

Agenda Items

Development Management

LDF update

Localism Bill

Planning Application Fees – Local Charges

Non-Material Working Amendments – guidance produced

Validation Checklist – review of use since adoption

Householder Extension SPD – review of use since approval

PPG13 – Revision

Planning Committee Review – Update

Performance

Building Control

Building Control Liaison with Health and Safety Executive

Building Control Service Efficiencies/Staffing

Building Control Performance

Building Excellence Awards

CLG - Building Control Future Changes
- The next steps for Building Regulations

Fee changes - VAT increase

Mediation

Accredited Contractors Scheme

Technical Services

Any Other Business

Expected Attendees

Graham Dickman	Wigan Council
Roy Collier	Wigan Council
Brian Rimmer	Wigan Council
Arthur Bayley	Bayley Design
David Groves	Architectural Services
Harry Tonge	Steven Abbott Associates
Geoff Makin	G G Makin Plan Drawing Services
Tim Smith	ALG Investments (Wigan) Ltd
John Copeland	Architectural Services
Gordon Nash	Nash Building Consultants Ltd
Bill Wadeson	W Wadeson
James Brogan	Balcarres Design and Development Ltd
Dave Sherratt	United Utilities PLC
Bill Pye	Pye Design
Mike Beech	Betterplan Design Ltd
Tony Whitehead	Whitehead and Company Planning Consultants
George Broomes	Building Design Services

Fee changes

Our Building Control charges were revised in January to reflect the new VAT rate of 20%. We added the 2½% and then rounded the charges down to the nearest ten pence.

In addition, our Building Notice charges have been subjected to a significant increase to reflect the additional time that is spent in dealing with these types of application. As Building Notices invariably do not include detail plans and specifications we find that there is often a need to spend considerably more time on site discussing issues of the build.

Our charges in this are broadly similar to those of neighbouring authorities.

Staff Retirements

The current round of financial cuts has prompted voluntary redundancies within our team.

Gwynn Roberts, John O'Donnell, George Smith, Tony Hill, Dave Woodward, John Mann, Ann Cambell and Steve Gaskell from our Building Control team have already gone, as has Ged Nevitt from Development Management. Head of Building Control Paul Swift leaves us at the end of March. We wish them all well.

Building Control has restructured and Roy Collier will lead the new team.

In conjunction with the recently reorganised technical support team we are confident we will continue to serve our customers well.

Review of Planning Committee

A decision was taken in Spring 2010 that a review should be undertaken of the council's regulatory committees. Local Government Improvement and Development (formerly the IDEA) were procured to undertake this. The review critically examined current practice/procedures of the committee meetings in the context of best practice. A final report was received in December 2010, which contains a number of key recommendations. These cover a broad range of matters, covering

House Extensions Design Guide

The House Extensions Design Guide is part of the council's policy framework to be used in the consideration of planning applications and will have considerable weight in the decision making process.

A large proportion of planning applications received by the council relate to house extensions. Although most proposals are relatively small in scale, they can have a significant impact on the character and appearance of a property, on the street scene, and on the privacy and amenity of neighbouring residents.



changes to administration, to a more fundamental recommendation that the current venue for Planning Committee meetings is not fit for purpose and the use of the Council Chamber should be considered. An action plan is being progressed to implement the recommendations, the first of which is to establish a joint member/officer working group to drive the improvements forward. Planning Committee Chair, Councillor Paul Prescott, will lead the working group, which will comprise of representatives from each of the political parties and relevant officers.

The document raises awareness on how best to design a house extension which satisfies the needs of the occupants, whilst enhancing the appearance of the built environment and protecting residential amenity.

A notable change has been the introduction of additional restrictions on side extensions with the objective of protecting important spaces between buildings, avoiding the terracing effect, retaining the character of existing properties, and ensuring appropriate waste bin storage provision is incorporated.

The articles in this newsletter are designed to:

- Alert you to new regulations or procedures.
- Guide you to sources of help on our website or elsewhere.
- Help you understand our processes.
- Report performance and request your views on how we can improve services.

Validation Checklist

In March 2010, the government published 'Guidance on Information Requirements and Validation' which asked local authorities to review their existing planning application validation list.

Wigan Council's revised local list, which was subject to wide consultation, was formally agreed by the Planning Committee and brought into use at the end of December 2010. The revised list includes new requirements such as Crime Impact Assessments and Coal Mining Risk Assessments.

The agreed list and guidance, which includes detailed information on the thresholds, can be found at:
www.wigan.gov.uk/Services/Planning/Residential/ValidationChecklistsforPlanningApplications.htm

Building Excellence Awards

Wigan's sixth annual Building Excellence Awards and Urban Design Awards were held on 14 February. Around seventy people attended the ceremony at Wigan Cricket Club where the awards were presented by David Molyneux, Deputy Leader of the Council and Environment Portfolio Holder.

Building Control Awards went to Stevens Brickwork and to AP Joinery Ltd for two exceptional domestic extensions, both in Orrell.

Eric Wright Construction Ltd won two awards; one for the new health centre at Leigh Infirmary and the other for Windermere Road Primary School. The award for housing this year went to B&D Croft for their development on Holden Road.

All of our winners have been entered into the LABC regional awards which take place at the Reebok Stadium in May. We wish them luck. If any of them are successful they will then be put forward for the national awards in London later in the year.



Pictured above: Overall winner, WiganLife Museum refurbishment worked on by WLCT, Bradshaw Gas, Hope LLP, William Anelay Ltd.

Future changes to the Building Regulations: next steps

CLG published the latest document on changes to Building Regulations in December. The document (with the title as above) is available on the CLG website www.communities.gov.uk/publications/

The document confirms that there is a general agreement that the current regime is generally fit-for-purpose but some things can be improved. It proposes further work to:

- Evaluate Part P (Electrical safety) to see if there are ways to reduce the cost of compliance.

- Rationalise Parts M, K and N (Access, Stairs and Glazing) to address issues of overlap.
- Explore changes to the system to reduce the burden of compliance.
- More will be done in Part L (Conservation of fuel & power) in the move towards zero carbon.

The document also suggests that future regulations might establish minimum standards for security in homes. They may also consider introducing requirements regarding toilet facilities for people with multiple and profound disabilities, often referred to as Changing Places.

Comments, compliments and complaints!

We welcome any comments you may have regarding our work, they help us to improve the service. If you have any comments, compliments or complaints, please contact Penny McGinty, Head of Development Implementation direct on 01942 404255 or p.mcginty@wigan.gov.uk, or use the corporate complaints process on the council website.



Building Control Liaison with Health and Safety Executive

The Building Control Alliance and the Health & Safety Executive formally signed an agreement late last year encouraging building control bodies (both public and private), to work more closely with HSE to improve safety on site. The intention is that Building Control surveyors, who visit building sites far more frequently than HSE staff, can act as the eyes and ears of the HSE on site.

We can provide sites with HSE guidance information as well as alerting HSE to areas of serious misconduct or 'matters of evident concern'. Procedures have been set up for Building Control Surveyors to report any matter of evident concern to a HSE hotline and training of BC surveyors is underway.

HSE consider that we should have a positive influence on small scale developers and contractors, which is where standards are generally lowest and risks highest. Wigan are currently assisting the HSE in the training programme for Building Control. Details of the agreement and other useful information can be found on the Building Control Alliance website www.buildingcontrolalliance.org

Technical Seminars

Building Control has held two technical seminars for our customers and colleagues since the start of the year. Both covered Thermal Insulation, Part L and Climate Change issues. Both events were kindly sponsored, the January seminar by Kingspan Insulation Ltd and the February seminar by Celotex Ltd. We plan to continue to facilitate further seminars throughout the year and welcome your suggestions on topics that you would like us to cover.

Protocol for non-material amendments following a grant of planning permission

From 1 October 2009 a new provision under s96A of the Town and Country Planning Act came into force allowing a Local Planning Authority (LPA), on application, to make a change to any planning permission if it is satisfied that the amendment proposed is non material. It is recognised that amendments can arise from unexpected changes in circumstances or site conditions and the provisions have been introduced by the Government to provide a quick, formal method of dealing with small changes to approved schemes.

A protocol has been produced that is now published on the Council website that seeks to explain the non-material amendment process and set out the procedures involved in considering changes to assist applicants and promote a consistent approach to the consideration of non-material amendments. Where a change is not considered by the LPA to be non-material a developer

Changes to PPG13: Transport

On 3rd January 2011, the Government issued a revised Planning Policy Guidance Note 13 on Transport (PPG 13). The headline change to the guidance is the removal of the requirement on local authorities to set maximum parking limits for new residential developments.

The maximum parking restrictions were introduced in 2001 in an attempt to encourage the use of alternative modes of transport. However, the government considers an unintended consequence to be increased on-street parking, which has caused congestion and led to associated safety issues.

may consider the submission of an application for a minor material amendment under other provisions introduced in October 2009 (under Section 73 of the Town and Country Planning Act), where there is an appropriate condition on the original permission. The LPA will invite such applications when appropriate.

Criteria for assessing non-material amendments

Government guidance on non material amendments is set out in "Greater Flexibility for Planning Permissions" (November 2009). It does not define what changes may be treated as being non material as this will depend on the context of the overall scheme. This protocol seeks to provide some guidance on the procedure and how the LPA will assess non material amendments.

In determining any application, the decision rests with the Local Planning Authority and there is a right of appeal if an application is refused.

Councils will now be able to set parking levels they believe are right for their own areas, with standards designed to be used as part of a package of measures to promote sustainable transport choices and the efficient use of land. In Wigan, parking standards will remain as set out in the UDP.

In conjunction with the changes the Government also expects local authorities to strongly encourage the development of electric vehicle charging infrastructure in new developments to encourage 'greener' more sustainable vehicle use. This includes the intention to introduce permitted development rights for electric vehicle charging points in streets and outdoor car parks.

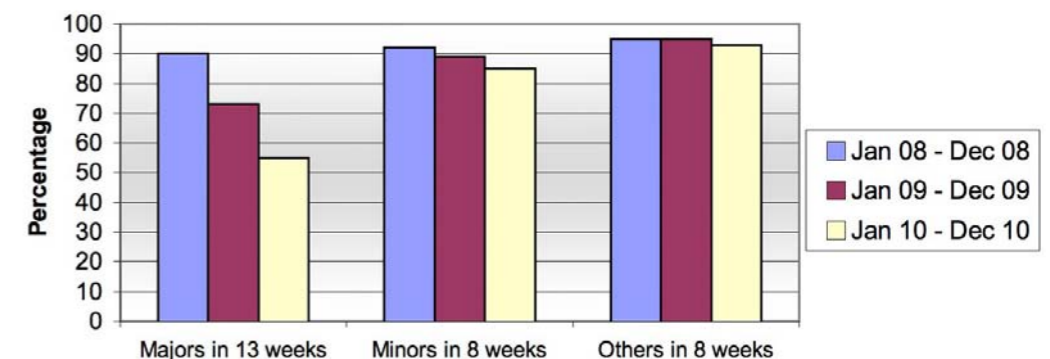
Designing for Waste Management and Collection at New Residential Development

It is essential that new buildings are designed to provide facilities that allow easy and efficient segregation of waste for recycling and that waste can be stored and collected in a manner that is suitable for all parties. A guidance note is being prepared to assist developers in designing schemes to ensure that sufficient storage areas for waste facilities and good access for collection crews and vehicles are provided.

We are also working to improve the information provided to households who move into new developments. Whilst we cannot require developers to provide bins for new houses under the planning process, we are considering including in our new guidance a request that developers provide bins, or as a minimum, advise purchasers that they will need to buy them. We are also hoping to place written information in the welcome pack that Building Control delivers to every new house.



Percentage of applications determined within statutory time periods



Setting Planning Application Fees Locally

The government has recently set out proposals for decentralising the setting of planning application fees in order that they more directly reflect the true costs to the local authority of undertaking this function.

Currently fees do not cover the full cost of processing applications and the shortfall is picked up by local taxpayers. The government considers that the costs should be carried by those who benefit from the planning system, and setting fees locally fits in with its localism agenda

Council's will need to analyse the work undertaken in processing applications in order to show that the fee covers actual costs, and

Localism

The Government published the Localism Bill on 14 December 2010 and the Bill had its second reading in Parliament in January 2011. Part of the government's stated aims are to make the planning system clearer, more democratic and more effective.

The changes proposed to achieve this aim include : allowing people to come together through a local parish council or neighbourhood forum and say where they think new development should take place through the creation of neighbourhood plans, a Community Right to Build which will give groups of local people the ability to bring

work on that assessment in Wigan is now on-going.

The government's proposals also suggest allowing authorities to charge for resubmitted applications and higher fees for retrospective applications. Other functions, such as enforcement and plan making will continue to be resourced through Council budgets.

It is expected that regulations will come into force in April 2011, with authorities setting their own fees by April 2012 at the latest. In the meantime national fees will continue to apply.

More information is available at the following website: www.communities.gov.uk/publications/planningandbuilding/planningfeesconsultation

forward small developments, amendments to the Community Infrastructure Levy to allow greater flexibility on where and how money can be spent, the abolition of regional strategies, reforming the way local plans are made to give local authorities greater freedom, and strengthening enforcement rules.

Many of the details of how these changes will be enacted remain unclear and it is expected that further guidance will emerge. Additional information can be found at: www.communities.gov.uk/publications/localgovernment/localismplainenglishguide

Wigan BC DC Service Users Forum 24th March 2011 Wigan Cricket Club

Attendance:

Graham Dickman	Wigan Council
Roy Collier	Wigan Council
David Kearsley	Wigan Council
John Copeland	Architectural Services
Geoff Makin	Architectural Services
Arthur Bayley	Bayley Design
James Brogan	Balcarres Design & Development Ltd
David Groves	Architectural Services
Bill Pye	Pye Design
Mike Beech	Betterplan Design Ltd
Gordon Nash	Nash building Consultants Ltd
Tony Whitehead	Whitehead & Company
Bill Wadeson	Architectural Services
Dean Benjamin	

Notes of previous meeting:

Notes of the previous meeting had been circulated with the agenda. The notes were discussed and agreed as being accurate.

Development Management Items

1. LDF Update

DK advised that the 6 week consultation on the Core Strategy had just ended. A report would be presented to Cabinet in June, to Council in July, and then referred to the Secretary of State. Adoption is anticipated early in 2012.

DK noted that a large number of objections had been received to the proposed broad locations, including the employment site at Junction 25 of the M6 and housing land to the south of Hindley and along the East Lancashire Road. DK noted that these were broad locations since within the Core Strategy sites could only be specifically allocated if they were deliverable within 5 years.

The forum was advised that a Wigan Town Centre issues paper was out for consultation, with an options paper to be produced in the summer.

2. Localism Bill

GD provided an update on the localism bill's passage through parliament,

with specific reference to the proposed introduction of Neighbourhood Plans and the Community Right to Build, along with Local Development Orders, and the Community Infrastructure Levy.

3. Setting Planning Application Fees Locally

GD explained that the government had recently set out proposals for decentralising the setting of planning application fees in order that they more directly reflect the true cost to local authorities. It was expected that regulations would come into force in April 2011, with authorities setting their own fees by April 2012 at the latest. GD explained that procedures had been set in place to monitor the costs of processing applications in terms of officer time and resources, which would assist in establishing the appropriate fee levels.

4. Non-material Amendments

GD explained that following the introduction of new procedures for dealing with Non-material amendments to applications in October 2009, new guidance has been produced to assist applicants with securing approval for changes to applications, and to ensure a consistent approach to how requests are determined.

5. Validation Checklist

GD explained that an updated Validation Checklist had now been produced to assist applicants. The revised list includes new requirements, including instances where Crime Impact Assessments and Coal Mining Risk Assessments will be required.

6. House Extensions Design Guide

GD provided an update on the implementation of the guidance in the House Extensions SPD which was adopted in September 2010 and included a number of amendments, particularly affecting side extensions to dwellings and waste bin storage provision. There was considerable debate on how rigidly the policy is to be implemented. GD explained that the character of the property and surrounding area would be taken into account in judging the impact.

7. Changes to PPG13: Transport

GD explained that revisions to PPG13 were published in January 2011, the main change being to remove the requirement on local authorities to set maximum parking limits for new residential developments, and that Councils are encouraged to set parking limits they believe are right for their local areas.

8. Review of Planning Committee

GD informed the forum that an independent widespread review of Planning Committee procedures has been undertaken and a final report received. An action plan is being progressed to consider and implement various recommendations with a joint officer/member working group to be set up. The recommendations include consideration of the option of moving meeting to a more conducive venue in the Council Chamber, improvements to report formats and new guidance/ criteria for site visits.

Building Control Items

1. Building Control Fee Changes

RC informed the forum that the new Building Control fees were changed in accordance with the new 20% VAT rate in January. In addition our Building Notice charges were increased substantially to take into account the increased on site time required to discuss the work due to the lack of information submitted with this type of application.

2. Staff Retirements

A discussion was held around the retirements within the Building Control Section and the possible effect this could have on the overall efficiency of the service.

RC informed the forum that although the staff numbers are now depleted following the early retirements, a reorganisation of the remaining staff is underway with priority being given to applications, giving the builders the relevant information on site when the work commences.

3. Building Excellence Awards

Wigan's sixth annual Building Excellence Awards and Urban Design Awards were held on the 14th February. The ceremony as ever was well received with about 70 people in attendance.

RC informed the forum that the Building Control Award winners were AP Joinery Ltd for two exceptional domestic extensions. Eric Wright Construction Ltd won two awards. The award for housing went to B and D Croft for their development on Holden Road, Leigh.

4. Future Changes to the Building Regulations

GLC have published their latest document on future changes to the Building Regulations.

It confirms that generally the current regime is fit for purpose but some things can be improved. This includes further work to Part P (Electrical Safety), and to rationalise Parts M,K and N (Access, stairs and glazing)

More to be done with part L (conservation of power). A general discussion followed regarding the extent and application of these possible amendments.

AOB

Having regard to attendance levels, views were again sought on whether the forum was considered to be providing a useful purpose and if so was the frequency of twice a year still appropriate. The general consensus remained yes to both.

Development Control Performance in Wigan

Quarter Ending	Major (Target 60% in 13 weeks)			Minor (Target 65% in 8 weeks)			Other (Target 80% in 8 weeks)		
	Total Major Apps	Major Apps Determined in 13 weeks		Total Minor Apps	Minor Apps Determined in 8 weeks		Total Other Apps	Other Apps Determined in 8 weeks	
	Determined	Number	%	Determined	Number	%	Determined	Number	%
31/03/2010	7	5	71.43	101	86	85.15	167	157	94.01
30/06/2010	12	8	66.67	108	92	85.19	210	194	92.38
30/09/2010	15	9	60.00	129	111	86.05	258	242	93.80
31/12/2010	17	6	35.29	119	104	87.39	182	164	90.11
Total	51	28	54.90	457	393	86.00	817	757	92.66