

## Function and Performance of the Development Management Team

### Summary

As an information item providing an overview of function and performance of the Development Management service for the period April 2014 - September 2015.

**Portfolio:** Regulatory

**Date Portfolio Holder signed off report** 26<sup>th</sup> October 2015

**Wards Affected - all**

### Recommendation

The Executive is advised to resolve to NOTE the attached report to the Planning Applications Committee.

### 1. Resource Implications

- 1.1 There are no additional resource implications arising beyond those already allowed for within the agreed 2015/16 budget.

### 2. Key Issues

- 2.1 The report provides an update to Members on the following issues for the period from 1<sup>st</sup> April 2014 – 30<sup>th</sup> September 2015:

- Staff Turnover & Recruitment
- Major Applications Received
- Application Performance (against national statutory indicators)
- Appeal Performance
- Policy and process changes
- Enforcement, tree and drainage work

- 2.2 In addition, the report provides an overview of the objectives for the coming year.

### 3. Options

- 3.1 The Executive is asked to note the report.

### 4. Proposals

- 4.1 The report attached as Annex 1 sets out the current performance of the Development Management Team and shows that despite ongoing recruitment and retention issues, the team is managing to maintain its performance. Indeed, the team continues to perform above both local and national performance targets for speed of decision making.

- 4.2 The report identifies a number of areas in which changes and improvements have been made to the service, in particular the moves towards paperless systems, the introduction of the Community Infrastructure Levy and the Sustainable Urban Drainage regime.
- 4.3 The report identifies areas which the service is reviewing in the next 12 months to ascertain whether further improvements can be made, these are:
- Review of enforcement service;
  - Further improvements to electronic working;
  - Investigation of on-line training resources;
  - Design Panel (i.e. the NPPF recommends that a local planning authority has local design review arrangements in place for major projects);
  - Review of Drainage service, including a 5 year strategy; and,
  - Recruitment and retention initiatives for planning staff.

## **5. Supporting Information**

- 5.1 These initiatives form part of a wider Service Plan for the department which is an internal document only which sets out the direction of travel and objectives for the next three years (2014 -2016). This will be reviewed in 2016/17.
- 5.2 This will be an annual report to Executive in future.

## **6. Corporate Objectives And Key Priorities**

- 6.1 Underpins Corporate Objective 1 by helping to make Surrey heath an even better place where people are happy to live. Underpins Objective 2 in helping to sustain the local economy. Underpins Objective 3 to build and encourage communities where people can live happily and healthily. Underpins Corporate Objective 4 by seeking to deliver the service better, faster and cheaper.

## **7. Officer Comments**

- 7.1 The improvements identified in paragraph 4.3 above include reference to a Design Panel and Recruitment and Retention initiatives.
- 7.2 There is a view amongst officers and members that the Borough Council needs to do more to improve the quality of design of new development coming forward in the Borough.
- 7.3 Initial meetings have been held with Design South East (DSE) an independent group of architects and planners, who support a number of authorities across the South East on design matters. The Chairman of the Planning Applications Committee and the Portfolio holder for Regulatory with officers have held an initial meeting with DSE to

understand what support that group might be able to offer. Officers are now arranging to meet other authorities already supported by DSE to understand how a design panel might work in practice.

- 7.4 Recruitment and retention initiatives can cover a wide range of actions. Particular issues being looked at are how training can support personal development and thus encourage officers to stay and be a factor in promoting Surrey Heath as an attractive place in job adverts. The issue of career grades is also being explored. The team has taken on trainees that will be supported to achieve a recognised professional qualification and thus 'grow its own' planning staff. Work is underway across Surrey to compare salaries and grades for planning roles.

|                               |  |
|-------------------------------|--|
| <b>Annexes</b>                | Annex 1 - Report to Planning Applications Committee on 13 <sup>th</sup> October 2015 |
| <b>Background Papers</b>      | None   |
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| <b>Head of Service</b>        | Jenny Rickard – Executive Head of Regulatory   |

### Consultations, Implications and Issues Addressed

| <b>Resources</b>                      | <b>Required</b> | <b>Consulted</b> |
|---------------------------------------|-----------------|------------------|
| Revenue                               | ✓               | <u>21-10-15</u>  |
| Capital                               |                 |                  |
| Human Resources                       | ✓               | <u>21-10-15</u>  |
| Asset Management                      |                 |                  |
| IT                                    |                 |                  |
| <b>Other Issues</b>                   | <b>Required</b> | <b>Consulted</b> |
| Corporate Objectives & Key Priorities | ✓               | <u>21-10-15</u>  |
| Policy Framework                      |                 |                  |
| Legal                                 | ✓               | <u>21-10-15</u>  |
| Governance                            |                 |                  |
| Sustainability                        |                 |                  |
| Risk Management                       |                 |                  |
| Equalities Impact Assessment          |                 |                  |
| Community Safety                      |                 |                  |
| Human Rights                          |                 |                  |
| Consultation                          |                 |                  |
| P R & Marketing                       |                 |                  |

**Review Date:**

**Version:**

## ANNEX 1

### Monitoring Report

|                      |            |
|----------------------|------------|
| Portfolio:           | Regulatory |
| Ward(s)<br>Affected: | All Wards  |

**Purpose: As an information item providing an overview of function and performance of the Development Management service for the period April 2014 - September 2015**

#### **Recommendation**

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

### 1. Key Issues

- 1.1. This report will provide an update to Members on the following for the period from 1<sup>st</sup> April 2014 – 30<sup>th</sup> September 2015:
  - Staff Turnover & Recruitment
  - Major Applications Received
  - Application Performance (against national statutory indicators)
  - Appeal Performance
  - Policy and process changes
  - Enforcement, tree and drainage work
- 1.2. In addition, this report will provide an overview of the objectives for the coming year.

### 2. Staff Turnover & Recruitment

- 2.1 Maintaining staffing levels is currently the biggest challenge facing the service. With a full complement of staff the Development Management service has the following composition:

- 1 x Development Manager
- 1 x Team Leader
- 2 x Senior Planning Officers
- 2 x Planning Officers Career Graded
- 2 x Planning Assistants Career Graded
- 1 x Senior Enforcement Officer
- 1 x Infrastructure Delivery Officer
- 1 x Tree Officer
- 1 x Drainage Engineer

Total 12

2.2 This level of staffing is correct for the number of planning applications being dealt with by the service.

2.3 There has, however, been a significant turnover in staff in the 18 month review period. The following table summarises this turnover showing that the service has only had a full complement of staff for 7 months of this period. Within this period the service has lost some of its most experienced planning officers. In total, 6 members of staff (or 50% of the service) have left the authority in a 12 month period. Sadly, one of the trainee planning officers is now leaving as she feels that planning is not a career she wishes to pursue. The reason for staff leaving was primarily to further their career or personal circumstances:

| <i>Month:</i>           | <i>Departing staff:</i>   | <i>Reason for leaving:</i>                                       | <i>New staff:</i>  | <i>Vacancies :</i> |
|-------------------------|---|--|--|--------------------|
| April 14 – September 14 | None  | N/A  | N/A  | 0                  |
| October 14              | 1 x Senior Planning Officer                                       | Promotion opportunity  | None   | 1                  |
| December 14             | 1 x Senior Planning Officer                                       | Family reasons to work closer to home                            | None (Internal promotion December)                                 | 2                  |
| January 15              | 1 x Planning Assistant<br><br>1 x Infrastructure Delivery Officer | Relocation to London for personal reasons<br>Left for more money | None   | 4                  |
| April 15                | None  | N/A  | 1 x Senior Planning Officer<br>1 x Infrastructure Delivery Officer | 2                  |
| May 15                  | None  | N/A  | 2 x Planning Assistants  | 0                  |
| July 15                 | 1 x Senior Planning Officer                                       | Relocation north for personal reasons                            | None (Internal promotion August)                                   | 1                  |
| September 15            | 1 x Planning Officer  | Opportunity to experience working for another authority          | None   | 2                  |

- 2.4 Recruiting staff to replace the vacancies has proved to be extremely difficult, with market demand for planning staff outstripping supply. All Surrey authorities have struggled to fill posts, especially at a more experienced/ senior level. This has meant that authorities have had to become more inventive in staff retention, for example, by offering career graded posts and by internal promotions.
- 2.5 The service is exploring ways of tackling this recruitment issue. For example, the service has taken on two trainee officers, however this has a resource impact as they are currently attending a 2 year university course one day a week and require more management/mentoring support than other staff. In addition, the service has taken on agency staff but even here it has proved difficult to find suitable staff. The demand for such staff has further increased hourly rates in an already costly market. The original contract planner recruited withdrew the day before they were due to start and further interviews are now underway.
- 2.6 The lack of available staff is reflected in the decline of applicants for jobs. When the service advertised for a Planning Assistant in November 2013 there were 33 applicants and 6 candidates interviewed. This year there were only 7 applicants for the equivalent post (which actually now offers more benefits due to being career graded). On average, we now have less than 3 applicants per post and on three occasions we have had to re-advertise a post due to lack of applicants.
- 2.7 As a consequence of the above, there is greater pressure on the most experienced members of staff, including the Team Leader, who deals with the more complicated applications to take on a higher caseload than normal. The Development Manager has also had to take on application caseload. The consequences of this have been an impact on the quality of customer service, particular on the major applications, and difficulty in progressing service improvements.

### **3. Major Applications Received**

- 3.1 In the past 18 months, at the same time as difficulties with staff retention and recruitment, the number of major applications received has steadily increased. In particular, this has included larger housing developments. This situation reflects the general upturn in development activity as the economy improves. Recent key applications of note include the following:
- 3.2 Determined
- Pembroke House, The Broadway (92 bed care home) 13/0962
  - Land at Bisley Office Furniture (100 + dwellings) 14/0249 & 15/0035

- Krooner Park and Crabtree Park (football pitches) 14/0373 & 14/0893
- Kingsclear Nursing Home (90 bed care home) 14/0562
- 12 Streets Heath (60 bed care home) 14/0869
- The Ridgewood Centre, Old Bisley Road (100 dwellings) 14/0800
- Former BOC site (R&D circa 13,000 sq m, Green Belt departure) 15/0067
- Whitehall Farm, Kings Ride (64 bed care home) 15/0106
- Orchard Cottage, Shepherds Lane (65 bed care home) 15/0272
- Camberley Police Station (35 dwellings) 15/0175
- Little Heath Nursery, Little Heath Road (35 affordable dwellings) 14/0925

### 3.3 Non-determination appeals

- Land south of 24-46 Kings Road & 6-9 Rose Meadow (84 dwellings) 14/0532
- Land north of Beldam Bridge Road (85 dwellings) 14/0594

### 3.4 Pending decisions

- Land northeast Malthouse Farm (95 dwellings) 15/0445
- Heathpark Wood, Heathpark Drove (140 dwellings) 15/0590

## 4. Applications Performance

4.1 Ensuring high performance with major applications is vitally important given that the government now penalises poor performing authorities and can impose special measures. This can include, for example, the loss of a planning application fee income and for the Secretary of State to becoming the determining authority. In July 2015 the government issued revised performance criteria. The government assesses the speed of decisions in the following way:

- Threshold of 50% (amended from 30%) or fewer of major applications determined within the statutory determination period (typically 13 weeks) or within an extended period agreed in writing between the applicant and planning authority

4.2 Each assessment period is over a 2 year period and should be published this autumn (for the period April 2012 – March 2014). However, in September 2013 when the results were last published (for the period April 2010-March 2012) Surrey Heath was identified as the top 25% of authorities in England and Wales for speed of determining major applications (87.9%) and was the top performer in Surrey.

4.3 The following table shows the performance of the Authority quarter by quarter for the review period April 2014 – September 2015, for those planning applications monitored by the government:

|                           | Q1<br>2014 | Q2<br>2014 | Q3<br>2014 | Q4<br>14/15 | Q1<br>2015 | Q2<br>2015 | Average |
|---------------------------|------------|------------|------------|-------------|------------|------------|---------|
| Majors<br>(Target<br>60%) | 86%        | 100%       | 75%        | 100%        | 100%       | 91%        | 92%     |
| Minors<br>(Target<br>65%) | 74%        | 61%        | 59%        | 70%         | 73%        | 83%        | 70%     |
| Others<br>(Target<br>80%) | 86%        | 88%        | 78%        | 77%         | 78%        | 92%        | 83%     |

- 4.4 This table shows that on average the service is meeting all targets and for major applications and performing significantly above the target. By way of comparison, for April 2012 – March 2014 the major performance averaged 82%. Thus, despite staffing difficulties the service has actually improved its major application performance in the past 18 months. Extension of time agreements have partially assisted, also enabling the service to proactively work with applicants (and in some instances to make significant amendments to their submission). The changes to the constitution and delegation powers that were introduced in February 2015 have further assisted.
- 4.5 For those planning applications monitored by the government, numbers received have remained relatively consistent with earlier years. For the year April 2012 – March 2013 the service received 856 planning applications; 951 applications for April 2013 – March 2014; and, 898 applications for April 2014 – March 2015. For the first quarter of April 2015 – March 2016 the service received 245 applications. Since April 2012 the average number of applications received per quarter is therefore approximately 227.
- 4.6 Similarly, in respect of determined applications for April 2012 – March 2013 the service issued 747 decision notices; 858 for April 2013 – March 2014; and, 834 for April 2014 – March 2015. For the first quarter of April 2015 – March 2016 the service issued 226 decision notices. Since April 2012 the average number of decision notices issued per quarter is therefore 205.
- 4.7 However, the above figures do not reflect the actual workload being handled by the service. In the course of 2014 a total of 1220 planning applications were decided or 'closed'. This larger total number includes those applications that the government does not monitor such as non-material amendments, established use certificates, any withdrawn applications (some of which may get to committee before being withdrawn and thus involve considerable work) and invalid applications. Analysis of the figure for 2015 is not yet available.



## 5. Appeal Performance

5.1 The following table shows the appeal success of the Authority quarter by quarter for the review period April 2014 – September 2015:

|                       | Q12014 | Q2<br>2014 | Q32014 | Q4<br>14/15 | Q1<br>2015 | Q2<br>2015 |
|-----------------------|--------|------------|--------|-------------|------------|------------|
| Appeals<br>Determined | 7      | 5          | 10     | 7           | 6          | 6          |
| Appeals<br>Allowed    | 71%    | 0%         | 50%    | 14%         | 50%        | 0%         |

5.2 Surrey Heath is a small authority, with a relatively limited number of appeals, and so it only takes one or two appeals to be allowed in a quarter to significantly affect the performance. Of the 41 appeals determined the following 14 appeals (34%) were allowed:

- 14/0654 - Advert appeal (Roundabout junction at A325/Frimley Road/Frimley High Street, A325/Frimley Road, Surrey GU16 7AD);
- 14/0667 - Advert appeal (Roundabout Junction, A331 Frimley Business Park/Junction 4 of the M3 Slip Road, A331, Frimley, Surrey GU16 7SR);
- 14/0973 - Erection of 4 dwellings (21-25 Tekels Park, Camberley, Surrey GU15 2LE);
- 13/0789\* - Two additional flats with dormers (Former Fox Garage site, 331 Guildford Road, Bisley, GU24 9BE);
- 14/0162 - Green Belt householder extension (Meadow Croft, New Road, Windlesham, Surrey, GU20 6BJ);
- 14/0024 & 13/0573 - 2 appeals one for a Lawful Development Certificate and one for changing 2 dwellings into 1 (1 & 2 Laburnum Villas, Pennypot Lane, Chobham, Woking GU24 8DJ);
- 14/0615 - Green Belt householder extension (Besholme, Gracious Pond Road, Chobham, Woking, Surrey, GU24 8HL);
- 13/0146\* - 87 flats (Land at 371 London Road and 8-15 Frimley Road, Camberley, Surrey GU15 3BA);
- 13/0626\* - Hours of operation (Former BAE Systems Site, Lyon Way, Frimley, Camberley GU16 7ER);

- 12/0117\* - Change of use of existing grazing land to public informal open space (Land off Snows Ride, Windlesham, Surrey); and,
- 13/0214 - New dwelling in Green Belt (1 The Avenue, Chobham, Surrey GU24 8RU)
- 12/0812\* - Change of use to retail (103 Mytchett Road, Mytchett, Surrey GU16 6ES)
- 13/0771 - Advert appeal (Unit 12, Nelson Way, Camberley, GU15 3DH).

5.3 Of these 14 allowed appeals, 6 of these were reported to Planning Applications Committee. Of the 6 determined by Committee, 5 of them were Member overturns (denoted by \*).

## **6. Service delivery changes**

- 6.1 Within the review period there have been a number of significant changes to how the service is delivered, which has further impacted on officer workloads.
- 6.2 Firstly, in November 2014 the service took the first major step moving towards a paperless office. Officers no longer receive working files with paper plans but these are all viewed electronically. To assist with this, officers now have dual screens and measuring software. For officers this was a significant sea-change and took time to adjust to these new working practices. However, this working practice is not only more efficient but is saving the service money. Further work is currently being undertaken to further integrate this electronic working with the document management systems.
- 6.3 Secondly, significant improvements were made to the legibility and usability of the planning webpages. This work was undertaken to bring the pages up to date and also to improve the service provided for the public. This work was carried out in advance of the Council moving to a new web layout but had the benefit of being aligned with this.
- 6.4 Thirdly, the Community Infrastructure Levy (CIL) was adopted in July 2014 and took effect from the 1 December 2014. The responsibility for implementing this change fell to the service. This involved a significant amount of work ensuring that all the correct procedures were in place. This included working alongside the ICT department and Technical Support, software changes, staff and councillor training. After 6 months of operation, a review of internal procedures is underway to see if changes are required.
- 6.5 Fourthly, in April 2015 the government changed the sustainable drainage requirements for major developments introducing the Lead

Local Flood Authority (Surrey County Council) as a statutory consultee. Whereas as previously drainage requirements could be conditioned and dealt with at a later stage, drainage requirements now need to be frontloaded and dealt with at the time of the application. This has had a significant impact on officers determining major applications and has been the principal reason for having to seek extension of time agreements.

## **7. Enforcement, Tree and Drainage work**

- 7.1 The service has one full time: Enforcement Officer, Tree Officer and Drainage Officer respectively; and, as a result there is very little resilience in the event that one of these officers is away.

### Enforcement

- 7.2 The NPPF is clear that enforcement is a discretionary service and so with a limited resource we have to prioritise cases which cause the most serious breach. Whilst, the Local Enforcement Plan introduced in August 2014 sets a priority based system for responding to complaints this cannot legislate for all scenarios, particularly when there is a continued expectation of the service to take action, despite its limited resource.
- 7.3 There have been a number of high profile enforcement cases during the review period. This has included, for example, the continued action against the unauthorised dwelling at Hook Meadow which included officers visiting the High Court in autumn 2014; and, the change of use of the dwelling at 103 Arethusa Way which involved a significant amount of officer resource and is currently subject to an enforcement appeal. Further major cases are currently under investigation.
- 7.4 In the last 18 months 272 cases have been logged for enforcement investigation. However, there is a backlog of some 50 cases awaiting entry onto Acolaid (the planning applications software). Work is underway with the Contact Centre to put in place a system for improved call logging, online forms for the public and for the Contact Centre to undertake case entry onto Acolaid rather than the Enforcement Officer.
- 7.5 The Council has an adopted enforcement strategy which prioritises casework. However, complainants expect all cases to be dealt with and this is not possible with the current resource, which has led to customer dissatisfaction.
- 7.6 The Council does not have a dedicated compliance officer and this work is also currently undertaken by the Enforcement Officer. Work on compliance checking will increase as recent major planning permissions such as FC Brown at Bisley and next year PRB Deepcut, begin construction.

- 7.7 The processes, procedures and resources of the Enforcement Service are currently being reviewed.

#### Trees

- 7.8 For the review period April 2014 – September 2015 the service received a total of 585 new applications for works to protected trees. This equates to an average of approximately 32 new applications per month. In addition, the Tree Officer also assessed tree surveys submitted with planning applications, provided advice to planning officers with discharging planning conditions and provided informal advice. It is estimated that the Tree Officer has had a degree of involvement with some 50% of planning applications received.

#### Drainage

- 7.9 The work undertaken by the Drainage Officer to improve Surrey Heath's flood resilience continues, for example in Chobham, with grants being secured from the Environment Agency. There is, however, greater pressure on the Drainage Officer with the introduction of SUDs and the Lead Local Flood Authority (LLFA) regime and this inevitably will impact on future ability to undertake flood mitigation work in the Borough.
- 7.10 Since 1<sup>st</sup> April 2015, 15 planning applications involving SUDs have been received, that is major schemes where drainage has to be considered before the application can be approved. In virtually every case incorrect information has been submitted requiring revisions to the scheme (frequently more than one) and meetings with the developer to resolve problems, thus delaying decision making. In addition there is still a requirement to discharge drainage conditions and some 40 planning applications have required this since April 2015. A review of the impact of these changes on the drainage function will be undertaken in due course.

### **8. Objectives for coming year**

- 8.1 In order to improve performance a number of initiatives are being considered for the coming year, these include the following:
- Review of enforcement service;
  - Further improvements to electronic working;
  - investigation of on-line training resources;
  - Design Panel (i.e. the NPPF recommends that a local planning authority has local design review arrangements in place for major projects);
  - Review of Drainage service, including a 5 year strategy; and,
  - Recruitment and retention initiatives for planning staff.
- 8.2 These initiatives form part of a wider Service Plan for the department which is an internal document only which sets out the direction of travel

and objectives for the next three years (2014 -2016). This will be reviewed in 2016/17.

- 8.3 It is also proposed that there will be Member training held this autumn and early next year. This will include training from the County Highways Authority.

|                               |   |
|-------------------------------|---|
| <b>Annexes</b>                | None  |
| <b>Background Papers</b>      | None  |
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