

Monitoring Report

Portfolio:	Non-executive function
Ward(s) Affected:	All Wards

Purpose: As an information item providing an overview of function and performance of the Development Management service for the period 1 April 2017 – 30 June 2018

Recommendation

The Planning Applications Committee is advised to NOTE the contents of this report to the Executive.

1. Key Issues

- 1.1 A monitoring report for the period 1 April 2016 - 31 March 2017 was reported to Planning Applications Committee on 11 May 2017. This report provides an update on matters up to 30 June 2018.

2. Major Applications Determined

Determined

- 2.1 In 2016 the service introduced design review for strategic applications (typically 50+ dwellings). Since April 2017 the following determined applications were all subject to Design Review Panels:
- 17/0651 – Full application for 50 apartments (Compass House, 207-215 London Road, Camberley. Granted 30/1/2018) NP;
 - 17/1046 – Full application for 41 dwellings (24 Benner Lane and Land to rear of 24-30 Benner Lane, West End. Granted 12/2/2018) DC;
 - 17/0669 – Full application for 116 apartments (Ashwood House, 16-22 Pembroke Broadway, Camberley. Granted 15/2/2018) JP;
 - 17/0871 – Reserved matters for 215 dwellings pertaining to 12/0546 (Princess Royal Barracks, Deepcut. Granted 1/3/2018) MF;
- 2.2 Other major applications of selected note which have been granted since April 2017 are listed below:
- 17/0998 – Reserved matters comprising ground floor commercial use and 16 apartments pertaining to 16/0447 (15-17 Obelisk Way, Camberley. Granted 19/12/2017) MF;
 - 17/0880 – Reserved matters for 24 dwellings pertaining to 17/0399 (42 and Land to the rear of 40-46 Kings Road, West End. Granted 12/2/2018) DC;

- 17/0670 – Four storey building comprising ground floor commercial use and 25 affordable housing apartments (Pembroke House, Frimley Road. Granted 15/2/2018) JP;
- 17/0526 – Outline application for 15 affordable dwellings (Land South of Beach House, Woodlands, Windlesham. Granted 16/2/2018) RC;
- 16/1027 – Three detached dwellings and provision of 15 hectare SANG to the Council (Windlemere Golf Club. Granted 17/5/2018) RC.

3. Applications Performance

3.1 The government currently measures local authority performance by reason of speed and quality of decision-making. Specific assessment periods are used with special measures adopted for designated underperforming authorities that fall below targets. In November 2016 the DCLG document, '*Improving planning performance, Criteria for designation (revised 2016)*' set new targets. In simplistic terms this will mean that from 2018 an authority would be eligible for designation if less than 60% of major applications are determined within the statutory determination period or such extended period as has been agreed in writing with the applicant (currently 50%); and, for non-major applications less than 60% (currently 65%).

3.2 The following table summarises the performance of the Authority quarter by quarter from 1 April 2016 – 30 June 2018. These are the statutory returns (i.e. those planning applications types reported to the government) and include applications where an extension of time has been agreed with the applicant:

	Q1 2016	Q2 2016	Q3 2016	Q4 16/17	Q1 2017	Q2 2017	Q3 2017	Q4 17/18	Q1 2018
Majors (Target 60%)	67%	92%	75%	78%	89%	91%	85%	93%	100%
Minors (Target 65%)	69%	56%	58%	76%	83%	90%	87%	91%	83%
Others (Target 80%)	76%	69%	67%	73%	87%	90%	95%	90%	91%

3.2 Performance has markedly improved since 2016/17. The service suffered from a long term staff sickness between August 2016 and to March 2017 plus had continued staffing shortages. In October 2017 the service filled a planning post and this has made a significant difference to performance.

3.3 The following table shows the number of planning applications received and determined per financial year since 2014:

	14/15	15/16	16/17	17/18
Total no. of planning applications received	898	1,031	966	910
Total no. of planning applications determined	834	818	844	886

- 3.5 This table excludes certificates of lawfulness, non-material amendments and details pursuant to conditions which significantly add to the overall work. Pre-application work is also excluded.

4. Planning Appeal Performance

- 4.1 The following table shows the appeal success of the Authority quarter by quarter from 1 April 2016 – 30 June 2018:

	Q1 2016	Q2 2016	Q3 2016	Q4 16/17	Q1 2017	Q2 2017	Q3 2017	Q4 17/18	Q1 2018
Appeals Determined	6	12	8	6	7	11	9	7	14
Appeals Allowed	17%	42%	50%	17%	43%	36%	56%	29%	14%

- 4.2 Of the 48 appeals determined since 1 April 2017, a total of 16 were allowed (2 of which were only allowed in part) or approximately one third. These allowed appeals are listed below (those marked with an asterisk were committee overturns against the officers' recommendations and those in bold were major developments):

- *14/1000 – Removal of agricultural occupancy condition (Hawk Farm, Bisley allowed 12/4/17) JP;
- 16/0374 – Erection of two bed chalet bungalow (Land adjacent to White Lodge, Maywood Drive, Camberley, allowed 12/4/17) NP;
- 16/1069 – Erection of two storey side extension (Clearwood, Steep Hill, Chobham allowed 16/5/17) NP;
- ***15/0590 – Erection of 140 dwellings and ancillary facilities (Land at Heathpark Wood, East of Heathpark Drive, Windlesham allowed 26/7/17) EP;**
- 16/1084 – Erection of single storey dwelling (London Court, 116 London Road, Camberley allowed 31/7/17) EP;
- 16/1101 – Erection of 1.5 storey chalet to rear of plot (Sandhurst Chalet, Alfriston Road, Deepcut 3/8/17) RC;
- *16/0678 – Demolition of existing dwelling and associated cattery and kennels and replacement with 3 dwellings (Bovingdon Cottage, Bracknell Road, Bagshot 16/8/17) EP;
- 16/1078 – Two storey side extension with new porch to front. Outbuilding replaced (Chartwood, Bagshot Road, Chobham part allowed/ extension dismissed 11/10/17) NP;
- 17/0415 – Single storey rear extension (Oakdene, Stafford Lake, Bisley allowed 23/10/17) NP;

- **16/0681 - Change of use from B1 to C2 residential institution for 69 bed care home (Pinewood, 93 College Ride, Bagshot allowed 3/11/17) DC;**
- 17/0302 – Erection of 2 first floor side extensions (Hagthorn Farm, Pennypot Lane, Chobham allowed 30/11/17) DC;
- 17/0521 – Part 2 storey and part single storey rear extension (30 Willow Green, West End allowed 22/12/17) KE;
- 16/1092 – Certificate of Lawful Development for two outbuildings (Pond Cottage, Chertsey Road, Windlesham part allowed 8/1/18) NP;
- 16/0229 – Single storey side extension (Hillcrest, off Thorndown Lane, Windlesham allowed 22/2/18) DC;
- *17/0484 – Erection of 2 storey block of 9 units (26 Portsmouth Road, Camberley allowed 8/5/18) DC;
- ***16/0652 – 25 retirement apartments (24 and 26 London Road, Bagshot allowed 23/5/18) DC**

4.4 Whilst 3 major developments were allowed on appeal the following developments of significance were dismissed:

- 13/0173 – Temporary change of use of the land to two pitches for gypsy families (Stonehill Piggery and the Chicken Farm, Dunstall Green, Chobham, dismissed 17/8/2017. This decision supersedes the appeal allowed in 2015 which was quashed by order of the High Court).
- Enforcement Notices 3 appeals – Unauthorised mixed use activities including et al caravans (Depot Site and land at Swift Lane, Bagshot. Public inquiry held April 2018 and all appeals dismissed 22/5/2018)

4.5 In addition to assessing a local authority on the speed of decision making the government also assesses appeal success rate as an indicator of quality. The criteria for designation set for 2018 is to measure the percentage of the total number of decisions made by an authority on applications that are then subsequently overturned on appeal i.e. 10% for the period April 15 – March 17, with majors and non-major applications measured separately. Given that the Authority receives relatively few appeals in proportion to the total number of planning applications, it is unlikely that this target measure will be exceeded.

5. Enforcement Performance

5.1 On average the enforcement service receives in the region of 160 cases per annum of which the majority of cases are classified as low priority under the adopted Local Enforcement Plan (i.e. advertisements causing harm to amenity; businesses being operated from home; any alleged breaches causing a limited degree of harm to local residents or the environment; untidy land). Nevertheless, even low priority cases can be resource hungry given that enforcement cases typically require monitoring over a period of time and where a breach has been established it can take months to fully resolve.

- 5.2 The service only had one full time enforcement officer and managing all the work was becoming increasingly difficult for this officer. As a result the service began working alongside the Council's Corporate Enforcement team. In April 2018 the enforcement officer permanently moved into this team and this is already providing a more resilient and robust enforcement service. Further time is required for all these changes to be fully effective but improvements have already been seen in response times and case closures. A further advantage of this is that sometimes other non-planning legislation can be utilised to resolve a breach, which can bring quicker results than planning enforcement which is notoriously slow.
- 5.3 The input of the service is still required given that the Corporate Team are not qualified planners. This is particularly necessary with expediency tests and where higher priority breaches are established. For example, drafting reports to take enforcement action and defending any appeals. The service is currently advertising for a Senior Planning Officer whose key function would be to act as a liaison officer with Corporate Enforcement providing training and advice. This officer would also be the primary officer responsible for enforcement related appeals. In the interim a contractor has been appointed.
- 5.4 The following table summarises the number of formal notices (Enforcement Notices, Stop Notices, Breach of Condition Notices) issued per year since 2013:

2013	9
2014	2
2015	9
2016	2
2017	7
2018 (to end of June)	3

- 5.6 The serving of formal notices should always be the last resort but can be an effective tool in securing compliance and sends a message that an authority has teeth. The recent appeal success at Swift Lane demonstrates this. Inevitably the serving of Notices will in the majority of cases result in appeals, which delays and frustrates, and at the end of this process there is no guarantee of success. Seeking compliance by other means, particularly for the lower priority cases, can often bring quicker and greater results; and, as already mentioned non-planning powers can sometimes resolve a breach more effectively. It is recognised that the perception of planning enforcement is that it is slow to produce results and this can be a particularly frustrating for the public when there doesn't seem to be updates or resolution.
- 5.7 However, a recent example of success was in August 2018 when the Council took Direct Action to demolish an unauthorised outbuilding which had been served a Notice and dismissed on appeal. To aid Members with communications the recently introduced Enforcement Surgery, held every six months, is another proactive step being taken.

6. Trees

- 6.1 The following table provides the numbers of tree applications (both TPO and Conservation Area applications) since January 2015.

Year	Total	Average per month
2015	355	30
2016	422	36
2017	409	35
2018 (to end of June)	194	28

- 6.2 This shows the workload remains high for one officer. This figure also doesn't account for the necessity for the Tree Officer to comment on approximately 50% of planning applications received, including submitted trees surveys and details to comply.
- 6.3 Since January 2018 the Tree Officer has dealt with a total of 3 tree appeals which were all dismissed. In addition, since January 2018 there have been 5 High Hedges with two being repudiated due to lack of information.
- 6.4 The Tree Officer also aids the Tree Warden scheme by providing out of hours advice, guidance and training. The scheme now has 43 members with several Councillors and the Rt. Hon M Gove in support. The Group has developed a charter, attained charitable status, been involved in a number of supporting activities to the Greenspaces team and has attracted sponsorship from local companies to grow their involvement in the local area.
- 6.5 The potential impact of the Oak Processionary Moth is a further matter where the Tree Officer has been proactive in increasing awareness and advice for practitioners and the public.

7. Drainage

- 7.1 In addition to the ongoing maintenance responsibilities around the Borough, the Council's Drainage Engineer has made progress on various flood alleviation schemes where EA support and DEFRA funding has already been secured. The DEFRA funded work currently consists of 5 approved scheme areas around Chobham, aimed at reducing the general effects of flooding. All of the scheme areas are being progressed and final design details completed as part of a single Chobham Flood Alleviation Scheme (FAS). The current schemes within Chobham FAS are at Staple Hill; Castle Grove Road; Broadford Lane (off Station Road); Philpot Lane; and, Emmetts Mill. There are plans for an additional Chobham Village Centre scheme to revise the operational floodplain utilising SHBC land for improved flood storage; this scheme is still undergoing EA modelling and will be added when the additional funding is agreed.

- 7.2 The first part of the DEFRA funded Chobham FAS is now nearing completion, namely restoration of Broadford Lane bridleway off Station Road. The next scheme area scheduled to commence is the Staple Hill Pond restoration work. SCC landowner permission is still required for the work but this should be forthcoming.
- 7.3 Provision of a new vehicle access into Doman Road Depot has commenced including the part demolition of Unit 6 to allow sufficient space to accommodate 2-way traffic. Work culverting the river is almost complete and an application has been submitted to the EA for the additional revetment work required to the downstream watercourse. Once permission is granted completion of the new vehicle access will be undertaken along with the realignment and revetment works.
- 7.4 Hammonds Pond (large pond) was drained and dredged over winter 17/18, removing all silt and a large portion of invasive Lily roots. The pond hadn't been cleared for approximately 25 years and the Lilies had flourished over the time to almost cover the pond surface and hinder the ability to sell day-ticket fishing.
- 7.5 There was a need for some emergency repairs to a SHBC flood protection measure in Lightwater. Part of the drainage system installed at Clearsprings by SHBC had failed due to historic vandalism. Repairs had to be undertaken quickly to avoid any potential risk to nearby property.
- 7.6 SCC as Lead Local Flood Authority (LLFA) is responsible for providing planning application comments for larger developments. Application sites are now only reviewed by the Council's Drainage Engineer where there is a need for input such as resident concern, a known flooding history, or a substantial enough development not otherwise qualifying for LLFA comment but could exacerbate flooding. This has meant that we are now able to provide drainage advice in a more-timely manner whilst maintaining an overview of the changes and potential issues.

8. Current and Future Service Issues

- 8.1 In addition to existing work at Princess Royal Barracks, there are a number of high profile major strategic planning applications which will need to be considered by the service in the next year including the Fair Oaks Airport application and Camberley Town Centre redevelopment. Such developments will be particularly resource hungry and currently this work rests with the Team Leader and Development Manager. Consequently this significantly impacts on the ability of the service to progress service improvements. The Team Leader and Development Manager are also expected to provide the principal planning support to Corporate Enforcement.
- 8.2 Recognising this strategic work, the service recently advertised for a Major Projects Senior Planner and Urban Designer (The Planning Authority was successful in obtaining funding from the government for urban design support). The service was unsuccessful with recruitment the first time they were advertised, with a limited pool of applicants, and so is currently re-advertising these posts. Whilst external consultants can assist temporarily, this is only ever a quick fix and short term solution given the prohibitive cost and the pitfalls that can result. The improved performance highlighted in section 3 of this report already shows the difference recruitment can make. Regrettably, one of the existing Senior Planning Officers and a Planning Assistant recently handed in their notice and so this will have a further impact in the autumn.

- 8.3 Another significant area of work that will impact on the service is the change in the computer operating system from Acolaid to Uniform. The go live date is currently scheduled for spring 2019. Once operational this transformation will facilitate increased agile working and is a positive change.
- 8.4 However, the mapping and configuration work to move all the records will demand a lot of input from planners and will further impact on the ability to deliver statutory functions. The Technical Support Team is also integral to all this transformation work, as well as supporting the daily needs of the service. This team has also recently recruited new staff, due to retirement and maternity leave, and so there will be a period of transition for the new personnel to settle into the roles.
- 8.5 Finally, the Planning Policy Manager retired in April 2018 and a permanent replacement for this role is still being sought. So far the role has been advertised 3 times. Policy also has a significant amount of work at the current time given the work on the emerging plan, and all this has an indirect knock-on effect on the service.

Annexes	None
Background Papers	None
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