

PlanForum

Guernsey Agents' Forum
Meeting held Tuesday 24 July 2018 @ Sir Charles Frossard House

NOTES OF THE MEETING

PlanForum Members in attendance:

Peter Falla, PF+A
Andrew Merrett, Lovell Ozanne
Esther Male, CCD
David de la Mare, DLM architects
John Hibbs, PF+A
Oliver Brock, BHP
Ricky Mahy, Create
Charlie Hodder, BHP
Paul Le Tissier, Guernsey Electricity

From the States of Guernsey:

Jim Rowles, Director of Planning (AJR)
Claire Barrett, Director of Policy (CB)
Jayne Roberts, Development Control Manager (JR)
Ian Bland, Principal Building Control Officer (IB)
Nicholas Joyce, Conservation and Design Officer (NJ)
Rebecca Verhaeg, Forward Planning Officer (RV)
Louisa de Garis, Technical Support Officer (meeting notes)

Meeting commenced at 2:00pm

AJR opened the meeting and welcomed all present.

1. Matters arising from last meeting

Link to meeting notes from last meeting:
<https://gov.gg/CHttpHandler.ashx?id=111553&p=0>

No other matters were raised.

2. Policy & Environment – update and discussion

Planning advice note for site Waste Management Plans

CB informed agents that further to a requirement of the IDP there was now a planning advice note for site Waste Management Plans (SWMP). The SWMP was a framework which detailed the amount and type of waste produced on a construction site and how it would be minimised, reused, recycled on and off the site and how the remaining waste would be disposed of. This was a tool to capture

valuable data to help feed into the inert waste strategy. It was a two-stage process, setting out intentions at the beginning and reviewing at the end. If what had been intended had not been achieved, it would help to determine why and what might be done by Government to improve the situation. It therefore fed into future provision for managing waste. RV went on to explain that research into other case studies was completed prior to the creation of the advice note. It was noted that some documents used elsewhere were lengthy and others did not require enough information, therefore it was important to balance this when creating the advice note, to ensure it included all the relevant information but wasn't too lengthy and complicated. CB noted that the Construction Industry Forum had been involved in formulating the document and were supportive of it.

RV confirmed that the SWMP was not supplementary planning guidance and was an advice note, which meant that changes could be made more quickly if required to keep the document relevant. It used an interactive form and was proportionate in terms of gathering information and making the process as easy as possible. There would be a 6 month review in which agents were requested to provide any feedback. Andrew Merrett raised some concerns that 6 months may not be enough time to determine what did and didn't work and 18 months might be more realistic. CB confirmed that this date was not set in stone and the advice note was designed to be an iterative process, so feedback after this date would be welcomed.

Oliver Brock questioned whether clients would be binding themselves to the points detailed within the SWMP during a planning application process. CB confirmed that it was intended for data collection and monitoring rather than to restrict developers. JR noted that conditions would be attached to planning applications should the application be approved, but this was in order to obtain the data required, not as a stick to beat anyone with.

Update on Annual Monitoring Report (AMR)

CB advised that there was a target to publish the 2017 AMR in Q1 of 2018; however this had been delayed as it was the first AMR that had been produced following the adoption of the Island Development Plan (IDP). The AMR involved various consultations and workshops with agents, States' Committees and other stakeholders, as well as the setting up of new templates, processes and gathering of data. CB took the opportunity to thank those agents who participated in the AMR feedback and asked agents to please be involved in future AMRs. It was explained that now the process and templates had been set up, it was anticipated that the following AMRs would have a quicker turnaround.

The Development and Planning Authority (DPA) had approved the first draft of the AMR. The report was made up of various thematic reports, which could be read individually. It was a lengthy document with over 200 pages.

The draft was due to go to the Committee *for the* Environment & Infrastructure (E&I) for comments on 26 July. Although there was no legal requirement or requirement in the P&R Plan for E&I to do so at that time, it was anticipated that E&I would

provide a report to the Policy & Resources Committee about its conclusions on the delivery of the SLUP and would append the AMR to it. The AMR would be returned to the D&PA on 15 August for final approval with an aim of publishing the document at the end of August. As soon as this AMR was approved, work would need to commence on the next AMR.

CB said that generally there had been a positive reaction to the IDP, including regarding flexibility within the policies, there being no appeals in 2017 and the vast majority of planning applications having been approved. Various points had been picked up within the AMR that would be monitored. It was also apparent that the D&PA needed to work closely with other Committees and vice versa, e.g. on SLAWS, Tourism Strategy, economic vision, housing policy, etc.

AJR welcomed any questions agents had on the AMR.

No further points were raised.

Development Frameworks

RV informed agents that the InDesign template had been updated to include the text styles, colours for diagrams and how to turn on settings etc. It was hoped that this would help agents to get the most out of the template which would be provided on request.

CB explained that it was anticipated that guidance for development frameworks (DFs) would be produced in Q4 of 2018. This would include a process and basic requirements including specifying what information was required in the DF. This would provide guidance for smaller and more straightforward DFs, which would allow agents to make a start on producing the DF on their own, should they wish, in advance of allocation of Planning Service resources. However, it was noted that it could be more time consuming to unpick work that had already commenced if it did not meet an adequate standard; therefore the DF would be returned to agents if it did not meet the required quality standards.

AJR informed agents that there had been 7 approved DFs, 3 out for public consultation and 11 currently in process (5 of which were nearly ready for publication). There were 3 DFs on the waiting list to commence work.

Andrew Merrett expressed his concerns with DFs and the timescales involved. Esther Male questioned how many planning applications had been approved following a DF. CB responded that there had been a couple of applications approved. Esther Male expressed concerns that this was a small number over nearly two years. AJR explained that with more complex planning applications it is anticipated that they would take longer and the DF process generally produced efficiencies and time savings overall. Andrew Merrett said that the thresholds should be higher and CB noted this would be investigated and monitored in the AMRs. The 2017 AMR did note that the thresholds needed to be monitored, but as this was the first AMR, it was too soon to justify action. CB noted that a DF would stay in place for a site even

if a particular development proposal did not go ahead.

CB also noted that the SharePoint trial which aimed at improving collaborative working and the sharing of large amounts of data still had a few teething problems related to the technology, which the team was seeking to resolve.

3. Development Management - update and discussion

Current caseloads and timescales

JR informed agents that there were delays to planning application registrations and within the Development Control process. The average turnaround for planning applications was around 14-16 weeks, however if an application was invalid then it may be further delayed. It was requested that agents be mindful of this and try to manage their client's expectations, whilst avoiding simple mistakes in applications which would add to delays.

Oliver Brock queried the possibility of using telephone calls or emails instead of a formal letter, which could add a couple of days onto the process. JR noted the importance of having records and an audit trail, however it was anticipated that as the application process becomes more electronic, different forms of communication would be possible.

David de la Mare suggested that 'live' data be provided on the States website concerning application timescales and any delays. This would allow agents to direct clients to a factual place, which would provide confirmation of the most recent timescales from the Planning Service directly. CB noted that this could be looked into.

Update on new pre-application procedure

Peter Falla said that he valued pre-applications but queried if they were being discouraged. JR said that they were not, but were taking additional time so some agents may choose not to submit them for this reason. She said that the new process for pre-applications would commence in a few weeks' time and more responses would then be provided by telephone. The new form would require a block plan, site location and the preferred method of contact to be specified.

JR also reminded agents that they should not assume that a pre-application meeting was required in all cases. Meetings were still being requested when enquiries could have been dealt with by other means.

David de la Mare asked whether the new system would provide specific feedback. JR said that this would be tailored to the request and scheme. Esther Male said that it was useful when advice on fees was provided within the response. Olly Brock said that agents could help to get the message out to the industry to avoid superfluous minor pre-applications.

Applications where agents were identified

JR reminded agents that where agents were identified as the point of contact on the application then in order to avoid double-handling the Planning Service would direct clients back to the agent should they contact the Planning Service directly. There had been a number of cases where clients had phoned direct due to the agent being on holiday therefore agents were reminded to make sure clients were aware of the point of contact during the application process.

Use of annotations on plans

JR explained to agents that broad or generic annotations on plans such as 'replace all windows if necessary' could not be approved without appropriate details of what was being proposed. Therefore, if the necessary details were not supplied then it was requested that agents should avoid such annotation on their plans.

David de la Mare asked at what point e.g. brochure details of windows would be required. JR stated that in the case of works to protected buildings then such detail was often required. CB stated that this could be discussed internally to ensure there was consistency in the level of detail requested.

Update on staffing

JR updated agents on temporary assistance within the Development Control team and the appointment of a new Development Control Technician who would be focusing on validation which would help ensure a consistent validation process.

Requirement to submit electronic copies expediently

JR informed agents that electronic copies were not always being sent in expediently. Ricky Mahy said that there were some issues with sending larger file sizes. AJR confirmed that the States' limit is 20-30 megabytes. Oliver Brock questioned whether he could send a link to an online structure and give other people access to it and David de la Mare suggested the use of a memory stick to overcome the file size issue. JR confirmed to agents that 3 hard copies and 1 electronic copy was required for applications.

Appeals update

The first appeal under the IDP had been heard, relating to change of use from agricultural land to domestic and the creation of a driveway. There were two more appeals lodged following refusals under the IDP, one in St. Martins and the other relating to a redundant glasshouse site, although one of these was in abeyance.

Simple mistakes on planning application forms and plans submitted

JR requested that agents take the time to ensure they were not making simple

mistakes on planning application forms and plans submitted. This caused delays and due to the current caseloads and timescales, it was asked that agents were mindful of this when plans were submitted.

Works carried out to trees in advance of applications being submitted

AJR asked for feedback from agents regarding their experiences of this issue. There had been reports that trees were being removed from sites before a planning application was made. Agents confirmed that they were aware of this happening, both by developers and householders.

4. Building Control - update and discussion

Update on staffing

IB updated agents on staff movements within the team, with appointment of a Building Control Technician to assist surveyors and deal with validations. IB informed agents that the Technician was the best point of contact for fee enquiries.

IB explained to agents that one of the Surveyors would soon be on maternity leave and was no longer carrying out site inspections. Therefore it was requested that agents send anything for them by email to planning@gov.gg or to Andy Mauger or IB.

Agents were asked to be mindful of the staff changes and were asked to direct any duty queries to the morning slot until 10:30am if possible, which would help relieve pressure on Technical Support.

Inspection request app

Agents were advised that the new inspection request app was working well and the feedback had been positive. It was noted that an acknowledgment was provided to notify that the inspection had been recorded.

Builder's Information Sheets

IB reminded agents that Builder's Information Sheets should be passed to the client and then by them to the contractor.

Electronic consultations

It had previously been requested that agents provide three hard copies and an electronic submission of their plans; however the Fire & Rescue Service had confirmed that they would accept electronic copies, which meant agents only needed to provide two hard copies going forward. When plans were revised all that was required was two paper sets of the revised plans and one electronic copy.

Part P- two or more dwellings

There had been issues raised with shared private drives; e.g. boundary issues etc. Agents were reminded that the minimum requirements should be met and the design should meet Part P requirements at the planning stage.

Agents were given an opportunity for any questions.

No further points were raised.

5. Managing the Historic Environment - update and discussion

Agents' meetings regarding Policy GP5

NJ noted that the Conservation & Design (C&D) team had sent e-mails on the 6th June and the 20th June, asking to meet either at agents' offices or SCFH, to discuss working with Protected Buildings and IDP Policy GP5.

The following responses were received:

- 8 Agents wanted the team to visit their office
- 26 Agents wanted to have group meetings at SCFH
- 5 Agents didn't want to attend or were retired
- 13 Agents didn't respond

NJ stated that if anyone had been missed or if they wanted to come, they should contact the C&D team to be included in the group meetings at SCFH.

Oliver Brock asked whether a statement of significance for a protected building was a matter of public record. NJ said that agents could contact the C&D team. If the team had anything relevant they would advise, and if it was not subject to copyright could normally provide a copy. CB said that a statement of significance was important and agents needed to clearly link the proportionate understanding of the building with the design of the proposal, as this was a key element of consideration of an application under Policy GP5.

Qualitative Analysis of New Development

NJ said that as referenced in the AMR, the C&D team was writing a brief for a project to develop indicators of design quality. They were looking for volunteers for a focus group to consider how to develop the indicators of quality. The focus groups sessions were likely to be two, three hour sessions between October and December. The objective was to achieve a robust methodology to make an assessment of whether IDP Policies GP8: Design and GP9: Sustainability in particular were working (but also the other General policies) and delivering high quality developments as intended.

If interested in being involved PlanForum members were asked to contact the C&D team using its new e-mail address at: Conservation.Design@gov.gg.

6. Agent feedback

AJR requested members' feedback, focussing on the state of the local economy and impact of this on the development industry.

The following feedback was provided by PlanForum members:

- Oliver Brock explained that from his perspective investment was slow in coming forward. Andrew Merrett agreed with this with the exception of one major project, and raised concerns regarding DF timescales and thresholds.
- David de la Mare said that he felt that the sector was thriving and that the permissions granted under the IDP were really positive. He said that his practice could choose the right projects. Time delays had an impact on planning out work and having a regular update on timescales for applications was important to them.
- Esther Male questioned the reason for delays. AJR responded that application numbers were high which coupled with staff movements had led to some delays.
- John Hibbs said he had no problems to report and was very happy with performance with most applications by his practice being determined in 8-10 weeks. It was also noted that he felt the economy was in a positive place.
- Oliver Brock discussed the architect's panel and wanted to confirm that agents were happy to help. AJR stated that there may be opportunities for this coming up with the HAA and Town seafront, etc.

7. Forthcoming CPD opportunities

AJR requested that agents inform the Planning Service of any CPD opportunities and the Planning Service would endeavour to reciprocate.

8. AOB and items for next meeting

No further points were raised.

The meeting ended 4:00pm.

The next meeting would be held in December 2018.