

STRATEGIC SCRUTINY COMMITTEE 23 JULY 2020
CLLR BOB FOALE PORTFOLIO HOLDER – PLANNING AND CITY
DEVELOPMENT

Covid 19 Update

Overall Service Position

The service has continued to be provided during the Covid 19 pandemic. Staff have of course been working from home and have adapted practices such as the posting of site notices and the operation of Delegation Briefings.

Strategic work has continued in the development of the Greater Exeter Strategic Plan (GESP) and the development of Exeter's Local Plan and this has culminated in reports to Executive on 9 July. The former has been impacted by current conditions as the consultation on the GESP Site options and Policies will now have to be done in line with government advice on social distancing.

Planning Service

After an initial fall in planning applications, this has now recovered to pre-Covid volumes.

A new national permitted development right has been introduced to support health service bodies and local authorities' immediate response to coronavirus. It allows for development by or on behalf of a local authority or health authority body for the purposes of preventing an emergency; reducing, controlling or mitigating the effects of an emergency; and taking other action in connection with an emergency.

The right enables development including, but not limited to, change of use for existing buildings and new temporary modular buildings. The rights could be suitable to provide permission for a range of uses including use as hospitals, health facilities, testing centres, coroner facilities, mortuaries, additional residential accommodation and storage and distribution, including for community food hubs.

There is no application process, and health service bodies and local authorities who are not the planning authority are required only to notify the local planning authority of the use of the development on a site as soon as practicable after commencing development. The right is in place until 31 December 2020.

To support pubs and restaurants and ensure access to food during the emergency period, a new national permitted development right has been introduced to enable pubs, restaurants and cafes to operate temporarily as hot food takeaways.

To give greater flexibility, the right also covers cold and pre-prepared food and allows for takeaway and delivery. The right is time limited to 12 months. Beyond this time, a planning application would be required for continued use as a takeaway.

Relaxations of existing hours restrictions for supermarket deliveries and working on building sites

The government has asked local planning authorities to take a more relaxed approach to enforcing time restrictions on supermarket deliveries and construction work on building sites.

However, the City Council is committed to protecting local amenity, and where it is clear that there is a breach of planning or environmental health legislation and serious harm is being caused to amenity, it will take action to protect local residents.

Changes in procedures for determining planning applications

New legislation also provides for variation of planning consultation procedures and the holding of online planning committee meetings. The City Council wishes to make it clear that it has not changed its publicity requirements for planning applications, which continue to comply with the national statutory requirements in place before the pandemic.

All planning applications which would normally be determined by the City Council's Planning Committee will continue to be determined in this way, except that for the time being the meetings are being held virtually and broadcast live on Facebook. Public participation in these virtual meetings follows the same procedure as before the pandemic. Local residents and businesses can therefore be assured that the City Council is committed to the same level of public consultation, involvement and transparency as it always has been.

Team Meetings

To ensure regular communication and check on the welfare of staff, team meetings and/or individual one to one meetings are carried out on a weekly basis with Development Management staff via Skype.

Site visits

Staff are being advised as follows:

- Safety is top priority.
- They should take a risk-based approach and apply social distancing principles.
- They should avoid going into the interior of a property.
- They should avoid meeting applicants, agents, complainants or site owners on site; they should explain in advance that they need to visit the site to investigate/observe/measure, and discussions can only take place on the phone in the current circumstances.
- They can meet colleagues but arrive separately and observe social distancing.
- They should consider asking applicants/agents for photos/videos where appropriate instead of doing a site visit. They should also make use of Google Street View/Earth and other virtual mapping tools.
- They should avoid putting applications or complaint investigations 'on hold' unless it is necessary to go into a property, in which case they should discuss the matter with their manager.
- If they are unable to progress a case due to difficulties with visiting, they must explain this to the customer(s) and refer them to their manager if they are unhappy.
- They should always practice good hand hygiene.

Building Control & Land Charges

Nightingale Hospital

As part of the Governments response to the Covid-19 emergency, construction of the Exeter Nightingale Hospital was completed to provide an additional 117 beds, as one of seven NHS Nightingale hospitals.

On the 24 April 2020, when it was announced that the intended site for the Hospital was to be moved from Westpoint to the former Homebase site in Exeter, Building Control responded quickly and worked closely alongside the design and construction teams, the Army, Fire Service and the NHS, to ensure the facilities met with the necessary standards for staff and patient health, safety and welfare. Building Control's dynamic response allowed work to start on site immediately, to get ahead of the curve.

Such was the urgency of the situation, the project was operating 24/7 and so the level of involvement by Building Control was intense for the duration. To prevent any delay, the Building Control team were available to provide design advice at any time of day or night and undertook daily site inspections (including weekends) to ensure that the work was satisfactory.

Building Control were present on site at midnight on the 30 June 2020 to provide certification to the developer to enable handover allowing the building to be occupied by the NHS.

Building Control Site Inspections

During 'lockdown', the Government did not issue a categorical 'stop' work to the construction industry, although around 50% of the construction industry stopped voluntarily and the supply of materials rapidly diminished, some sites continued to operate.

Some Local Authorities stopped undertaking any site inspections but Exeter City Council Building Control continued to inspect sites with the aim is to minimise the number of site inspections but still protect the public.

This was achieved using a risk based approach to inspections, and only visiting sites where it was essential, where it was not, virtual inspections were enabled using apps such as skype, whatsapp or zoom with suitable photographic evidence and any other relevant information.

For inspecting Dangerous Structures such as a collapsed wall or a building fire, Building Control ensured that a full assessment of the situation was carried out prior to visiting site, if the structure was considered dangerous and a visit was deemed necessary, the surveyor ensured that they minimised contact with all people on site.

Team Meetings

To ensure regular communication and check on the welfare of staff, team meetings are carried out on a weekly basis with Building Control and Land Charges via Skype.

Support to the Development Industry

In line with government expectations and to support the local economy, we have negotiated with developers on a case by case basis, on the timing of their CIL payments due to the council as well as the phasing of S106 agreements. This is to ensure that those obligations are met but in a way

that does not threaten the viability of a development