

Monitoring Report

Portfolio:	Planning
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Ward(s) Affected:	All Wards
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Purpose: As an information item providing an overview of function and performance of the Planning Enforcement Service for the period 1st October 2023 to 30th December 2023

1. Key Issues

1.1 This report provides an overview of the performance of the Planning Enforcement Team for quarter three of the current financial year i.e. from 1st October 2023 to 31st December 2023.

1.2 The following matters will be discussed within the report:

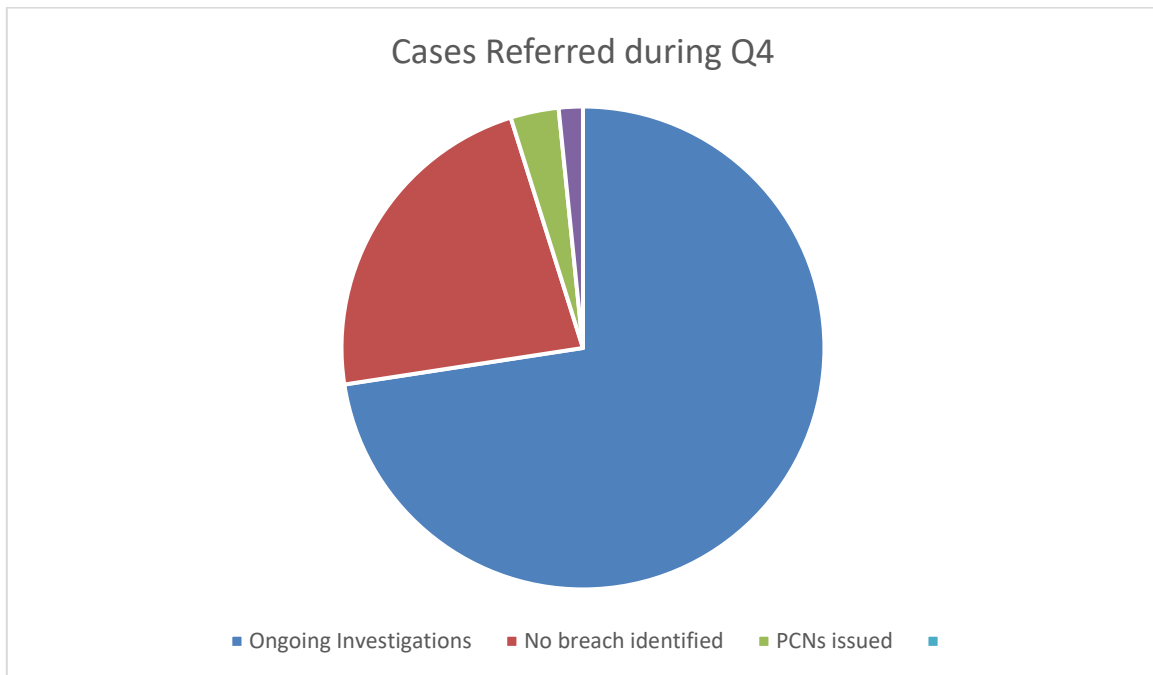
- Enforcement performance information
- Information on Notices Issued
- Information on outstanding appeals
- Action Plan/Progress

2. Enforcement Performance

2.1 During quarter 3 (October to December 2023), the Planning Enforcement Team, received 62 service requests. They investigated allegations of breaches of planning control and determined as follows:

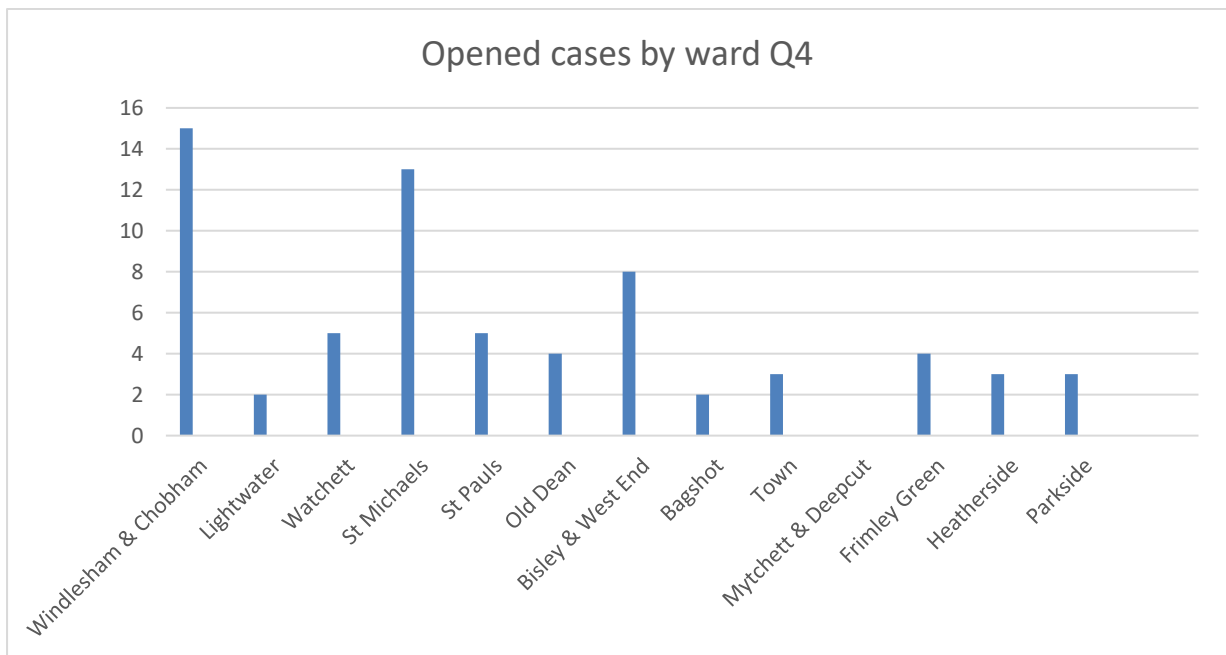
Number of referrals received during period	62
No breach established	14
Breach resolved	0
Not expedient to pursue	0
Planning applications received dealing with matters under investigation	0
Pending consideration (open investigations)	45
Enforcement Notices issued (Reissued)	1
Breach of Conditions Notices issued	0
Planning Contravention Notices Issued	2

2.2 This information is illustrated in the graph below. cases received in this quarter remain under investigation and are included in the total number of unresolved or open cases reported below.



2.3 There were 105 open or unresolved planning enforcement cases at the end of the reporting period in Q2. This has marginally increased as there are currently 109 open cases, this is due in part to the festive break period and the increase in number of reports received during Q3.

2.4 Of the cases reported during Q3, the following table identifies the number of investigations opened per ward :



2.3 Quarter 3 saw the team again exceed the 80% target (**achieved 90%**) set out in their Key Performance Indicator (KPI) of planning enforcement referrals where the initial action (e.g. a site visit) takes place within the target timescales as set out in the adopted Local Enforcement Plan. The KPI cumulative performance so far this financial year remains unchanged at **92%**.

3.0 Enforcement Notices Issued during reporting period

3.1. No Enforcement Notices or Breach of Condition Notices were issued during the quarter. 4 Planning Contravention Notices were issued, 2 relating to reports received during Q3. (The Enforcement case in reference to the Hall Grove Farm Industrial Estate (23/0146/ENF) is reported during this quarter because a new case file was opened in relation to the matter during Q3. The Enforcement Notice relating to this case is subject to an ongoing appeal.)

4.1 The following cases which were subject to appeal have been determined during the reporting period :

71 Middle Close, Camberley. Reference number 3299756/7. Start date 13/6/22. Appeal grounds A F G.

A copy of the appeal decision is appended to this report.

In summary : An Enforcement Notice was issued on 22 April 2022 for a failure to comply with a condition imposed on planning permission ref 19/0701/FFU which was granted on 7 November 2019.

The development related to the erection of a single storey front extension including two rooflights, first floor extension to the eastern side elevation, a two-storey extension to the western side elevation following demolition of an existing garage, change to the main roof form to increase the ridge height, six roof lights to the main roof slope, two rear dormers and fenestration alterations to the front and rear elevations.

It was alleged by the notice that the works undertaken were materially different to the approved plans, in particular in relation to the enlargement of the front gables and the installation of four heating and cooling units.

The Notice required that the development was altered to comply with the approved plans within 4 months of the notice coming into effect.

The Inspector varied and upheld the Enforcement Notice however he granted planning permission under the ground (a) appeal for the retention of the

development in accordance with the as built plans, however, did not grant planning permission for the retention of the heating and cooling units.

Officers have confirmed the heating and cooling units have been removed in accordance with the requirements of the as-varied Enforcement Notice.

In this case, no further action can be taken in relation to the matter.

5.1 The following cases have been appealed and are with the Planning Inspectorate for determination

5.2 Land on South East side of 79 Guildford Road, Bagshot. Reference number 3295907. Start date 12/4/22. Appeal grounds A, C, D, F, G.

These appeals were proceeding through the written representations procedure.

The appointed Inspector undertook an accompanied site visit in relation to these appeals on 12th December 2023.

Following his visit, the Inspector has resolved to change the procedure for determination of the appeals to an informal hearing.

The Inspector has resolved to hold the hearing virtually and proposed a hearing date of 5th March 2024.

This proposed date has been rejected by officers as a public inquiry is programmed to start on this date accordingly there is no officer availability.

Officers will update members if an alternative date is fixed before the meeting.

5.3 Chobham Car Spares, Clearmount, Chobham Reference number 3301643. Start date 5/7/22. Appeal grounds. A, C, D, E, F. Reference number 3301644. Start date 5/7/22. Appeal grounds. C, D, F, G.

No progress or update.

5.4 Land to the East of Highams Lane, Chobham. Reference number 3301015. Start date 20/6/22. Appeal grounds. A, C, D, F, G. Reference 3301016. Start date 20/6/22. Appeal grounds. C, D, F, G. (Sometimes referred to as land East of Lake House)

This appeal is proceeding through the public inquiry procedure.

The inquiry start date is fixed for Tuesday 12th March 2024.

5.5 Four Oaks Nursey, Highams Lane, Chobham. Reference number 3301935. Start date 12/7/22. Appeal grounds. A, D.

This appeal is proceeding through the written representations procedure.

The appeal site visit in relation to this matter took place on 12th December 2023.

Awaiting decision.

5.6 55A Robins Bow, Camberley, Surrey. Reference number 3319565. Appeal grounds A, C, F.

This appeal is proceeding through the informal hearing procedure.

Awaiting the hearing date to be fixed.

5.7 Land at Browells Wood, Windlesham Road, Chobham. Reference number 3328661. Appeal grounds F.

Appeal Procedure – written representations.

Awaiting site visit arrangements.

5.8 Land South of Heath Cottage, Priests Lane, West End. Reference number 3328517. Appeal grounds C and E.

Appeal Procedure – written representations.

Awaiting site visit arrangements.

5.9 Land at 154 Guildford Road, Chobham. Reference number 3330751. Appeal grounds A,B,D,F,G.

Appeal procedure – public inquiry.

The public inquiry start date has been programmed for 5th March 2024.

The appointed inspector held a Case Management Conference on 19th December 2023 to confirm key dates and details relating to the inquiry which is programmed for 4 days.

5. Uniform / Enterprise

6.1 Work remains ongoing in relation to standardisation of documents and procedures in relation to the use of the Uniform database.

6.2 The next task to be undertaken relates to the review and creation of standardised and technically mapped procedures. This task will be undertaken with the assistance of I.T colleagues who will amend the coding within the system to align with the procedures and amend any arising technical permissions within the system.

- 6.3 The team has reviewed all of the existing template documents and will be updating and coding all of the documents applicable to the function in tandem with review of the other documents used across the corporate enforcement team.
- 6.10 The formation of enterprise tasks will follow the completion of this process in Q4 and Q1 of 2024.
- 6.11 An audit of the planning enforcement module had been organised to take place in January with an external consultant from Idox, however this has been postponed until April 2024 due to availability of the consultant. Any further improvements to the module and functionality of the system will then be explored.
- 6.12 The appeals module has been configured for use. Any planning enforcement appeals received from 1st January 2024 will be recorded through the appeals module. This module will then be linked to public access. The planning enforcement appeals and all related documents will thereafter be publicly accessible through online access via the Council website. This will increase transparency and the information available to customers.
- 6.13 Members will be updated on progress in the next performance report.

7. Summary

- 7.1 Q3 has been an exceptionally busy quarter.
- 7.2 A number of historic cases have been reviewed by the team alongside more recently occurring matters.
- 7.3 Officers are, and are likely to remain, very busy for the remainder of this financial year due to the number and complexity of ongoing appeals and court actions. In particular the two public inquiries programmed for March 2024 will run back to back and will consequently require dedication of significant officer input and time. We will however endeavour to continue to progress system and procedure improvements and make full use of technology.

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