head of Development Management stated that there had been a slight reduction in the number of enforcement complaints compared to 2021-22. It was noted that some recent acknowledgement letters had been delayed slightly due to the implementation of the new planning system but that these cases were now being actioned in line with the normal timescales.

In relation to the new planning system, it was noted that there had been some changes compared to the previous system. In response to feedback received, some

enhancements had been made which included configuring the public portal to have more logical search options, providing more key information in search results, and keeping the option to comment open after the 21 day consultation period.

In response to questions from the Committee, it was noted:

- The Head of Development Management acknowledged that performance had been slightly impacted by the transfer to the new planning system. It was noted that overall statistics were measured over the financial year, from April to March, and it was believed that the figures from 2022-23 would be similar to previous years.
- In relation to resourcing, the Head of Development Management noted that officer case loads were broadly the same as 2021-22. For major applications, it was explained that officers were working to set deadlines, programme, and project manage to maximise timely processing.
- Some members noted that it could be helpful to provide the average time period to determine an application as a median which could avoid one case from skewing the result. The Head of Development Management commented that it should be possible to provide some additional numbers if members were interested in additional detail.
- In response to a question, it was commented that the shortest possible time for an application to be decided would be approximately three weeks to allow the 21 day statutory consultation period to take place. The Head of Development Management noted that it was aimed to complete fast track applications the week after the 21 day consultation period. It was also noted that the current average time to determine an application was 93 days.
- In relation to the implementation of the new planning system and the impact on enforcement, the Head of Development Management confirmed that work was underway to serve all the relevant notices. It was noted that a significant time period would need to pass before an issue was immune from enforcement action.

In relation to Planning Policy and Infrastructure, the Head of Policy, Transport, and Infrastructure Planning noted that the draft of the new Local Plan was underway. The evidence base which informed the Local Plan was being finalised. It was stated that the wider role of placemaking had been discussed with the member working group and would be embedded in the Local Plan. It was also noted that the government had launched a consultation on reforms to national planning policy and additional detail was presented later in the agenda.

In response to questions from the Committee, it was noted:

- In response to a question about avoiding demolition, the Head of Policy, Transport, and Infrastructure Planning commented that it was not possible to require that buildings were not demolished but noted that the new Local Plan would seek to incentivise sustainable development as much as possible.
- It was confirmed that the draft Local Plan would be presented to the Committee and that a special meeting could be organised if required.

In relation to Building Control, the Head of Building Control Services noted that fewer applications had been received this year compared to 2021-22. The Council's Building Control Team also had a reduced market share compared to previous years and it was explained that this was mainly due to increased private building control

applications in advance of the changes that would be introduced by the new Building Regulations. It was commented that the fees for the year appeared to be significantly lower but it was noted that a number of invoices had been delayed during the transition to the new planning system and it was anticipated that this figure would increase to a similar level as 2021-22. It was stated that the new system was being implemented which had taken some additional time but that the overall impact was positive; for example, it was commented that the new system now allowed officers to write case updates on site which had not been possible with the previous system.

The Head of Building Control Services also reported that there had been significant activity in relation to dangerous structures, particularly for out of hours call outs. It was noted that the Building Safety Act was currently being considered by Parliament. The publication of secondary legislation was expected imminently in advance of the proposed implementation of the new arrangements in October 2023. It was added that discussions were underway with Department for Levelling Up, Housing, and Communities (DLUHC) in relation to the proposed building safety levy that councils were expected to manage.

It was noted that the DLUHC had issued a circular in August 2022 which provided guidance on single staircases in tall, residential buildings. It was highlighted that, since then, the National Fire Chiefs Council had published a statement in December 2022 to note their view that the threshold for a requirement for more than one staircase should be 18 metres or seven storeys. It was added that, at the end of December 2022, the DLUHC had published a consultation on fire safety issues, including a suggestion that a second staircase may be required for residential buildings over 30 metres tall. Following this, in February 2023, the Mayor of London and Greater London Authority (GLA) had provided guidance which came into immediate effect and stated that all planning applications with residential buildings over 30 metres would require two staircases. It was commented that officers would continue to advise the Committee of any changes.

In response to questions from the Committee, it was noted:

- In relation to a query about existing residential buildings over 30 meters, the Head of Building Control Services noted that these would be identified as higher risk buildings and would most likely have a reduced time between risk assessments. It was stated that the government consultation emphasised that there was no evidence to suggest that existing tall buildings with a single staircase posed a life safety risk.
- It was enquired whether a lift would meet the requirements for a second staircase. The Head of Building Control Services explained that the consultation specified that a staircase was required but that, in Building Control terms, lifts and staircases were considered to be the same. It was noted that further clarification was expected.
- In response to a question about locally agreed requirements, the Assistant Director of Planning, Building Standards, and Sustainability clarified that Haringey was unlikely to set a local definition of tall buildings for fire safety purposes as it would be prudent to follow the guidance set by the GLA and London Fire Brigade. It was added that there was a higher concentration of tall buildings in London, compared to the national picture, and it was noted that the GLA and London Fire Brigade would be well placed to provide advice.

- Some members asked about the impact of a second staircase on affordable housing and viability. The Assistant Director of Planning, Building Standards, and Sustainability noted that this requirement was likely to have an impact as an additional staircase would use more space but it was highlighted that viability would always be scrutinised to maximise affordable housing. It was acknowledged that there would likely be a transitional period where the industry adapted to the new requirements.
- The Head of Building Control Services commented that the market share of the Council's Building Control Team could be influenced by a small number of applications. It was added that the Council's team still had a 41% market share for the year to date and that, as there were a large number of different inspectors, this would still constitute the majority share in the borough.
- It was explained that the new Building Regulations would remove the element of choice for buildings over 18 metres tall and applicants would be required to use a specified provider. It was noted that this was expected to impact the market and market share for buildings under 18 metres.
- In relation to the cost of works on dangerous structures, it was clarified that the Council only issued invoices where work was undertaken. If no work was undertaken, no charge was issued. It was explained that any works were undertaken by a contractor and the initial costs were paid by the Council; the charges were then invoiced to the building owner. It was noted that there were approximately four buildings that had required works so far in 2022-23.
- It was enquired whether the Building Control Team undertook any preventative works in relation to dangerous structures for known issues such as falling masonry. The Head of Building Control Services highlighted that it was always the responsibility of the building owner to undertake works but that, where there were known issues, the Building Control Team could bring this to building owners' attention. It was noted that, following the Covid-19 pandemic, the Building Control Team had issued some information to addresses where there were known issues; this had not resulted in many responses. It was noted that, if no action was taken, it was possible to serve dangerous structures notices which could be enforced through court action if required.
- It was noted that 30 metres was the equivalent of 10 storeys and 18 metres was the equivalent of seven storeys.
- In relation to apprenticeships, the Head of Building Control Services noted that two trainees had started working in the team on 20 February 2023.

RESOLVED

To note the report.

9. RECENT GOVERNMENT ANNOUNCEMENTS ON PLANNING

The Assistant Director of Planning, Building Standards, and Sustainability introduced the report which provided information and invited comment on the content of the Levelling-up and Regeneration Bill (LURB). It was noted that the deadline to respond to the consultation was 2 March 2023; the response would be signed off by the Cabinet Member for Housing Services, Private Renters, and Planning but comments from the Committee were welcomed.

The Head of Policy, Transport, and Infrastructure Planning highlighted that there were two key elements to the consultation: to seek views on the proposed changes to the National Planning Policy Framework (NPPF) and on the government's overall planning reforms for the longer term.

In relation to the NPPF, it was explained that there were important changes proposed to densities, which would encourage dense development in appropriate areas, to the requirement for local authorities to demonstrate a five year housing land supply, which would be removed, to the assessment of Local Plans, which was designed to be simpler, and to give energy efficiency more weight for non-domestic buildings.

In relation to longer term changes, it was explained that the government was proposing National Development Management Policies (NDMPs) which were intended to avoid the need for local authorities to repeat national policies in their Local Plans. It was noted that additional detail was due to be provided in a future consultation but that the proposed wider changes were set out in the report.

It was noted that officers were currently drafting a response and that the key points were set out in the report. In summary, there was support for the removal of the five year housing land supply requirement, the more proportionate approach to examining Local Plans, and the proposals for energy efficiency. Concerns were due to be expressed about the practicalities of considering applicants' past behaviour and about having NDMPs and how these would interact with Local Plans that involved local engagement and agreement. It was added that planning policy was currently a key issue and a number of further consultations were anticipated throughout the next few years.

In response to questions from the Committee, the following responses were provided:

- Some members expressed concerns about the proposals for 'Supplementary Plans' which would require examination and which would effectively void existing Supplementary Planning Documents (SPDs); it was considered that this would undermine a number of important, local protections. The Head of Policy, Transport, and Infrastructure Planning noted that these concerns would be included in the Council's response and it would be explained that SPDs which were reasonable and which had been through local consultation and agreement should be allowed to continue. It was commented that, although it would be resource intensive and would take some time, it would be possible to include some of the SPD protections in the Local Plan.
- In relation to the removal of the five year housing land supply requirement, it was stated that this would allow local authorities to give full weight to their Local Plans. It was explained that, if a Council could not continually demonstrate this, the Local Plan had reduced weight and a presumption in favour of sustainable development was applicable. This requirement was difficult to maintain, particularly in London where there was limited land available, and the removal of the requirement would allow local policies to be implemented more strongly. The Assistant Director of Planning, Building Standards, and Sustainability clarified that the Council would not reduce its ambition to deliver housing but that the proposals would remove the sanctions where it was not possible to meet targets.

- In relation to the consideration of an applicant's past behaviour, some members suggested that this could be a helpful consideration in some circumstances and it was enquired whether it was possible to request a more specific definition of what behaviour should be taken into account to avoid potential legal challenges. The Assistant Director of Planning, Building Standards, and Sustainability noted that officers' technical view was that this proposal would be too difficult to implement but it was acknowledged that the response could include a political view as well; this would be raised with the Cabinet Member. It was added that, in practice, it was believed that there would be ways for applicants to circumvent this ground and officers were sceptical that it could be delivered.

RESOLVED

To note the report.

10. NEW ITEMS OF URGENT BUSINESS

There were no items of urgent business.

CHAIR: Councillor Barbara Blake

Signed by Chair

Date