

NOTE TO: JOINT SERVICES COMMITTEE

DATE: 06/08/2020

TOPIC: BUILDING CONTROL BUSINESS UPDATE

REPORT BY: MIKE TUCKER (BUILDING CONTROL MANAGER)

1 INTRODUCTION

- 1.1 The purpose of this report is to update members regarding the progress of the partnership and contains no recommendations.

2 REPORT

2.1 Staff

- 2.1.1 Fortunately our Surveyors are all equipped with laptops and mobile phones and iPads for mobile working and our business continuity plan ensured that an additional laptop was available for the Technical Support Team. Hence, the immediate transition to home working was relatively simple.
- 2.1.2 We have been operating with one Technical Support Officer in the office at all times to ensure front line telephone response and distribution of technical calls to the Surveyors mobile phones. A second Technical Support Officer worked primarily from home and the third was furloughed due to child care needs.
- 2.1.3 On-site inspections were suspended for three weeks with remote inspections being carried out using video conferencing combined with telephone interviews supported by photographs. The use of video conferencing for inspection has been particularly applauded by a number of service users.
- 2.1.4 All enquiries and request for inspection have been responded to throughout the lockdown ensuring support to our customers
- 2.1.5 Two Surveyors were furloughed and a further two have been shielding.
- 2.1.6 The Surveyors shielding have been working from home carrying out plan checks and remote inspections of which there were 100 in June. This has freed up the remaining Surveyors to concentrate on site inspection in order to cover larger areas resulting from the furlough of colleagues and shielding.
- 2.1.7 Contact has been maintained with all staff using Skype for business extensively and we have had team meetings on a weekly basis using Zoom with 1:1 contact using Skype for business.
- 2.1.8 Distribution of DSE assessment forms and submission of photos of homeworking set ups identified two Surveyors with unsuitable work stations and they have returned to work in the office. Equipment needed to make other work stations satisfactory has been collected from the office (Chairs, keyboards, mice screens etc.
- 2.1.9 A Perspex screen has now been erected in Woodlands to provide greater occupancy enabling the currently furloughed member of the Tech support team to return to the office and still provide adequate space for the two Surveyors.

2.2 Devonshire Homes

- 2.2.1 Despite our best efforts Devonshire Homes are considering switching back to NHBC for Building Control and Warranty provision. I have spoken to their Technical Director who is our main contact and LABC warranty have negotiated at length.
- 2.2.2 They are entirely happy with the service provide by LABC Building Control which is led by NMD Building Control as their partner authority.
- 2.2.3 The issue relates to Section 38 Road Bonds which are a service provided by LABC Warranty. Devonshire are unhappy with the conditions that are now being attached to the insurance policies and the cost which can be considerable and prefer the offering made by NHBC.
- 2.2.4 NHBC are an insurance company in their own right and therefore not tied to a third party provider and are able to act as guarantor under Section 38 of the Highways Act 1980 based on their insurance reserves. This enables them to limit the cost of providing this service to the developer on the condition that they purchase Warranty and Building Control Services.
- 2.2.5 This is extremely unfortunate as they are one of our one of our largest customers and it is an issue which is beyond our control. This an example of the limitations of our ability to compete for the business of larger house builders.
- 2.2.6 In 2019/20 we received £15,591 in fees from Devonshire Homes. £9,325 of this was from partnership work outside our geographic area.

2.3 Marketing

- 2.3.1 A number of nominations were made for the LABC Building Excellence Awards 2020 resulting in the following finalists.

Best LABC Partnership

Devonshire Homes

Best Construction Professional

Andy Smith – Devonshire Homes

Jamie Wright – Complete Building Regs Service Ltd

Darren Johnson – Chichester Homes

Best Housing Development

Devonshire Homes – Hayford Way Landkey

Chichester Homes – Osbourne Gardens

Best Social Housing Development

Devonshire Homes – Hayford Way Landkey

Mid Devon District Council – Turner Rise Mid Devon Council

Best Small Housing Development

Wildfire Property Development / RGP Architects – Sharp Rock Woolacombe

Best Individual New Dwelling

AP Build Devon Ltd. / Peregrine Mears Architects – The Ark Ashford

Build Devon Ltd. / Gale and Snowdon Architects - Sherwood

Best Change of Use

Acorus Ltd. / Kevin Pickard – Langridge Farm Barn Atherington
Kevin Capner – School House Bickington

Best Alteration or Extension

Ashbourne Construction Solutions / Narracott Architects – Newton St Cyres
Van Ellen & Sheryn - Rookery Lodge Creedy Park Crediton

Best Local Builder / Craftsmen

Ashbourne Construction Solutions – Newton St Cyres

Best Commercial Building

Lodgico / Honka UK Ltd. – March End Farm

Best Public Service Building

NHS / Pearce Construction / David Wilson Partnership - Wellbeing Centre North Devon Hospital
North Devon Council – Barnstaple Museum

- 2.3.2 The LABC awards night was cancelled in May but judging is now taking place and results will be announced in August/September with a coordinated marketing and social media campaign by LABC. We will present any awards received by our nominees in person with a photo opportunity for press releases.
- 2.3.3 Unfortunately we were forced to cancel our last CPD event for clients which was in partnership with ARC Building Solutions regarding fire protection products due to COVID19 which was to be hosted in the new museum extension in Barnstaple.

2.4 MDDC Local Plan Policy DM1

- 2.4.1 At the time of writing the Mid Devon Local Plan is due to go to Committee on 29th July 2020. Assuming it is approved there is a 6 week period for legal challenge and then it will become planning policy impacting planning applications from 9th September 2020.
- 2.4.2 This impacts Building Control because it will introduce policy DM1 on High Quality Design. Part of this will introduce the requirement on sites of 10 dwellings or more for the provision of 20% of the dwellings to comply with Requirement M4(2): Accessible and adaptable dwellings.
- 2.4.3 It is the applicants responsibility to notify the BCB of the existence of the planning condition requiring this. However, as we are part of MDDC it will not look good if one slips through the net because we did not check. Planning applications for MDDC can be quickly referenced through the properties tab on Uniform. We will therefore verify as part of the registration process.
- 2.4.4 The requirements of M4(2) are extensive and include the following,
- All dwellings require a level external landing at least 1200mm square. This landing has to be covered. This prevents the building of a dwelling directly onto a pavement or highway.

- There is no option for a stepped approach to a dwelling so the condition cannot be implemented on sloping sites, unless you like long snaking ramps.
- If a parking space is provided it has to be able to be widened to 3.3m
- Level access is required to all external doors of a dwelling, including into the garden etc.
- A minimum stair width of 850mm is required so that a stair lift can be fitted.
- A dwelling has to have a living room on the entrance storey, precluding 'upside down' layouts
- Minimum sizes are given around kitchen appliances.
- A living room must have a window below 850mm from internal floor level.
- Three bedroom houses require a shower room on ground floor.
- All dwellings must have a bath.
- The standard requires minimum circulation spaces around beds and furniture in bedrooms.
- All flats require a lift.

- 2.4.5 It is therefore clear that a design assessment for compliance with the Building Regulations is required prior to planning approval. If this is not done there is a high risk that the applicant will receive a worthless planning permission that will later need to be amended due to the Building Regulation requirements impacting on aspects such as levels, street scene and the size and layout of dwellings.
- 2.4.6 We are in communication with the planning Department to develop protocols to mitigate these risks.
- 2.4.7 Building Controls preferred option is for the Planning Department to advise the applicant to contact their preferred Building Control service provider for an assessment prior to approval and make it clear that NMD are available and can provide this service.
- 2.4.8 NMD would then charge a consultation fee that could be offset against the Building Regulation fee if we subsequently receive the application.
- 2.4.9 This approach would enable us to maximise income whilst limiting time spent on planning applications for which we will potentially not receive a fee and ensure early contact with applicants to help secure the Building Control work.
- 2.4.10 Alternatively, it would be necessary for either Planning Officers or Building Control to check compliance as part of the Planning application assessment. This exposes the Local Authority to risk as it is possible that the BCB appointed by the applicant could contradict the advice given at the planning stage. The assessment would also need to be funded from the planning application fee with a potential cross charge between Planning and Building Control.