

PERFORMANCE AND FINANCE SCRUTINY COMMITTEE

Planning and People Portfolio Update

Portfolio	Planning and People
Ward(s) Affected:	All

Purpose

To provide a progress report on the Planning and People Portfolio for 2019/20 and first six months of 2020/2021

Portfolio: Planning and People

Wards Affected: N/A

Recommendation

The Committee is requested to consider and comment on the update on work areas contained within the Planning and People Portfolio.

1. Background

- 1.1 The Planning and People Portfolio comprises the following service areas: Corporate Enforcement, Drainage, Planning Policy and Planning Enforcement services. In addition for the sake of completeness a brief update on performance for the Development Management Teams is also included.
- 1.2 No report was presented to P&F during 2020 for this portfolio. This report therefore covers the period 2019/20 and the first six months of 2020/21. During this time period Covid 19 has significantly affected the work of the team. In early 2020 most staff were spending 50% of their time supporting welfare calls, with an impact on workloads. In addition, staff have rapidly adapted to working remotely with most staff now working at home and rotas in place for attendance at the office. A summary of the key issues arising for each of these areas is set out below.

2 Planning Policy and Conservation

- 2.1 The key work area for this team is the production of the new draft Local Plan. The Issues and Options document was published for public consultation in 2018. Work on the identification of further sites to accommodate the identified housing needs is challenging in view of the environmental and planning constraints in the Borough. This resulted in a significant shortfall in land for new homes in the published Draft 2018 Local Plan. Further work including production of evidence base studies, development of draft Local Plan policies and identification of sites for development is underway and reported to the Local Plan Member Working Group. The identification of new sites for new homes is a continuing challenge and the lack of SANG to mitigate new homes located in the West of the Borough is a significant constraint. The two issues that have provoked the most comment are the identification of the strategy for

the location of future new development and addressing the needs of the Gypsy and Traveller community.

- 2.2 The delivery of new housing continues to be a priority for the government. As at 31st March 2020 the Council had a 5 year supply of housing land as required by the Government but by Summer 2020 this had again disappeared as both new development and larger planning applications failed to come forward. The 5 year housing land supply paper (August 2020) sets out that the Council can demonstrate a 4.85 year housing land supply.
- 2.3 The team produces an Annual Monitoring Report which records, amongst other data, housing completion rates in the Borough. In the last 5 years overall housing completion rates have been as follows.

Year	Net completions	Objectively Assessed Housing Need Target
2014/2015	187	191(Core Strategy figure)
2015/2016	305	191
2016/2017	226	382 (2016 SHMA figure)
2017/2018	224	382
2018/2019	361	332 (Government standard methodology figure)
2019/2020	376	332 (Government standard methodology figure)

Overall, there has been a shortfall in completions of 131 units against the targets, over the period 2019 to 2020. However, the targets have been changed by Government over time and the latest figures show that compared to the 2019/2020 target there is a surplus of 44 units.

- 2.4 For affordable housing overall, the completion rates have been significantly below the target, which is set at 35% of all net new homes, as shown in the following table. However, last year 2019-20 the target for the delivery of 35% affordable homes was met.

Year	Affordable Housing Completions	Target (35%)
2014/2015	6	65
2015/2016	21	107
2016/2017	74	79
2017/2018	36	78
2018/2019	93	126
2019/2020	132	131

- 2.5 The main reason for failure to provide affordable housing in line with the target is viability and this continues to be a challenge. All viability assessments provided by developers are independently checked before any agreement over a reduction in contributions is reached. The proportion of homes delivered on Prior Approval sites and on smaller sites of less than 10 dwellings also impacts on affordable housing delivery as there is no requirement to deliver a proportion of affordable homes on such sites. Last monitoring year 2019-20 was marked by a significant increase in the proportion of affordable homes delivered to meet the 35% target.

- 2.6 Part of the housing work also includes looking at the need for Gypsy and Traveller pitches. The latest Gypsy and Traveller Accommodation Assessment (2020) is published on the Council's website. This work is being taken forward through the emerging Local Plan, but the identification of suitable sites is challenging. Work on the need for a Transit Site continues to be taken forward through Surrey County Council.
- 2.7 The team also supports the work around the Thames Basins Heaths Special Protection Area, including work with partner local authorities, monitoring of SANGs capacity and work to look at alternative avoidance measures. A report on the issue of alternative measures commissioned by Hart, Rushmoor and Surrey Heath Councils will be published in early 2021, although SANG is likely to continue to form a key element of future mitigation measures. The lack of SANG capacity for the West of the Borough is a significant issue for the current delivery of new homes and in particular the future delivery of new homes. More land for strategic SANG needs to be identified and acquired to support the delivery of homes in the West of the Borough, including homes in Camberley Town Centre. The lack of SANG in the short, medium and long term is therefore a very significant issue. Officers are seeking suitable SANG capacity to mitigate the identified shortfall.
- 2.8 Staffing has proved to be a challenging issue for the team. In addition to staff time lost supporting Covid 19 work in the first half of 2020, the team has had staff on maternity and paternity leave. In combination this has slowed down the work on the Local Plan. As a result, a revised timetable is being prepared and the draft key stages and dates for preparation are set out in the following table:

Local Plan preparation Stage	Date
Consultation on Issues and Preferred Options	Summer 2018
Consultation on a Draft Local Plan (Regulation 18)	September – October 2021
Consultation on a Pre-Submission Local Plan (Regulation 19)	May – June 2022
Submission to the Secretary of State for Examination	October 2022
Inspectors Report ¹	May 2023
Adoption	July 2023

The Government has set a requirement for up-to-date Local Plans to be in place by December 2023 or risk Government intervention in the plan making process.

- 2.9 In Summer 2020 the Planning Policy and Conservation Team took on the lead role for Climate Change, including developing a Climate Change Action Plan. At present there is no additional resource within the team to support this area of work, which place constraints on the capacity for the delivery of further actions.

3 Planning Enforcement Policy

- 3.1 Although unauthorised development activity within the Borough continues to be a key source of complaints to the Council from both the general public and Elected Members, it should be noted that planning enforcement is not the only subject competing for the Corporate Enforcement team's attention. The small team have a substantial remit for their size that includes unauthorised encampments, abandoned vehicles, fly grazing, dog on dog attacks, littering, fly tipping, dog fouling, as well as other matters that fall into

anti-social behaviour (e.g. high hedges, nuisance / inconsiderate parking, untidy land, noise related matters). Finally, the team also deal with requests for assistance from other council departments and Surrey Police.

- 3.2 A dedicated Senior Planning Enforcement officer was recruited in October 2020 to support the Corporate Enforcement Team and to oversee the preparation and serving of formal notices. At approximately the same time a Senior Corporate Enforcement Officer was recruited to fill a vacancy that had remained outstanding since March 2020. Both officers are bedding in well, and together with the rest of the team have been working extremely hard in addressing an inherited backlog of historical planning enforcement cases.
- 3.3 The Local Enforcement Plan (LEP) was redrafted, presented and approved by Executive in December 2020. Following a call in by Councillors Alleway and Wheeler representations were made to P & F Committee on 5th January 2021. The resulting recommendations will return for Executive approval in February 2021.
- 3.4 It is acknowledged by the department that customer service and communication is vital when managing public expectations. Consequently, the team is continuing to focus on this area for improvement. Moving forward it is acknowledged that when and where appropriate Officers engage more effectively with Elected Members to ensure greater transparency in the eyes of the public, as this is key to maintaining the integrity of the planning system.

Planning Enforcement 2020 cases:

Case type/action	Number
Total number of referrals received	186
No breach found	92
Breach ceased/compliance achieved	38
Not expedient to pursue	12
Requisition of Information Notice served	4
Formal Notice served	1
High Court Injunctions	1
Planning permission submitted and granted	17
Planning permission submitted yet to be determined	15
Planning permission refused (Retrospective)	1
Planning permission refused/ Allowed on appeal	0
Planning permission refused/ Appeal in progress	0
Open investigations	29
Not yet visited	0
TOTALS	186

4 Drainage

- 4.1 This is a one man service responsible for maintenance of Council owned land drainage assets, providing drainage advice for residents, comments for planning applications, and working with developers and partner authorities to address any flooding issues within the Borough. No property flooding has been reported in 2020/21.
- 4.2 The Engineer has continued to work on various Environment Agency funded (DEFRA) flood alleviation schemes around the Chobham area. There were

five SHBC proposed scheme areas that were approved for DEFRA funding, supported by the Environment Agency. Three of these scheme areas will be completed by April 2021. The remaining work is ongoing, expected to be complete end of 2021/22.

- 4.3 Further flood alleviation measures are to be provided as part of the wider Chobham Flood Alleviation Scheme (FAS). The SHBC design for flood alleviation within the Chobham Water Meadows (SANGS) site is still under review by the Environment Agency. This project has lead the Environment Agency to undertake a review of watercourse within the villages upstream of Chobham, including recent studies of Bagshot, Bisley, Lightwater, Windlesham, and West End areas.
- 4.4 Work is due to commence this winter on the flood alleviation project for Pennypot Lane at West End. Some details of this project have been revised since the allocation of funds from the drainage reserve due to a change of landowners at 2 of the affected properties. Associated watercourse work that can still progress will be undertaken before April, and a revised scheme for the changes will be finalised for Executive Committee approval.
- 4.5 In addition to the above, a lot of time has been spent commenting and providing drainage comments for planning applications. One of the most time consuming has been providing of advice for the Mindenhurst development at Deepcut, in-particular the adoption process. SHBC has never previously taken responsibility for developer built surface water drainage and SUDS systems so this process is new and untested. SHBC design details for the majority of the proposed development assets did not exist, neither does any pricing structure for future funding calculations. Bespoke adoptable SHBC details have been produced for the developer, designed to work with the principals of their design proposals. After much negotiation, the details of the scheme are now being finalised to SHBC adoptable standards. The Village Green Pond within the development (not part of the approved SHBC design) failed in Autumn 2020 rainfall, and lead to an excess of surface water discharging onto the highway. Work is underway with the developer to address issues identified with their scheme and retrospectively make changes to engineering details in-line with SHBC recommendations.
- 4.6 Over the last year, Covid 19 has affected the ability of contractors to undertake some works on site. There remains concerns for some work areas, where suitable distancing measures cannot be easily implemented. All work areas are now reviewed for the additional safe working and distancing measures required. There have been furlough of some contractors which has resulted in a backlog of maintenance and project work that is currently being addressed. However, there remains general and ongoing supply and process delays throughout, as a result of the Covid restrictions.
- 4.7 The legal action taken against the council for maintenance of the 'Tomlin Order' watercourse, was unsuccessful. After a prolonged legal process the council was proven not to be at fault and has been awarded costs.

5 Land Charges

- 5.1 This service provided 1,981 Land Charges searches last year compared with 2,100 the year before. Most were provided within 24hours, well within the target of 3 days. Numbers of searches have continued to decline as the

housing market has further slowed down due to Covid which impacted on the income in February and March 2020.

- 5.2 As a result, income has declined from £203,000 in 2017/18 and £193,000 in 2018/19 to £184,000 in 2019/20. Under regulations, This service is not allowed to make a profit or surplus and income over the previous 3 year period has meant it is self funding with surplus reinvested in software upgrades for the service. However, income in 2020/21 is being carefully monitored due to the impact of Covid on house sales and to date income has continued to decline.
- 5.3 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. The project continues to move very slowly and it is not now anticipated that Surrey Heath will now be incorporated until 2025 at the earliest.
- 5.4 This team also supports the Development Management team with the processing of planning applications. The team is currently not fully staffed.

6 Development Management

- 6.1 The overall numbers of planning applications received in 2019/20 remains consistent with previous years but the impact of Covid19 in February and March affected income. In 2020 whilst overall numbers appear little changed is the medium to large planning applications which bring in most of the service income and a decline in these has significantly affected income and this is being closely monitored. Table 1 below compares planning applications performance over the past 3 years.
- 6.2 The Princess Royal Barracks development continues to generate significant work for the team. The development of the site continues to be delayed and the Army are now expected to have left the site by March 2021. The site presents significant challenges and land contamination, housing viability and drainage have proved to be particularly contentious issues.
- 6.3 As the work of the Development Management Team becomes more complicated due to information now required to support planning applications and to address expectations of the public, it is becoming increasingly difficult to support the funding of the extra staff needed within the allocated salaries budget.
- The government funding received in 2017/18 for design work post has now been fully spent. However, this resource has been very useful in supporting design improvements for major schemes and will be particularly useful as the Council moves forward with work on Camberley town centre.
 - A planning enforcement officer has been recruited to support the work of the Corporate Enforcement Team to address member concerns over enforcement.
 - Finally, a tree consultant has been retained to support the work of the Councils Tree Officer as the workload for that post has for some time been too much for one person.
- 6.4 Funding for all of these posts was from surplus income, but this has been lost due the downturn during the Covid 19 pandemic. Funding for these posts will

be reviewed and monies in any other budgets used to support them where possible.

- 6.5 It is also worth noting that the planning appeals budget it overspent and going forward, thought will have to be given to how and whether the Council defends refusals at Inquiry or Hearings. .
- 6.6 Finally, a key challenge for this team remains recruitment of planning officers. Once again agency staff are being used to address immediate problems.

Table 1 Development Management performance

	2017/18					2018/19				2019/20				2020/21		
	<u>Target</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Q1**</u>	<u>Q2**</u>	<u>Q3</u>
Majors Performance	(60%)	89%	91%	85%	93%	100%	100%	100%	92%	67%	50%	70%	71%	50%	57%	
Minors Performance	(65%)	83%	90%	87%	91%	83%	92%	85%	90%	86%	87%					
Others Performance	(80%)	87%	90%	95%	90%	91%	92%	88%	89%	90%	84%					
Minors/Others Performance	(80%)											85%	82%	78%	73%	
% Appeals allowed		43%	36%	56%	29%	14%	11%	11%	44%	27%	18%	33%	22%	50%	100%*	
% Appeals allowed – Committee		100%	33%	50%	0%	100%	0%	0%	50%	0%	100%*	0%	33%	100%*	100%*	
% Appeals allowed - Delegated		33%	25%	57%	29%	0%	100%*	11%	43%	30%	10%	38%	17%	33%	0%	
No. Planning Apps Received		246	218	218	228	241	288	179	173	186	178	194	237	155	225	
No. Planning DNs Issued		215	221	251	199	224	212	197	164	203	178	157	166	149	171	

*One item

** Impacted by Covid-19. A corporate decision was made for all planning officers to undertake daily welfare calls during March to June 2020