

Surrey Heath Borough Council

Finance and Performance

13th September 2023

Executive Portfolio Update: Sustainable Transport and Planning

Portfolio:	Sustainable Transport and Planning
Portfolio Holder:	Councillor Alan Ashbery
Head of Service:	Planning Services, Finance and Customer Service
Report Author:	Gavin Chinniah – Head of Planning
Key Decision:	No – The report is for information only
Wards Affected:	All Wards

Summary and purpose

This report provides an update for the whole of Planning Services over the last 12 months to June 2023. The following service areas will be covered within this report:

- Planning Policy and Conservation
- Development Management
- Drainage
- Building Control Shared Services
- Land Charges
- Planning Enforcement

Recommendation

The Committee is advised to:

(i) The report is to note only by councillors.

1. Background and Supporting Information

1.1 Planning Policy and Conservation

1.2 The key work area for the Planning Policy and Conservation Team is the production of the new Surrey Heath Local Plan, which will cover the period 2019 - 2038. In March 2023 Executive agreed an updated Local Development Scheme, which sets out a timetable for producing the Local Plan and programmes adoption of the Plan in February 2025.

1.3 Over the period June 2022 to June 2023 significant progress has been made in the production of the new Surrey Heath Local Plan. This work builds upon the extensive

public consultation and engagement work undertaken during 2022. Two consultations were carried out on the Surrey Heath Local Plan in 2022, known as Regulation 18 consultations. This is the key stage of public consultation and engagement and comprised:

- Consultation on the Draft Surrey Heath Local Plan (2019-2038): Preferred Options in March to May 2022; and
- Consultation on the Draft Surrey Heath Local Plan (2019-2038): Preferred Options Additional Site Allocations for Gypsy and Travellers and Travelling Showpeople in August to September 2022

- 1.4 Consultation on the Draft Local Plan included webinars, detailed information published on the Council's website, information in local libraries, exhibitions, drop in events and social media promotion. For the first consultation over 300 people attended our public exhibitions and drop-ins and there were more than 275 views of our online webinars. In addition, 298 individuals, organisations and statutory consultees responded in writing to the consultation, making a total of 876 comments. For the second consultation over 172 people attended our public exhibitions and drop-ins and there were more than 340 views of online webinar. In addition, 174 individuals, organisations and statutory consultees responded in writing to the consultation, making a total of 303 comments.
- 1.5 All the representations submitted during the two consultations on the Regulation 18 Local Plan in 2022 have been reviewed and a number of changes to Local Plan policies made to take account of the comments received. The responses to these consultations, along with further technical evidence and discussions with stakeholders are informing the next version of the Local Plan, known as the "Pre-Submission" or Regulation 19 Local Plan. A consultation statement is being prepared and will be published alongside the Regulation 19 Local Plan, which sets out how the Council has undertaken engagement and consultation on the Plan during its preparation. The consultation statement will include an Appendix setting out a summary of the Regulation 18 representations and how the Council has responded.
- 1.6 Work to produce the Regulation 18 plan has included undertaking a significant number of evidence base studies. Over the 12-month reporting period, new studies have been produced and other studies updated. This has included publication of a new Strategic Land Availability Assessment (SLAA) and updated Sustainability Appraisal. Further new studies include production of the: Strategic Highways Assessment, Employment Land Capacity Study, Nature Recovery and Green Infrastructure Strategy and further Gypsy and Traveller and Travelling Showpeople site investigations. Work is also being undertaken to update existing studies including the Housing Needs Assessment, Infrastructure Delivery Plan, Duty to Co-operate Compliance Statement and Playing Pitch Strategy.
- 1.7 Duty-to-Co-operate discussions have been held with a number of bodies, including neighbouring Local Authorities. Planning Policy have engaged with Surrey County Council on a number of matters and worked in partnership on projects, including the development of a Local Cycling and Walking Infrastructure Plan for Surrey Heath. In addition, work has been undertaken to support Neighbourhood Planning.
- 1.8 Delivery of new housing continues to be a priority for the Government. However, the policy and environmental constraints of Surrey Heath make identifying sites for housing an ongoing challenge. The 5 Year Housing Land Supply Paper was published in March 2023. This sets out that the Council can demonstrate a 7.41 year housing

land supply. Planning Policy have also published a Brownfield Land Register and maintain a Self and Custom Build Register.

- 1.9 The team monitors policy performance, housing land supply and employment uses. This information is collated into an Authority Monitoring Report (AMR), which is attached as Appendix 1 to this report. Highlights from the AMR, include robust housing completion numbers. Overall housing completion rates are shown in Table 1 below.

Table 1: Previous Years' Housing Completion vs Target

Year	Net completions	Housing Need Target
2014/2015	187	191 (Core Strategy figure)
2015/2016	305	191
2016/2017	226	382 (2016 SHMA figure)
2017/2018	224	38
2018/2019	361	332 (Government standard methodology figure for the monitoring year)
2019/2020	376	332 (Government standard methodology figure for the monitoring year)
2020/2021	352	327 (Government standard methodology figure for the monitoring year)
2021/2022	370	327 (Government standard methodology figure for the monitoring year)
2022/2023	403	324 (Government standard methodology figure for the monitoring year)

- 1.10 The Government attaches importance to housing delivery performance. It is significant to note that since the introduction of the Government standard methodology figure for calculating housing needs in 2018/2019, the annual target for housing delivery has been exceeded in each year. This places the Borough in a robust position in Government assessments of housing delivery performance.
- 1.11 Past performance in the completion rates for delivery of affordable homes has been variable, as set out in table 2 below. In the last monitoring year 69 affordable homes were completed, which means that 17% of all net new homes were delivered as affordable homes.

Table 2: Affordable Housing Completions

Year	Affordable Housing Completions	Target (35% of all net completions)	Affordable Housing completions as a percentage of all net completions (%)
2014/2015	6	65	9.2%
2015/2016	21	107	20%
2016/2017	74	79	94%
2017/2018	36	78	46%
2018/2019	93	126	74%
2019/2020	132	131	101%
2020/2021	39	123	32%
2021/2022	112	130	86%
2022/2023	69	142	49%

- 1.12 The key challenge to the delivery of affordable homes within the Borough is development viability. Through the planning application determination process it continues to be the case that all viability assessments provided by developers are independently checked. However, where justified by robust evidence reduced levels of affordable homes have been delivered. Another key factor which impacts on the delivery of affordable homes is the large proportion of homes delivered on Prior Approval sites and on smaller sites of less than 10 dwellings, where in line with Government guidance, there is no requirement to deliver a proportion of affordable homes.
- 1.13 Members will be acutely aware of the backlog of need for Gypsy and Traveller pitches. The latest Gypsy and Traveller Accommodation Assessment (2020) (published on the Council's website) shows a significant need for Gypsy and Traveller pitches. Policy CP7 of the adopted Core Strategy and Development Management Policies (2012) set a target of delivery 19 Gypsy and Traveller pitches by 2027. By 31 March 2023 (AMR monitoring year end date) only two pitches had been delivered. Members will be aware of the significant amount of work undertaken to seek to identify suitable sites for allocation in the Draft Surrey Heath Local Plan and the challenges of finding suitable sites.
- 1.14 Planning Policy also supports work for the Thames Basins Heaths Special Protection Area, including work with partner local authorities, as part of the Joint Strategic Partnership Board. A significant work are is monitoring of Suitable Alternative Natural Greenspace (SANG) capacity and work with neighbouring local authorities and other partners to identify new SANG capacity.
- 1.15 A further area of work for Planning Policy has been responding to and disseminating new Government planning legislation, policy and guidance. This included responding to the Government consultation on Planning reforms and changes to the National Planning Policy Framework in March 2023. This is an ongoing area of work and Planning Policy will review and respond to future planning reforms consultations.

1.16 Development Management

1.17 Performance

- 1.18 Between July 2022 and June 2023 a total of 799 planning applications were received and 747 were determined. Additionally a total of 565 other applications (i.e. lawful development certificates, prior notifications, details to comply with conditions and non-material amendments, out of borough and county consultations) were determined.
- 1.19 Between July 2022 and June 2023, 25 or 93% of majors (Council target is 80%) were determined in time or with an agreed time extension, out of a total of 27 majors. The majors performance was marginally lower than 2021/22 when our determination rate was 100%. However, only 9 majors were determined then, or three times less.
- 1.20 Between July 2022 and June 2023, 91% of non-majors (Council target is 85%) were determined in time or with an agreed time extension. A total of 720 were determined and this is a similar rate to 2021/22 when 753 were determined. However, our non-majors performance is markedly higher than 2021/22, when our determination rate was only 81%. There was a concerted effort by the planning service to reduce the backlog of cases in 2022/23.
- 1.21 In January 2023 the backlog was 145 planning applications and by June/ July 2023 this backlog was only 19 applications. This serves to highlight the hard work undertaken by the team. Despite this high number of expired applications, the high performance was maintained by officers engaging with applicants by securing time extensions. Increased performance monitoring as part of officer 1-2-1s and appraisals; filling of vacancies; and, other service improvements (see below) have also been the main reasons for reducing the backlog.
- 1.22 In 2021/22, our planning appeals success rate was 78% and the Council were the 7th best performing authority in the country for planning appeals. In 2022/23 a total of 54 appeals were determined (compared with 41 for 2021/22) and our performance was 72% dismissed. The Council target is 65%. Between July 2022 and March 2023, our performance was averaging 68%.
- 1.23 For the first quarter of 2023/24 (April - June), a total of 16 appeals (including all types of appeals) were determined and our performance was only 31% (or 11 allowed). This is an anomaly compared with the previous 8 quarters and the main reasoning for this is because the Council lost a total of 8 appeals at just two sites. One of these sites concerned 4 householder appeals for a side extension where the Council had previously had appeals dismissed concerning the same matter, and so this was an on-balance decision.
- 1.24 The other site concerned 4 appeals against the serving of enforcement notices whereby the Planning Inspector deemed the notices to be defective and therefore quashed them. The wording of the notices and plans attached were imprecise and amending them would have caused injustice to the appellant. The Council are currently looking into how to rectify this issue and a decision will be made in due course.
- 1.25 The Development Management team will continue to monitor the appeals situation in 2023/24 and where lessons can be learnt further training will be set up along with appeal decisions being reviewed by the Development Management team.

1.26 Service improvements, Staffing and Level of Customer Service:

- 1.27 In the autumn of 2021 the service asked the Planning Advisory Service (PAS) to review the Development Management service, particularly with respect to customer care. PAS is part of the Local Government Association and provides consultancy and peer support, learning events and online resources to help local authorities understand and respond to planning reform. The meetings involved interviews and workshops. As a result of this review a report was compiled which gave 18 recommendations as to how the service could be improved. Of these recommendations many have already been implemented or are in the process of being so. As reported to this committee in September 2022, key improvements recommended by PAS were implemented. This included the appointment of a second Team Leader; the creation of a dedicated Planning Application Validations Team within the technical support team; greater engagement with developers by more developer forums; and improvements to Uniform.
- 1.28 For 2023/24 further work is ongoing with ICT to improve efficiencies and performance monitoring tools. Graphs and tables can now be produced within Uniform to show historical, current and real-time (updated twice daily) performance statistics. These can be configured to be service wide or by individual officers and show trends including, for example, by application type and by speed of determination.
- 1.29 Additionally, to aid officers' time and ensure that the service can be more efficient and effective, amendments to templates stored within Uniform are being made with increased auto-population of data (for example, planning history) and greater use of tables. Work is also ongoing to review process mapping for internal and external consultees within Uniform. Meetings are planned with Corporate Enforcement and Environmental Health to improve database linkages across the Council services. The aim is to complete this work by December 2023.
- 1.30 Since August 2023 the service has been fully staffed and no longer relies upon external planning contractors. Contractors are costly, and their reliability and quality of work is not always guaranteed. Furthermore, in September 2022 the service ended the contract of the heritage consultant, who was employed once a fortnight. The urban design consultant now also comments on heritage matters.
- 1.31 A settled team has enabled the service to significantly reduce the backlog of planning applications in 2022/23. This has had the positive impact of improving performance and also resulted in a significant reduction in the number of complaints. Between July 2022 and June 2023 a total of 19 Stage 1 complaints were received resulting in 5 Stage 2 complaints and 2 Stage 3 complaints. This compares with 65 Stage 1 complaints, resulting in 7 Stage 2 complaints and 2 Stage 3 complaints for 2021/22. Poor communications with applicants having to chase for responses, and experiencing delayed responses from planning officers was a common occurrence in 2021/22. However, through a combination of further training and better case management through 1-2-1s, officers are now more responsive and in turn the overall customer service has significantly improved.
- 1.32 Consequently, this has enabled service improvements to be made, that otherwise would not have been possible. This included the introduction of a fast-track planning application service, a revised pre-application service and a new local validation list.

- 1.33 Introduced in April 2023, the fast-track planning application service offers an accelerated determination of a planning application for an additional fee on top of the statutory fee. The concept is similar to other government services whereby for a premium you obtain a quicker result. For example, applying for a passport. This Council is the only planning authority in Surrey to offer such a service. It is currently being operated as a pilot until December 2023 and is only available to applicants applying for householder submissions and lawful development certificates. However, dependent on the success of this, the aim is to expand the service to other types of development such non-major applications. Up until the end of July 2023, a total of 5 applicants had paid for this service.
- 1.34 The revised pre-application service was also introduced in April 2023. This service introduced better categorisation of developments by size and type and with an increased fee structure that was benchmarked against other Surrey authorities. Greater promotion of the use of Planning Performance Agreements (PPA) on major developments is integral to this new structure. Compared to the old service, the service is also broader in scope and provides a better service to the public i.e. by offering concept only meetings, optional specialist expert advice (trees, drainage and environmental services) and enables developers to meet with senior management.
- 1.35 The local validation list sets out the information that is normally required to be able to register, assess and determine a planning application. It also provides guidance on the level of information required depending on the size and type of the application. The new local validation list was published in April 2023 and is more customer focused than the old list. It contains a user-friendly guide for householders and residents, symbol-based checklists.
- 1.36 Drainage**
- 1.37 Maintenance - All SHBC watercourse maintenance obligations were met in 2022/23, with minor repairs and alterations as necessary.
- 1.38 SHBC Flood Resilience - During 2022/23 there was no reported flooding that could be attributed to the Councils responsibility. All SHBC implemented flood defence and attenuation measures, whilst not tested to capacity, have continued to perform as intended. Only minor flood issues have been reported within the Borough, with Chobham experiencing effects of main-river surcharge following rainfall in June 2023. There has been nothing reported to indicate any internal property flooding.
- 1.39 Sand Bag Containers – Located at Lightwater Country Park and Chobham Fire Station, the supplies have allowed an immediate response and provide sufficient stocks to help initially protect the more vulnerable properties. The containers offer a greater quantity of sandbags to be stored safely and in a protected environment to prolong shelf life. The provision of additional stores will be kept under review, with temporary or permanent siting to be determined by risk. Existing stores will be maintained but there is currently no immediate need to provide additional facilities.
- 1.40 Partnership Funding Both the EA and SCC have confirmed they have funding streams available to undertake works during 2023/24, subject to partnership support and scheme approval.
- 1.41 Chobham Flood Alleviation (FAS) – Within the EA catchment review there has also been a review of potential flow control and flood alleviation work areas within neighbouring villages of Bagshot, Bisley, Lightwater, West End and Windlesham. Upper catchment surface water management has been the key consideration to help

mitigate catchment wide flood risk, with upstream revisions that provide both local resilience and corresponding downstream flow reduction benefits. Some potential wider-catchment works areas have already been identified and these will continue to be reviewed and progressed. SHBC will be coordinating any works with its partner authorities or, where possible for hand-over, providing suitable introductions for partners to progress. Any SHBC derived proposals affecting the wider Chobham FAS flood resilience measures will be forwarded to partner authorities for consideration.

- 1.42 Chobham Water Meadows Flood Containment and Alleviation Route – Led by SHBC, works currently underway to identify scheme constraints and design principles for the installation of a new piped surface water relief connection to Chobham High Street, and main-river floodplain control within the SHBC owned Chobham Water Meadows. Initial design reviews have been undertaken with external flood partner authorities (EA and SCC) and internally with works affecting SANGS land and the village car park. Technical elements of the scheme are being refined, there will then be further internal and external consultations for comments around the proposals.
- 1.43 Bagshot Road / High Street Flood Alleviation Route - Alongside the Chobham Water Meadows works, the design principles of connecting revised highway drainage systems, and the provision of a large volume surface water relief system, are also being considered by SHBC. The required EA design is to ensure the optimum potential conveyed flow volumes from the High Street (Leat) area, with an extension of surface water drainage systems into the Bagshot Road. A new culverted route through the public car park is to be provided by SHBC, to allow for connections by others within the highway.
- 1.44 Philpot Lane - Works have commenced with clearance and restoration of some boundary watercourses and highway connections around Sandpit Hall Road. The flows that feed the Philpot Lane area are now being considered in-line with the wider Chobham FAS works and the potential containment changes within the village centre. A review of further works within Philpot Lane, will be undertaken following the confirmation of the Water Meadows proposals.
- 1.45 Castle Grove Road - Draft design details are complete. Constraints include working within private residential property and public highway. Design consent from EA and SCC still required. Works now being considered for construction coordinated with other works within the highway.
- 1.46 Pennypot Lane Flood Alleviation - Funding contribution received to help alleviate flooding of highway and properties around Beldam Bridge Road and Pennypot Lane. Initial works have been undertaken to improve flows and increase capacity of Pennypot Lane connecting watercourses. The EA has identified this area has been as potentially providing a considerable flood resilience benefit to the Chobham catchment. Further works are now being considered alongside the wider Chobham FAS, with principles to be detailed in partnership with EA.
- 1.47 Scotts Grove Close - Assistance to the residents association to help to alleviate current their external flood risk, and to help design a suitable surface water drainage containment system with flood mitigation. The additional containment will help reduce overall Chobham catchment and river surge flows. A review of existing drainage systems and potential works is underway. Once principles of proposals are known, SCC will be consulted for the potential funding and implementation options.

- 1.48 Lightwater Flood Alleviation – All works are complete. Maintenance of the middle pond lower embankment is required at Lightwater Country Park. A revised embankment design is being to provide additional storm flow containment and flow reduction.
- 1.49 Heronscourt Lake – Assistance to residents to ensure the downstream flood risk was mitigated. Installation of new embankment edge and revisions to weir outlet to reduce the potential exceedance and failure flood risks. Minor works required to complete.
- 1.50 Frimley Lodge Park Flood Alleviation (Sturt Road Bridge) – Developer contribution agreed (awaited) to relocate existing Basingstoke Canal Pumping Station into Frimley Lodge Park, to revise park wide surface water drainage systems, and to divert surface water flows from Network Rail land. The proposals will offer a considerable reduction in catchment flows towards Sturt Road, to help mitigate flooding under the bridge. New pumping station to have an additional groundwater provision, with the additional works being funded by separate pre-agreed contribution from Deepcut (Mindenhurst) development.
- 1.51 Deepcut (Mindenhurst) Watercourse and SUDS Adoption (Phase 1) – Recent installation of surface water drainage systems and SUDS assets by developer considered inappropriate for SHBC adoption. Principles of a revised drainage scheme and associated assets have been provided, with adoption handover (remedial works) costs and estimated perpetuity maintenance costs, to ensure SHBC has sufficient funds to mitigate future failure risks associated to the poor level of construction being adopted. Once adopted, remedial works to improve construction and surface water treatment will need to be implemented as soon as possible, to reduce both failure risk and unnecessary ongoing maintenance costs.
- 1.52 Deepcut (Mindenhurst) Watercourse and SUDS Adoption (Phase 2) – Additional areas containing surface water drainage systems serving the south eastern development areas and southern SANGS. SHBC involved before construction, SCC comments requested additional open watercourse. Extents of adoption to be confirmed.
- 1.53 Deepcut (Mindenhurst) Church Car Park Adoption – New surface water drainage design provided by the developer for technical planning approval (review undertaken by SCC). SHBC has also reviewed with consideration for potential adoption and deemed the design unsuitable. As always, SHBC is willing to provide basic, bespoke design details to help to provide a suitable, adoptable drainage design.

1.54 Building Control Shared Services

- 1.55 The Building Control team retained 67% of the market share in the Borough and have been consistent in providing high customer service to applicants on Building Control applications and related matters. The decrease in market share is only a reflection on the number of applications, not the fee income received. The increase in applications from approved inspectors consist of minor low value works e.g internal alteration, window replacement etc and are not negatively impacting on our income levels.
- 1.56 The team has processed in total 526 applications, successful enforcement on 44 sites where there have been unauthorised works. The team has attended to 11 dangerous structures and carried out 4645 site inspections
- 1.57 Building Control has achieved 100% compliance with all statutory timescales
- 1.58 The department is maintaining ISO 9001 compliance.

- 1.59 The shared manager role between Surrey Heath and Runnymede commenced on the 1st April 2022 and next steps to form a permanent shared building control team is under way.

1.60 Land Charges

- 1.61 1.61 This service provided 613 Official Land Charges searches from 1st June 2022 to 31st May 2023 compared with 850 in 2020/21 the year before. Numbers have continued to decline as the housing market is affected by the cost of living crisis and high mortgage rates. The service did also help compile 1195 personal searches of the Local Land Charges register. There has been a trend where individuals choose to self-serve information as this is available electronically on the internet.
- 1.62 1.62 The roll out of the government project to move delivery of part of land charges away from local authorities and into the Land Registry as a new online service is continuing. It has been confirmed that we will receive transition payments totalling £60,000, paid in 2 instalments. £20,000 paid following completion of early engagement activities and a delivery plan being agreed/signed. The remaining £40,000 is paid within 3 months of 'Go Live' – the date of this is to be determined. They plan to extract and begin the analysis of our data by the end of 2023 and for the migration to be complete in 2024/2025.

1.63 Planning Enforcement

- 1.64 The planning enforcement function which forms part of the wider corporate enforcement team has formulated an action plan to introduce fundamental improvements to practices/processes across the service.
- 1.65 The action plan recognises following the investment in the function as well as the political appetite to see change that the next stages in the process will bring in terms of performance such as thresholds for delivery, performance indicators and introduction of a methodology for the function to self audit based on productivity, monitoring and added value. The agreed terms associated with the function are set out in the local adopted enforcement policy, which will be reviewed during the next financial year when procedures, thresholds for delivery by the service and general performance targets will be explored and updated.
- 1.66 The team aims to ensure that the plan is based on a realistic series of procedures, within agreed terms to ensure timely, reasoned and balanced outcomes are achieved along with a customer focus whereby engagement is at the heart of the service function.

2. Reasons for Recommendation

- 2.1 The report is to note by councillors.

3. Proposal and Alternative Options

- 3.1 This is not applicable.

4. Contribution to the Council's Five Year Strategy

4.1 This is an update to councillors on the performance of the planning service over the last 12 months which adheres and contributes to the Council's Five Year Strategy.

5. Resource Implications

5.1 This is not applicable.

6. Section 151 Officer Comments:

6.1 This is not applicable.

7. Legal and Governance Issues

7.1 This is not applicable.

8. Monitoring Officer Comments:

8.1 This is not applicable.

9. Other Considerations and Impacts

9.1 This is not applicable.

10.1 Equalities and Human Rights

10.1 This is not applicable.

11.0 Risk Management

11.2 This is not applicable.

12.0 Community Engagement

12.1 This is not applicable.

Appendix

Appendix 1 – Annual Monitoring Report (AMR)