

## Monitoring Report

Portfolio:	Regulatory
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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 Development Management service since October 2015**

### 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 2014 – 30 September 2015 was reported to Planning Applications Committee on the 13 October 2015. This report will provide an update on matters since October 2015 with planning application performance figures provided up to the end of the 2015 financial year i.e. 31 March 2016.

## 2. Major Applications Received

- 2.1 The number of major applications remains high. Since October 2015 there have been some particularly controversial development proposals reported to committee, including reserved housing sites. These types of applications demand significant office resource and, by their very nature, have generated appeal work and also a legal challenge. Key applications of note include the following:

### 2.2 Determined

- 15/0445 - Full application for 95 dwellings on a reserved housing site (Land northeast Malthouse Farm, Benner Lane, West End, refused 15/10/15)
- 15/0272 - Outline application for 65 bed care home, doctors surgery and bungalow, Green Belt departure (Orchard Cottage, Shepherds Lane, Windlesham, referred to SoS and approved 14/12/15);
- 15/0849 - Continued use of the existing site for industrial use and revised access (Frimhurst Farm, Deepcut Bridge Road, refused 15/1/16);
- 15/0884 - Outline application for 85 dwellings on a reserved housing site (Land north of Beldam Bridge Road, West End, approved 10/3/16); and,
- 15/0590 - Outline application for 140 dwellings on a reserved housing site (Heathpark Wood, Heathpark Drive, refused 18/3/16)

## 2.3 Pending decisions

- 15/0162 - Reserved matters for infrastructure, central SANGS and Village Green (Princess Royal Barracks, Deepcut)
- 15/0994 - Full application for 40 dwellings (Woodside Cottage, Chapel Lane, Bagshot)
- 16/0323 - Outline application for 85 dwellings (Land north of Beldam Bridge Road, West End)
- 16/0389 - Erection of 35 affordable dwellings (Little Heath Nursery, Little Heath Road)

## 3. Applications Performance

- 3.1 The following table summarises the performance of the Authority quarter by quarter from 1 April 2014 – 31 March 2016. These are the statutory returns i.e. those planning applications types reported to the government:

	Q1 2014	Q2 2014	Q3 2014	Q4 14/15	Q1 2015	Q2 2015	Q3 2015	Q4 15/16	Average
<b>Majors (Target 60%)</b>	86%	100%	75%	100%	100%	91%	<b>100%</b>	<b>100%</b>	<b>94%</b>
<b>Minors (Target 65%)</b>	74%	61%	59%	70%	73%	83%	<b>83%</b>	<b>50%</b>	<b>69%</b>
<b>Others (Target 80%)</b>	86%	88%	78%	77%	78%	92%	<b>87%</b>	<b>80%</b>	<b>83%</b>

- 3.2 This table shows that on average the service is continuing to meet and better all government targets, in particular major applications.

## 4. Planning Appeal Performance

- 4.1 The following table shows the appeal success of the Authority quarter by quarter from 1 April 2014 – 31 March 2016:

	Q1 2014	Q2 2014	Q3 2014	Q4 14/15	Q1 2015	Q2 2015	Q3 2015	Q4 15/16
<b>Appeals Determined</b>	7	5	10	7	6	6	<b>4</b>	<b>14</b>
<b>Appeals Allowed</b>	71%	0%	50%	14%	50%	0%	<b>50%</b>	<b>21%</b>

- 4.2 This table shows that there has been a spike in the number of appeals lodged and determined in the past quarter. Defending appeals is resource hungry and puts additional strain on an already stretched service. For example, officers are currently

preparing for a number of public inquiries including the Hook Meadow appeal scheduled for July, and Frimhurst Farm.

4.3 Five appeals have been allowed since October 2015 to the end of June 2016 and these are listed below:

- 13/0173 - Temporary change of use of the land to two pitches for gypsy families (Stonehill Piggery, Dunstall Green, Chobham, allowed 18/11/15);
- 14/0532 - Erection of 84 dwellings on reserved housing site (Land south of 24-26 Kings Road and 6 & 9 Rose Meadow, West End, Woking, allowed 17/12/15)\*;
- 14/0931 - Certificate of Proposed Lawful Development for a two storey front extension (Pond Cottage, Chertsey Road, Windlesham, allowed 7/1/16);
- 15/0705 - Erection of detached garage to front of house (Crown Land House, Maultway North, Camberley, allowed 1/2/16 ); and,
- 15/0153 - Erection of one pair of 3 bed semi-detached dwellings (Land r/o 4, 6 & 8 MacDonald Road, Lightwater, allowed 8/3/16).

4.4 Of these allowed appeals the Stonehill Piggery and Kings Road decisions were particularly controversial. The Stonehill Piggery decision is currently subject to legal challenge due to the Inspector's interpretation of development within 400 m of the SPA; and, as Members will recall, the Kings Road decision concluded that the Authority could not demonstrate a 5 year housing supply.

4.5 Appeals of note dismissed since October 2015 include the following:

- 14/0675 - Erection of outbuilding & shed with additional parking (Brickmakers Arms, Chertsey Road, Windlesham, dismissed 7/1/16);
- Enforcement Notice appeal - Change of use of premises for business purposes (103 Arethusa Way, dismissed 7/3/16);
- 13/0435 - Variation of retail conditions relating to former Notcutts site (150-152 London Road, dismissed 31/3/16)\*; and,
- 15/0479 - Development of 10 three bed dwellings (69 James Road, Camberley, dismissed 21/4/16)\*

4.6 Those applications marked with an asterisk in paragraphs 4.3 and 4.5 above are major developments.

## 5. Enforcement Performance

- 5.1 The following table summarises the number of Enforcement Notices issued per year since 2013:

2013	9
2014	2
2015	9
2016 (to date)	3

- 5.2 Whilst the number of notices issued may appear low this does not account for cases which are resolved by other means including officer negotiation, voluntarily compliance and submission of retrospective applications. The issuing of notices should always be the last resort and must meet the expediency test. By comparison, the following cases have been received per annum, all of which need to be investigated and actioned:

2013	130
2014	217
2015	124
2016 (up to end of May)	54

- 5.3 As reported last October, the service only has one full time enforcement officer for the entire Borough and therefore resources have to concentrate on the most serious breaches. In order to issue enforcement notices and defend enforcement appeals there is also a necessity for significant planning officer input and this has put further pressure on planning staff.
- 5.4 In October a full enforcement review was carried out and this identified a number of areas where improvements should be made. Work has commenced on this including steps to tackle the backlog and improve processes. In addition, resource in the Council's Audit and Investigations team is being used to assist with monitoring and compliance site visits.

## 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 (to date)	182	30

- 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. During the same period a total of 6 tree appeals were determined. The success rate on appeal was 5 out of 6, or 83% dismissed.

## **7. Drainage**

- 7.1 It is now over 18 months since the Lead Local Flood Authority (LLFA) was introduced with the statutory responsibility for commenting on sustainable drainage (SUDS) for major developments. The Council's Drainage Engineer is working closely with the LLFA and work has gone into ensuring that the LLFA comments on planning applications fully take into account localised drainage issues. Since last reporting consultation processes have been amended so that there is a consistency in advice between the Council Engineer and the LLFA. This marrying up of resource is improving the service offered to developers.
- 7.2 As previously advised the Council Engineer has secured monies from the EA for further flood improvement works in the Borough. Further discussions are required with the EA and LLFA to programme this work; and, with the LLFA in respect of other projects including finalising drainage works at Lightwater. Other work recently completed includes drainage improvements to the car park at Frimley Lodge Park, various works at the Council's SANGS sites including Chobham Meadow, and finalising the attenuation facilities at Chobham Common with the Surrey Wildlife Trust.

## **8. Staff Turnover & Recruitment**

- 8.1 A key issue in the performance of the service is the number of planners available. When the team is fully staffed the average caseload per officer is now 200 per year as compared with the government view that 150 cases per officer should be aimed for. Following budgetary review, funding for 2 posts was removed for 2016 and for the remaining vacancy there have been delays with recruitment. As reported in October 2015 the service has been relying on agency staff to fill the gap, although it has proved difficult to find staff. One contractor was employed for a 6 month period but left at the end of April. A replacement contractor has been employed since May.
- 8.2 Whilst the supply of planning officers is improving from what was previously reported there remain difficulties with recruitment, particularly at the senior level. The service recently advertised for the trainee officer vacancy and was unsuccessful in finding a suitable candidate during the first rounds of interviews. Following re-advertisement and second round of interviews this post has now been filled and this trainee will start working with Surrey Heath this summer.
- 8.3 As a consequence of the above, the service remains under considerable pressure. There remains a necessity for the Team Leader to take on a caseload of applications and for the Development Manager to take on a caseload. This continues to impact on the quality of customer service, particular on the major applications, and has made it more difficult to progress service improvements. An important issue for customer service is the speed of decision making with the focus on progressing applications monitored by government to avoid repayment of fees or government intervention in the service.

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