

# Planning and People Portfolio Update

## Summary

To provide a progress report on the Planning and People Portfolio for the first six months of 2021/22

**Portfolio:** Planning and People

**Wards Affected:** All

## Recommendation

The Performance and Finance Scrutiny 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: Planning Policy, Development Management, Building Control Land Charges Planning Enforcement and Drainage.
- 1.2 This report provides a further update since the last report which was presented in January 2021. This report therefore covers the first six months of 2021/22. During this time period Covid-19 restrictions were in place, however, the last couple of months of this 6-month period, government restrictions have lessened. During this period, officers have returned back to their job roles within the organisation following the requirement to support welfare calls at the height of the covid-19 pandemic.
- 1.3 Looking forwards, the council has adopted a corporate policy in working in the office one day a week, however, the majority of staff are still working from home, given the ongoing flexibility this has given officers and the efficient ways staff have adapted in adopting a more agile working condition in their lives within the local authority. 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 continues to be the production of the new Surrey Heath Local Plan which will cover the period 2019 - 2038. An Issues and Options document was published for public consultation in 2018 and the team is now working towards a further draft Local Plan consultation.
- 2.2 Over the previous 6 months further draft policies have been prepared and discussed with the Local Plan Working Group (LPWG) and additional evidence including on flood risk, town centres and climate change has been completed. The remaining key areas of work are the consideration of additional housing sites to meet the current shortfall and the identification of Gypsy and Traveller sites.

- 2.3 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. The team held a 'Call for Sites' late 2020/21 but the outcome of this continues to show a shortfall in capacity from available and suitable sites in settlements and the countryside. Officers have been undertaking discussions with neighbouring authorities with regards to meeting unmet needs as part of the statutory 'duty to co-operate'. 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.
- 2.4 The delivery of new housing continues to be a priority for the government. As of 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. This remains unchanged although a new 5 Year Supply Paper will be produced later this year.
- 2.5 The team produces an annual Authorities 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 shown in Table 1 below.

**Table 1: Previous 5 Years' Housing Completion vs Target**

Year	Net completions	Objectively Assessed Housing Need Target	Net cumulative difference vs target
2014/2015	187	191 (Core Strategy figure)	-4
2015/2016	305	191	+110
2016/2017	226	382 (2016 SHMA figure)	-46
2017/2018	224	382	-204
2018/2019	361	332 (Government standard methodology figure for the monitoring year)	-174
2019/2020	376	332 (Government standard methodology figure for the monitoring year)	-130
2020/2021	352	327 (Government standard methodology figure for the monitoring year)	-106

- 2.6 Overall, there has been a shortfall in completions of 106 units against the targets, over the period 2014 to 2021. However, the targets have been changed by Government over time and the latest figures show that compared to the 2020/2021 target there is a surplus of 25 units.

- 2.7 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.

**Table 2: Affordable Housing Completions**

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
2020/2021	39	123

- 2.8 One of the main reasons for the 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. Another key reason is the proportion of homes delivered on Prior Approval sites and on smaller sites of less than 10 dwellings significantly impacts on affordable housing delivery as there is no requirement to deliver a proportion of affordable homes on such sites.
- 2.9 Part of the Local Plan 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 and shows a significant need for Gypsy and Traveller pitches despite a recent permission for two additional pitches at Lightwater. As with housing sites, the identification of suitable sites for Gypsies and Travellers is challenging. Following discussion at the LPWG officers will shortly undertake a specific 'Call for sites' for potential Gypsy and Traveller sites.
- 2.10 Work on the provision of Transit Sites continues to be taken forward through Surrey County Council (SCC). At a SCC Cabinet meeting on 1<sup>st</sup> June 2021<sup>1</sup>, the Cabinet resolved that £1.2 million be allocated for the delivery of a Transit Gypsy and Traveller site in Tandridge District located between Merstham and Bletchingley. The Cabinet also resolved that £2.6m will remain in the Medium-Term Financial Strategy pipeline for further GRT Transit Site projects/works.
- 2.11 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 is due to be published, however there have been no significant changes proposed to the existing approach. 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 longer-term 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 including exploring acquiring additional capacity from neighbouring authorities and exploring opportunities to increase capacity on Council owned SANGs.

<sup>1</sup> <https://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CIId=120&MIId=7764&Ver=4>

- 2.12 A further area of significant work for the team has been responding to and disseminating new Government planning legislation, policy and guidance. This includes reports to Executive in September and October 2020 on proposed planning changes including a Planning White Paper which proposes significant planning reform. Other recent changes are to the Use Classes Order and to permitted development rights which have a particular significance for preparing town centre policies, as well as the recent introduction of First Homes and a revised National Planning Policy Framework and associated guidance.
- 2.13 There have been a number of staffing changes in the team in the last few months. This has resulted in a replacement full time Senior Planner, a new full time Planning Officer post as well as a new Climate Change Officer as set out below. However, despite this the challenges of meeting unmet housing need, identifying sites for Gypsies and Travellers and responding to national policy changes mean that the current published timetable for a Full Draft Plan consultation in October is difficult to meet. The need for a revised timetable has been discussed with the Local Plan Working Group. Despite any slippage to this stage, it is still envisaged that the Plan will be adopted in 2023 which is when Government expects up to date Local Plans to be in place.
- 2.14 In Summer 2020 the Planning Policy and Conservation Team took on the lead role for Climate Change, including developing a Climate Change Action Plan. The Climate Change Action Plan was developed in conjunction with the Climate Change Working Group and was published in March 2021. The Action Plan includes a total of 63 Actions (37 identified as high priority) across the themes of energy, transport, environment, behaviour change, operational and monitoring. The Council appointed a Climate Change Officer in June 2021 who is responsible for assisting in the delivery of the Action Plan.
- 2.15 Since the Climate Change Action Plan has been published, a number of actions have been progressed, including:
- Developing a project with the parking team to install electric vehicle charge points in Surrey Heath owned, operated car parks. This will be informed by an online survey which went live on the 9th of August and will run for a period of 4 weeks.
  - Working to update the SHBC carbon baseline to 2019/20 and provide emissions reporting for 2020/21.
  - Developing a framework to monitor the delivery of the Action Plan.
  - Increasing communications around climate change, working closely with the Media Team to support engagement, including updating the Sustainable Surrey Heath webpages and promoting The Great Big Green Week 2021 (18th – 26th September).
  - An e-learning module developed by Surrey County Council is now live and available for staff to access via Surrey Learn.

### **3. Planning Enforcement**

- 3.1 Since the last update the team have recruited a new Compliance officer who is due to start in September. This new officer will provide further expertise and grow the enforcement team to enable them to undertake and deal with the extensive outstanding enforcement cases within the borough.

- 3.2 Extensive discussions and training have been held between Corporate Enforcement and IT over the updating of internal procedures and how this would affect the usage of Uniform, the internal database on which enforcement investigations are recorded. These discussions have been very productive with extensive progress made in finalising these procedures. Extensive data input still remains outstanding (currently being reviewed) including, once further analysis have been undertaken over the overall internal procedures surrounding the Contact Centre and Planning Enforcement along with the introduction of Enterprise. This will be an invaluable addition to Uniform allowing reporting to be made easier for the management team and providing regular updates to members at planning committee. Due to there being high demand for the service provider IDOX, nationwide, it forecasted that the proposed installation and subsequent training will commence mid-January 2022.
- 3.3 In order to keep the Planning Applications Committee up to date on the Council's highest priority Enforcement investigations, it has been agreed for Officers to provide a quarterly update. This will also include an update on the progress made in setting up the Team's IT system and any other relevant matters that may affect Officers' workload.
- 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.

**Table 3: Planning Enforcement 2021 cases**

<b>Case type/action</b>	<b>Number</b>
Total number of referrals received	152
No breach found	63
Breach ceased/compliance achieved	108
Not expedient to pursue	20
Requisition of Information Notice served	0
Formal Notice served	1
High Court Injunctions	1
Planning permission submitted and granted	10
Planning permission submitted yet to be determined	11
Planning permission refused (Retrospective)	2
Planning permission refused/ Allowed on appeal	0
Planning permission refused/ Appeal in progress	0
Open investigations	39
Not yet visited	0
<b>TOTALS</b>	<b>152</b>

- 3.5 A Planning Enforcement update was given to the last planning committee on the 12<sup>th</sup> August 2021, where a comprehensive analysis of the outstanding enforcement cases was given. Members appreciated this update and thanked the enforcement team publicly for the continued efforts in dealing with these cases. Moving forwards, regular updates will be given outlining progress on these pending enforcement cases. Work pressures in the team remain high but progress is being made to overcome these historic cases.

3.6 An out of hours service to deal with unauthorised encampments that may occur or already be in situ at weekends/ Bank Holidays was agreed by Executive in July. The service which runs from 1st March until 30th September empowers lead officers to take key decisions to manage the encampment; i.e., arrange on site security as well as managing the public's expectations by liaising closely with the out of hours Communications Officer.

#### **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.

4.2 Covid 19: Due to the changing covid restrictions, works throughout 2020/21 were either delayed during times of lockdown and furlough, or revised to suit distancing requirements. In addition, the normal seasonal working restrictions that apply to watercourse intrusions have hindered completion of some works. There have also been difficulties in obtaining construction supplies and general delayed deliveries being experienced throughout the year. This has led to increases to costs and delays on-site. As lockdown and restrictions have eased, there are some supplies that still prove difficult to source so the 2021/22 works schedule is shown with options to continue a flexible approach that allows for potential future working restrictions and supply delays.

4.3 In order to keep some momentum of work during 2020/21, some isolated sections of work were commenced where the materials were available and suitable distancing measures could be respected. This work included the bringing forward of projects that were envisaged as being undertaken over future years, in-particular, replacement of concrete bag work headwalls and timber structures, with recycled plastic products. This work was undertaken at various SHBC owned locations, due to the maintained availability of recycled plastic products and the ability for contractors to work safely within restricted areas and away from members of the public.

4.4 Resilience Measures: During the winter of 2020/21 there were no reports of flooding that could be attributed to the Council's responsibility. All new flood defence and attenuation measures have performed as intended with only very minor problems being reported within the Borough.

4.5 Sandbag Containers these are sited at Lightwater Country Park and Chobham Fire Station, the containers have provided sufficient sandbag stocks to provide protection for properties since installation. Both containers offer a greater quantity of sandbags to be stored safely and in a protected environment to prolong life, ready for use close to vulnerable locations. The feasibility of locating a third sandbag store at Frimley Lodge Park, to serve the western side of the Borough, is currently being considered.

4.6 EA Chobham Flood Alleviation Study: The results of the Bourne catchment study have been discussed within joint meetings between this Council and Surrey County Council (SCC). The study concluded that they would be following the approach previously taken by this Council to consider a range of smaller catchment wide flood alleviation works that will reduce flows into the Bourne main river.

4.7 Department of Environment Farming and Rural Affairs (DEFRA) funded Chobham Flood Alleviation Works. Discussions are ongoing with the EA regarding the provision of further funding to enable completion of the previously identified flood defence works.

Work was identified at 5 areas around Chobham village centre that would either detain or expedite surface water flows to help protect property. However, these schemes were bought forward to suit the EA 6-year schedule and, due to the speed of design, there were additional works and cost increases that hadn't been fully considered. There was a contingency sum attached to the works and additional funds from this sum are expected to be provided through the EA during 2021/22, for completion of all the scheme areas identified.

- 4.8 Staple Hill Pond (James Osbourn Pond) the work was undertaken by the Council and substantially completed in 2020/21 utilising DEFRA funding with EA support and located on SCC land. Some delays were encountered with supplies and deliveries during the covid restrictions which added to contractor time on site. Additional work was also undertaken with the installation of a plastic sheet pile line through the pond attenuation embankment to ensure the future stability of the structure. Final works including surfacing of the access path and bridleway route is expected to be undertaken during the Summer of 2021 and the asset will then be handed over to SCC (as landowner).
- 4.9 Broadford Lane: Work has been completed with the upgrade of the open watercourse and culvert crossings to improve flows to main river from the Station Road junction, highway drainage systems and roadside watercourse.
- 4.10 Philpot Lane: Work has commenced with the clearance of boundary watercourses, restoration of connections to improve flows and the lowering of verge areas to off-set the highway flooding. Further work will be undertaken during winter 2021/22 to provide further ability for the verge areas to displace and attenuate surface water.
- 4.11 Emmetts Mill: Work has commenced with the upgrade of the open watercourse and culvert crossings. An additional watercourse route is to be upgraded in partnership with the private landowner, including the replacement of a bridleway culvert (by the Council) and 4 field access culverts (by the landowner). This work will reduce flood risk to property and highway by improving surface water flow options to main river.
- 4.12 Castle Grove Road: This is the last project area is and still to commence, expected to start summer 2021. The Castle Grove Road scheme is dependent upon additional funding (£65k) being agreed by the EA and the ability to implement works with distancing measures due to close proximity of, and working within, residential property. The work includes width restriction to a public footpath during construction.
- 4.13 New SHBC, EA and SCC Partnership Working: Following the EA flood study around Chobham and the upstream villages of Bagshot, Lightwater and Windlesham, the EA has proposed a joint working arrangement with SHBC and SCC to progress various small scale flood alleviation schemes. This proposal has been agreed to extend to flood alleviation works throughout the borough. The SHBC Engineer is providing details to the EA and SCC of various potential areas for consideration and discussions have commenced to investigate where surface water can be detained to off-set minor flooding issues, reduce pressure on existing drainage networks, and/or reduce the uncontrolled discharge to rivers.
- 4.14 Partnership Funding: Both the EA and SCC have confirmed they have funding streams available to undertake works during 2021/22 and it is proposed that SHBC utilises surplus funding from the Land Drainage budget to assist with the delivery of small scale projects, where it is considered appropriate for SHBC to make a contribution. Additional capital funds from the Drainage Reserve funds which currently stand at £383,750 may also be considered for larger scale works, subject to suitably

matched contributions from land, labour or funds. Where such works are identified these will be the subject of a separate report to the Executive for approval of the capital expenditure.

- 4.15 Pennypot Lane Flood Alleviation: Funding has been received from a developer upstream of Pennypot Lane to help alleviate flooding of highway and properties. An additional £40,000 of funding was previously approved by Executive to enable completion of work through private land. The proposal has subsequently been abandoned. This is because, following a change of landownership, it has not been possible to obtain approval for the works from the new landowner. Work has commenced with restoration of a section of watercourse and a new scheme is being considered to connect to this watercourse. The revised scheme involves work to main-river and a new highway culvert so it will seek to utilise funds from EA and SCC to supplement the developer contribution.
- 4.16 Lightwater Flood Alleviation: There is one area of flood alleviation work that remains to be undertaken to help reduce risk to properties in Ambleside Road. The installation of a new highway drainage connection is proposed and works are being discussed with SCC alongside potential funding options.
- 4.17 Lightwater Country Park: Following success in defending the Council against court proceedings taken by an adjacent landowner, flow control structures within the Tomlin Order watercourse have now been replaced. Recycled plastic control structures have been installed that will be more effective, offer a much longer lifespan and have an appearance more in-keeping with the surrounding country park.

## **5. Land Charges**

- 5.1 This service provided 1,072 Land Charges searches for financial year 2022/21 (April 2020 to March 2021) compared with 1995 in 2019/20 the year before. Numbers have continued to decline as the housing market was affected due to Covid but with Stamp duty holidays throughout this financial year there has been an increase of search requests between July and November.
- 5.2 As a result, income has continued to decline and although the overall income for the financial year ending in March 2021 was £203,377, there was a government grant of £45,989 for income loss support. However, income in 2021/22 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 roll out of the government project is continuing and they hope to begin the analysis of our data 2023/2024 and for the migration to be complete in 2025.
- 5.4 This team also supports the Development Management team with the processing of planning applications. The team is fully staffed.

## **6. Development Management**

- 6.1 The overall numbers of planning applications received in 2021/22 are significantly higher than the previous financial year due there being a considerable surge in householder planning applications due to more homeowners building extensions to their properties. This in turn has increased fee income to the department which is encouraging.

- 6.2 Workload remains high and increasingly officers are becoming reliant on extension of time agreements. In practice, therefore, decisions are not always made within the statutory period of 8 weeks for non-major applications or 13 weeks for major developments. Applicants are having to wait longer for a decision, particularly for major developments. The new Head of Planning priorities are to reduce the reliance of extension of times and increase the speed of decisions within the department, along with improving customer service in the team.
- 6.3 The Princess Royal Barracks development continues to generate significant work for the team. The site presents significant challenges and land contamination, housing viability and drainage have proved to be particularly contentious issues. Discussions on these matters are ongoing
- 6.4 Since the last performance update which was reported between 1<sup>st</sup> April 2019 to 31 March 2021, where current decisions were 67% for Majors and 84% for Non-Minors there has been a slight improvement in performance. The current statistics have improved for the last quarter, March to June 2021, 100% for Majors with Non-Minors remaining at 84%. Moving forward, performance figures will be regularly reviewed to make sure that decisions are issued more efficiently, increasing the speed of planning decisions together with improving on customer service within the Development Management team.
- 6.5 Due to the build-up of cases which have increased the backlog in the department, the Development Management team will be expanding the team on a temporary basis until March 2022, recruiting two planning officers focussing on reducing backlog and lead on the delivery of major cases. This will hopefully help to improve performance and customer service further.
- 6.6 Funding for all of these posts has come from income generation from the submission of planning applications and going forwards further income will be generated from Planning Performance Agreements on major developments, which will aid in growing the team further.
- 6.7 It is also worth noting that the planning appeals budget will need to be reviewed given the significant amount of work which is being generated from appeals which are being dealt with via planning inquiries for both Development Management and Planning Enforcement.

## **7. Building Control**

- 7.1 The Building Control is still retaining 70% of the market share in the borough and have been consistent in providing high customer service to applicants on Building Control applications and related matters.
- 7.2 The team have processed in total 355 application, successful enforcement on 33 sites where there have been unauthorised works. The team have attended to 7 dangerous structures and have carried out 2373 site inspections within the first 6 months of 2021.
- 7.3 The Building Control team is forecast to grow in terms of the overall market share in the future, have greater ability to provide a plan checking service across other authorities in England. The team currently provides this service to 3 partners. As a team they have identified further opportunities to expand this service and thereby increasing the overall income.