

Monitoring Report

Portfolio: Planning

Ward(s) Affected: All Wards

Purpose: An information item providing an overview of function and performance of the Planning Enforcement Service for the period 1st January 2024 to 31th March 2024

1. Key Issues

1.1 This report provides an overview of the performance of the Planning Enforcement Team, which is part of the wider Corporate Enforcement function for quarter four of the current financial year i.e. from 1st January 2024 to 31st March 2024.

1.2 The following matters are covered within the report:

- Performance of the Planning Enforcement team
- Information on Notices Issued
- Information on outstanding appeals
- Progress on key projects

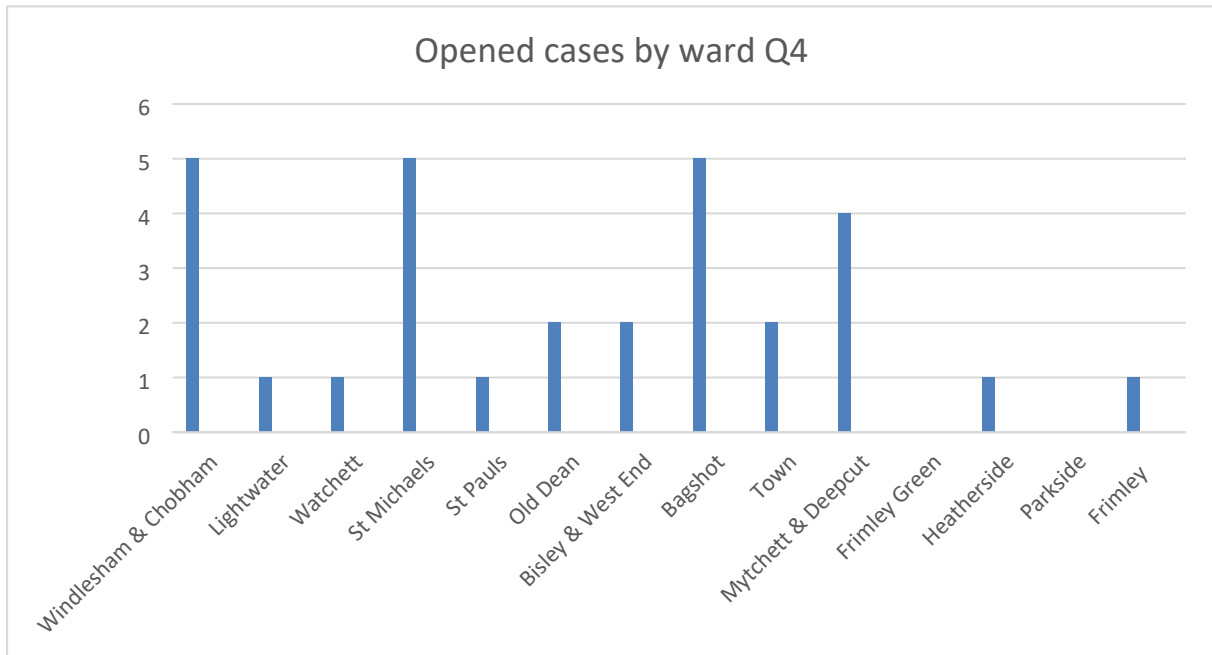
2. Enforcement Performance

2.1 During quarter 4, (January 2024 to March 2024), the Planning Enforcement Team, received 30 service requests. The investigated allegations of breaches of planning control are determined as follows:

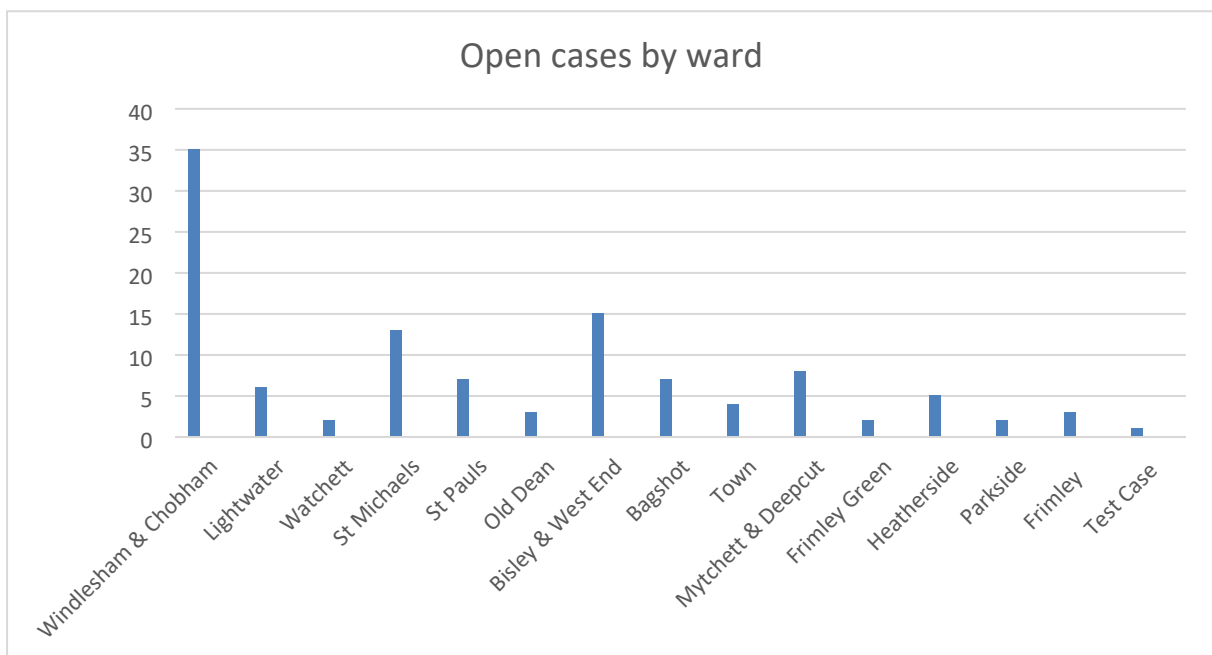
Number of referrals received during period	30
No breach established	3
Breach resolved	0
Not expedient to pursue	0
Planning applications received dealing with matters under investigation	0
Pending consideration (open investigations)	27
Enforcement Notices issued (Reissued)	0
Breach of Conditions Notices issued	1
Planning Contravention Notices Issued	3

2.2 There were 109 open or unresolved planning enforcement cases at the end of the reporting period in Q3. At the end of Q4, this number had increased by 4 taking the current open cases that are being currently investigated by the team to 113.

2.3 Of the cases reported during Q1, the following table identifies the number of investigations opened per ward :



2.4 Of the current open cases outstanding, the following table identifies the number for each ward:



2.5 Quarter 4 saw the team meet the 80% target (**achieved 80%**) 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 this financial year exceeds the target at 80%, the figure for the year is 88%.

3. Enforcement Notices Issued during reporting period

- 3.1. No Enforcement Notices were issued during the quarter 4. One Breach of Condition Notice (BCN) was issued relating to a property in Colville Gardens, Lightwater regarding conditions relating to the erection of fencing.

4. Injunctions

- 4.1 Pumping Station, West End, GU24 9EQ. The team gained a warrant of entry as we had been previously refused entry. This was executed on 13 March 2024 and evidence gathered. The case will be returning to The High Court in May 2024.

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

- 5.1 154 Guildford Road, West End. The Enforcement Notice was withdrawn on Barristers advice at the start of the Public Inquiry. The appellant applied for costs, this has been dismissed. Currently, a review for next steps is now taking place.
- 5.2 Four Oaks Nursey, Highams Lane, Chobham. Start date 12/7/22. Appeal grounds. A, D.

Date of decision 14 January 2024 – the Inspector quashed the notice. A copy of the appeal decision is appended to this report. Currently, a review for next steps is taking place.

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

- 6.2 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 the hearing date is 16 April 2024.

- 6.3 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

Appeal site visit took place on 5 March 2024, awaiting Inspectors decision.

- 6.4 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.

Planning application 21/0875/FFU was approved at planning committee on 21 March 2024, awaiting decision to be issued.

Once the planning decision is issued a review will take place.

- 6.5 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.

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

Appeal Procedure – written representations.

Awaiting site visit arrangements.

- 6.7 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.

7. Uniform / Enterprise

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

- 7.2 During the last quarter significant work has been completed in association with the enterprise task functionality. This work has involved completion of process mapping of all tasks and associated procedures within the system. I.T colleagues have provided direct and invaluable assistance in relation to technical coding and technical permissions.

- 7.3 At the time of preparation of this report, an IDOX consultant has been engaged for two days to assist with the technical challenge of writing the related tasks with officers assisting where possible. The enterprise tasks which will be created following this piece of work will improve the functionality of the system and will

introduce performance enhancements, particularly in relation to audit and performance functions. It is anticipated that the tasks will be completed before the committee meeting takes place.

The introduction of these tasks will necessarily lead to the need to undertake a further procedural edit of processes associated with the use of uniform, however, in both the longer and shorter term, the functionality and accessibility of the database will be improved. Officers are therefore committed to begin a series of mentoring/training sessions to ensure functionality and performance matters are resolved where necessary across the team.

Alongside the formalisation and introduction of these enterprise tasks, during the coming quarter, the reviewed enforcement templates and documents will be introduced to the system. This should also lead to improved functionality and lead to reduced duplication of tasks across the function. The revised documents have also been updated to reflect changes to the legislative provisions.

7.4 As previously reported, the appeals module is now configured for use and will be engaged on receipt of the first appeal received during this financial year. This will include a link to public access via the Council website.

7.5 Members will be updated on further progress in the next performance report.

8. Summary

8.1 Q4 has been an exceptionally busy quarter with appeal inquiries, hearings and legal proceedings.

8.2 Officers are, and are likely to remain, very busy for the new financial year due to the number and complexity of ongoing appeals and legal proceedings alongside reviewing recent appeal decisions and complex cases. We will however endeavour to continue to progress system and procedure improvements and make full use of technology.

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