

**ITEM NO.****TO:** PLANNING & REGULATORY COMMITTEE**DATE:** 26 July 2023**BY:** PLANNING ENFORCEMENT TEAM LEADER**DISTRICT(S):** ALL**ELECTORAL DIVISION (S):****PURPOSE:** FOR INFORMATION**GRID REF:****TITLE:** ENFORCEMENT & MONITORING UPDATE REPORT**SUMMARY**

This report highlights Planning enforcement and monitoring work during the period from 1 April 2022 – 31 March 2023.

## **1 MONITORING OF AUTHORISED MINERAL & WASTE SITES AND THE COUNTY COUNCIL'S OWN DEVELOPMENT**

- 1.1 Surrey County Council as the County Planning Authority (CPA) has had a proactive system of monitoring authorised Mineral and Waste (M&W) sites for over 30-years. This includes monitoring development at the site and pursuing outstanding requirements of planning conditions, such as every day operational requirements as well as reminding operators of their requirement to submit details pursuant schemes, the latter being the mainstay of the monitoring input on the County Council's own development (Reg 3).
- 1.2 In April 2019, the system for monitoring was changed and site monitoring transferred from two dedicated Monitoring Officers (MO) to the planning officers in the Planning Development Team, in order to increase both individual's experience and the future resilience of the Planning Development team by improving their knowledge of working sites. Additional planning officers were recruited to provide extra capacity to facilitate this change.
- 1.3 Unfortunately this change was only partially successful, and despite the considerable long term benefits that come with Planning Development Officers' practical understanding of the mineral and waste sites improving significantly, a decision was taken to return to the previous approach with two dedicated monitoring officers. Problems arose as a result of a combination of the unforeseeable impact of the pandemic over 2 years (which initially prevented, and subsequently reduced significantly the number of site visits undertaken between 2020 – 2022 and speed at which matters were addressed), as well as having underestimated the impact of the site

monitoring on a relatively inexperienced team with Planning Development officers having to prioritise their application casework, and having to deal with new ways of working during the pandemic and then following the relocation from County Hall to Quadrant Court.

1.4 Site monitoring visits have been significantly affected:

80% of the scheduled site visits being completed in 2018/19

61% of the scheduled site visits being completed in 2019/20

\* 18% of the scheduled site visits being completed in 2020/21

40% of the scheduled site visits being completed in 2021/22

39%\* of the scheduled site visits being completed in 2022/23

\*May increase slightly as not all site visits recorded as yet.

The target for 2023/24 will be to resume the 80% achieved prior to 2019/20.

1.5 As of 1 April 2023, this work will revert back to sites being monitored principally by two Monitoring Officers, plus several Planning Development officers who are keen to maintain an ongoing participation in this area of work to improve their understanding of the minerals and waste industry. This is actively encouraged for continuity and personal development reasons. Rachel Coburn our Environment Enhancement (EE) Officer will assist officers monitoring sites subject to progressive restoration and deal wholly with annual visits to sites in aftercare.

1.6 Enforcement Officers will continue to deal with wholly unauthorised waste development on sites with no planning permission, working in partnership with both the Environment Agency and the relevant Local Planning Authority at all times, plus other regulators as and when appropriate.

## 2. Enforcement and Monitoring Team updates

2.1 In October 2022, John Gregory joined our team as our Planning Enforcement Technician, which has provided much needed support in logging complaints/enquiries, undertaking Land Registry searches, producing enforcement plans, and developing the Team's use of the MasterGov system.

2.2 In addition, Amanda Curtis joined the team in late January 2023 as a second dedicated Monitoring Officer and will work with Emma Chaplin. Whilst the monitoring performance in terms of the number of site visits undertaken will improve significantly over the next 12-months, getting on top of breaches will inevitably take a little longer.

2.3 Mitchel Pugh joined the team as a Principal Planning (Enforcement) Officer, which will mean that in time, the Enforcement Team will be more self sufficient in terms of obtaining planning policy input to notices, but to the involvement of planning officers in enforcement cases will continue, as this will continue to improve their knowledge and improve the resilience of the wider Planning Development Team.

- 2.4 Legal have also sought to recruit a Senior Lawyer to prioritise planning enforcement work as a result of the expected increase in enforcement cases due to the additional resources that have been made available, but unfortunately this position has not been filled to date. Legal will appoint external contractors as and when required to deal with Enforcement work if the current legal team are unable to provide sufficient resource.

### **3 ADDRESSING ISSUES AT AUTHORISED MINERAL & WASTE SITES**

#### **3.1 Former NJB/Skip It site, Epsom Chalk Pit, College Road, Epsom:**

The Secretary of State decided no call in was necessary and the CPA's decision to give planning permission has been the subject of a Kides Report. Once issued, the permission requires that all waste processing involving the use of any mechanical screeners (screener, trommel and picking station), for materials recycling has to cease. This does not mean the site will close down during construction, it does means that the site will revert to separation only by use of a 360 excavator, JCB or by hand as being ancillary to the waste transfer station, as it did before mechanical screeners were introduced.

- 3.1.1 The former operator, NJB Recycling, is no longer in charge of the site. Skip It took over the site after the planning application was submitted but have expressed a desire to set up their Picking Station in Building 1 from which materials will be exported from the site, rather than have all mechanical processing taking place in in Building 2, in which waste will be received, prior to pre-sorting and loading into the trommel, which leads to the picking station. This is not permitted under the planning permission and will require a new planning application.
- 3.1.2 Many complaints regarding use of mechanical screening plant, noise, dust and operating outside of their consented hours at Skip It's materials recycling facility (MRF), were received after planning permission was issued on 2<sup>nd</sup> May 2023. The breaches of condition that took place were resolved through discussion and clarification, however complaints continue in relation to HGV movements and noise arising from operations that take place within the Epsom Chalk Pit that are not directed at the three SCC consented/authorised sites that the CPA monitor, which may ultimately require investigation by Epsom & Ewell Borough Council: through either their Planning (Enforcement) or Environmental Health teams.

#### **3.2 Addlestone Quarry, Byfleet Road, Addlestone:**

Two Planning Contravention Notices (PCNs) were issued in April 2020 in relation to unauthorised development involving contractor's plant storage area, materials storage areas, new buildings and erection of large gabion walls and access gates. These matters are the subject of ongoing discussions between Planning Development officers and the site operator and retrospective applications will be required to address any unauthorised development.

### 3.3 **D&E Roberts Recycling Yard, Plough Industrial Estate, Kingston Road, Leatherhead:**

Further to the previous report on this site in April 2022, it has been agreed with the complainant that a noise survey will be undertaken from another neighbour's property which is also close to the site if and when noise levels are believed by the complainant to be in breach, in order that potential breaches of noise levels from the area benefitting from that part of the site that the CPA monitors can be assessed.

## 4 **ACTION AT UNAUTHORISED SITES INVOLVING WASTE DEVELOPMENT**

### 5 **Sites subject to compliance with Enforcement Notices:**

#### 5.1. **Brick Kiln Farm, Old Lane, Ockham:**

Following a planning application being withdrawn after the applicant was told it was going to be refused, an Enforcement Notice (EN) was issued in September 2020 to address a material change of use of land to a mixed use comprising a soil and aggregate treatment facility involving the importation, deposit, storage and processing (sorting, separation, screening, crushing) of inert waste and non-hazardous waste material for recovery and sale as soil, soil substitute, hardcore and recycled aggregate; the parking of vehicles and storage of plant and machinery, and the siting of waste containers associated with the recovery and sale of soil, soil substitute, hardcore, and recycled aggregate; the siting of concrete blocks, a timber sentry post, a large green structure for office and welfare purposes with related green concrete base and protective rail and block barrier and associated operational development comprising the creation of soil bunds; and the erection of two metal gates all to facilitate the recovery and sale of soil, soil substitute, hardcore, and recycled aggregate.

5.2 An appeal was lodged and was scheduled to take place in November 2021. But this was suspended by the Planning Inspectorate(PINS) following a review of the appellant's submission after concerns were raised by the County Planning Authority in respect of the adequacy of the appellants Environmental Statement (ES). PINS subsequently gave notice to the appellant requesting the submission of a revised ES to correctly assess the alleged breach. Ultimately, due to the applicant's failure to submit on time, PINS dismissed the appeal in August 2022.

5.3 Monitoring of the site when compliance dates are due has subsequently taken place and compliance with the steps of the EN is now taking place. Plant and vehicle storage and car park construction involving the crushing of concrete on areas of the site beyond the scope of the extant EN are concerns that have been brought to the attention of both Guildford Borough Council and the Environment Agency.

5.4 Ongoing monitoring for compliance with the EN continues at key compliance dates and further to neighbour concerns. Officers recently met with the operator's current planning agent to ensure clarity on compliance

requirements and also highlight several matters that are due to be investigated by Guildford Borough Council and possibly the Environment Agency. Officers continue to work with local councillors and residents moving forward.

## **6 Sites where Appeals have been lodged against Enforcement Notices:**

### **6.1 The Paddocks, Rose Lane, Ripley:**

Unauthorised landraising and burning of imported waste: Enforcement Notice (EN) issued March 2022 and withdrawn due to recognition of error on plan, re-issued in June 2022 and written reps appeal decision awaited from the Planning Inspectorate (PINS).

## **7 Sites where Enforcement Notices have been issued but where effective service has been complicated by a lack of Land Registry details:**

### **7.1 Crosswinds, northwest of junction of Ironsbottom and Collendean Road, Norwood Hill:**

The importation of inert waste soils to raise land levels and create a boundary bund resulted in a PCN being issued in August 2021, a Temporary Stop Notice (TSN) in August 2021 and an EN & SN in September 2021 to address the unauthorised importation and disposal of waste soils and soils; resulting in the subsequent raising of land levels between October 2020 to December 2020 inclusive, and again between May 2021 to July 2021 inclusive; the unauthorised importation, deposit, disposal and burial of non-soil waste materials on the land prior to being covered with imported waste soils and soils; and the unauthorised importation, deposit and disposal by burning of timber, green waste and mixed waste building materials on the land.

7.2 The EN was not complied with and has not been acknowledged. None of the 9 landowners (based on Land Registry searches), have responded to the notification of the EN that were sent to them, all letters have been returned unopened.

7.3 However, since no appeal was lodged, it meant compliance with the requirements of the extant EN was required, but this may only be pursued if the EN has been properly registered, which is done by R&B BC as the LPA, not the CPA.

7.4 Prosecution for non-compliance with the EN is limited to the registered landowners, 9 of them in this instance, none of whom had replied to the EN as issued. We are therefore unable to prove, to a criminal burden of proof, which of them was responsible.

7.5 Subsequently, a s16 notice was issued by Legal under the Local Government Act 1976 in July 2022. The subsequent response confirmed that the wife of the man who the CPA believe to be responsible for the unauthorised

development and for breaching the EN & SN as issued was a co-owner of the land and lived at the same postal address.

- 7.6 When the EN & SN had been issued, we had also served a copy on the husband of this landowner, as the operator who we believed to be responsible for the unauthorised development, and who was named as the landowner on a planning application made to Reigate & Banstead Borough Council (R&B BC).
- 7.7 Counsel's advice was sought in relation to the CPA potentially seeking to pursue a prosecution of a non-registered landowner for non-compliance with the EN and were advised it was limited to the registered landowners. However, a non-landowner/operator may be prosecuted for breaching the terms of the EN once it became effective in late October 2021.
- 7.8 In order to proceed, we sought confirmation from R&B BC that correct registration of the EN had taken place, but whilst it was confirmed that it had been recorded on their Local Land Charges register, it had not been added to their EN register in good time.
- 7.9 Since it appears that the EN has not been properly recorded, prosecution could not be pursued, so service of the EN would need to be repeated. Counsel opinion on this matter is to be sought before progressing further,

## **8 Sites for which Enforcement Notices are anticipated:**

- 8.1 **Birchenwood Farm, West Park Road, Newchapel:**  
Unauthorised waste import and deposit took place, allegedly in spite of access gates having been left secured by a landowner living in Spain, who had claimed he was trying to sell the land and had nothing to do with what happened. The landowner has previously been involved in unauthorised development on his land.
- 8.2 A PCN was issued in February 2021 to address the unauthorised importation and disposal of waste, comprising but not limited to mixed soils, hardcore and rubble for the purpose of waste disposal causing the raising of land levels, between May 2020 to August 2020 inclusive and from mid-January 2021 to February 2021 inclusive, plus the importation, deposit, storage, and disposal of mixed and shredded waste in October which was burnt in March 2022.
- 8.3 EN instructions were first drafted in April 2021 and trial pits were subsequently arranged by SCC and dug by a contractors at the CPA's request in in September 2021 to establish the depth of the waste tipped by August 2021.
- 8.4 Subsequently, 3 loads of shredded waste fines were tipped on site in October 2021. Access was subsequently re-secured with concrete block behind the access gates.



- 8.5 Ground works commenced in March 2022 in relation to the erection of an agricultural barn, previously accepted by Tandridge DC as agricultural permitted development, but later challenged by them.
- 8.6 EN instructions were re-drafted to incorporate the shredded waste and incorporate requirements to restore the site to pre-tipping levels, based on ground levels of areas of adjacent woodland.
- 8.7 Instructions to issue an Enforcement Notice to require the clearance of waste and restoration of the field were with Legal for processing and effecting service but have had to again be amended to incorporate substantiated allegations regarding the resumption of landraising and the burning of imported mixed waste material.
- 8.8 **Land south of Newchapel Road and west of Rowlands Farm, Eastbourne Rd, Newchapel:**  
Several hundred tonnes of inert waste comprising soils and hardcore were tipped within a field without the landowner's consent. It is considered that the landowner was a victim of crime. The tipping ceased after a site visit had been made.
- 8.9 A PCN issued and TSN were issued in March 2021. The landowner was given considerable time to clear the site, but unfortunately the waste has not been removed. Instructions to issue an Enforcement Notice to require the clearance of waste and restoration of the field are being prepared for authorisation before sending to Legal for processing and effecting service.
- 8.10 **Hades Wood Farm, Cogmans Lane, Smallfield:**  
Allegations of sporadic importation and burning of mixed waste causing smoke nuisance to neighbours. A PCN was issued on 2 June 2016 which initially led to a cessation of complaints for several years.
- 8.11 However, a further PCN and a TSN were issued in April 2021 to address the importation, deposit, and disposal by burning of mixed waste materials. The fires again stopped but resumed again in late September 2021 and have taken place sporadically since.
- 8.12 There remains an undetermined planning application with Tandridge DC, and clarification as to the status of this has been sought but has not been forthcoming. As a result, instructions to issue an Enforcement Notice to require the clearance of waste and restoration of the field are being prepared for authorisation before sending to Legal for processing and effecting service.
- 9 **Sites where Enforcement Notices involving landowners who are believed to have been victims of organised crime:**
- 9.1 **Land off of Bones Lane, Newchapel:**  
In mid-July 2021 concerns of waste tipping were investigated and the inert waste disposal was ceased by a man who had claimed to be the landowner.

Subsequent investigations were delayed due to ill health of the Officer leading on this, and later Land Registry revealed the landowners to live in the northeast of the country.

9.2 A PCN was issued in October 2022 and the landowner has indicated they were completely unaware of any works on the land and have subsequently advised they cannot afford removal and would like to discuss a retrospective planning application. They have been advised to seek independent planning and legal advice.

9.3 Communications are ongoing and whilst the issue of an EN is likely in due course, pursuing compliance may not be considered expedient in the circumstances.

9.4 **Upper Gages Farm, Capel:**

In March 2022 officers received concerns that considerable landraising had taken place on agricultural land, albeit some time before we were alerted to it having taken place. The site was visited and subsequent investigation revealed an EA exemption had been registered in July 2020, in the middle of the Covid pandemic.

9.5 A PCN was issued in November 2022, as the site was not a priority as no active importation was taking place, and the response to the PCN revealed that the landowner had appointed two ladies who share Lasting Power of Attorney.

9.6 It had transpired that the exemption was made in the landowner's name, but by a transport manager of a haulage company. Importation of 1,780 loads (35,600T), of waste soils onto the land took place between July 2020 to January 2021. No complaints had been received by either the CPA or Mole Valley District Council or the EA.

9.7 The landowner apparently has none of the waste transfer tickets, as all were returned to the hauliers, but did receive some income as a result of the waste that was imported and deposited on his land. The EA have apparently issued warnings to 3 different hauliers, but no further action is planned by the EA. Officers have raised concerns with the EA in respect of this approach.

9.8 Officers obtained 2 quotes which were sent to those with lasting power of attorney for the landowner, so they were aware of the financial implications of this breach of planning control that the landowner had implicated himself in. The 2 waste hauliers have cited minimum costs of £650K, subject to testing of the waste soils, for the removal of the waste from the land which is located on land outside of the Green Belt.

9.9 A planning consultant has now been engaged by those with lasting power of attorney for the landowner, who had indicated that they are likely to submit a retrospective planning application for the retention of the waste soils on the land.



- 9.10 If an EN is issued in due course by the CPA, the compliance period is likely to be longer than usual due to the circumstances of this case, and pursuing compliance may not be considered expedient in the circumstances.

**10 Sites where unauthorised development led to retrospective planning applications.**

**10.1 Dean Oak Cottage, Deanoak Lane, Leigh, Reigate:**

Unauthorised landraising took place in April 2019 and importation was stopped by the landowner after a visit from CPA Officers, after which the imported waste soils were re-profiled. A retrospective planning application seeking to regularise the development was submitted and is soon due for determination.

**10.2 Land between Hathersham Lane and M23, Hathersham Lane, Smallfield –**

Unauthorised inert waste recycling yards and an adjacent scrapyard were identified by CPA officers in 2018 and a retrospective planning application has been awaited since 2019. Delays to survey submissions due to Covid, subsequent changes of use (including at times concrete crushing and scrap metal storage), site layout changes and changes to operating companies have all delayed progress considerably.

- 10.3 An invalid planning application was received in 2021, but further details were sought so it could be validated and processed, but changes on site continued. Enforcement action was considered if the submission was not forthcoming due to the passing of time, whilst remaining mindful that enforcement should be a last resort.

- 10.4 Validation of a retrospective application that was eventually submitted in January 2023 was not possible, as the uses and areas of the site had once again changed. As a result, a PCN was issued in March 2023 and a response is now awaited. Pending the response received, the issue of an Enforcement Notice will be considered.

**10.5 MFC Skips @ Paddock Farm off Caterham By-Pass, Caterham:**

Unauthorised use of the land as a skip waste transfer yard. Site meeting and discussions with operator and agent has resulted in a CLUED being issued by the CPA.

**11 Sites where unauthorised development has resulted in pre-application communications taking place and retrospective planning applications being awaited.**

**11.1 Land north of M25 & south of Surrey Crest, Roughets Lane, Bletchingly**

– Unauthorised land raising with imported waste soils led to a PCN being issued and the accompanying response from the landowner's planning consultant has advised that a retrospective planning application is likely once 2 x surveys have been completed to enable a valid submission to be made.

- 11.2 **1 Lyne Lane, Lyne:** Landraising with screened soils derived from both site derived stockpiles of soil plus imported inert waste soils was identified.

Breaches were raised with the landowner and importation subsequently ceased. A site visit and meeting with the landowner's representative in August 2021 resulted in communications with their planning consultant and a retrospective planning application is now under discussion but has yet to be progressed by the landowner's planning agent.

### **11.3 North End Paddock, Church Lane, Burstow:**

The unauthorised importation and disposal of mixed inert and non-inert waste and creation of a track took place. A PCN has been issued and a response is awaited. The landowner's planning consultant has indicated that a retrospective planning application is likely to be submitted.

## **12 Updates on Sites Where Enforcement Action Was Previously Taken:**

- 12.1 **Land at Stoney Castle Ranges, Grange Road, Pirbright** – Following the issue of an EN, and successful prosecutions for both breaching the EN and a subsequent Proceeds of Crime Act (POCA) conviction, the waste remains on site in breach of the extant EN as was previously advised in September 2021.
- 12.2 The site has since been the subject of suggestions by the landowner's son in early 2022, whilst the landowner remains in the Philippines, that the site should be given status as a transit traveller site. In the autumn of 2022, the removal of the waste on the land was initiated by contractors and deposited on adjacent land, that was already the subject of unauthorised tipping in the early 1990s, which was never cleared and which had become vegetated over the intervening years.
- 12.3 The land has now had a rough hardstand put in place over the land and new close board fencing installed around the whole site with new access gates. Concerns as to potential traveller incursion of the site have been raised with Gu BC who remain mindful of the situation.

## **13 Sites where Enforcement Action is not possible or is not considered expedient to pursue at present:**

- 13.1 **Hedgehog Field, Dowlands Lane, Copthorne:**  
Unauthorised development involving the construction of screening bunds and land raising of enclosed field involving imported inert waste, the storage of arboricultural waste and construction of timber gates was the subject of a PCN in August 2019 and an EN in March 2021.
- 13.2 A retrospective planning application was not encouraged. In 2021, compliance with the remedial steps of the EN which requires the removal of surrounding bunds and the reduction of the field level to original levels became overdue, the compliance period was extended to July 2022.
- 13.3 Compliance with the extant EN was not achieved, and whilst surrounding bunds were reduced in height and pulled into the inner area of the site, no

materials were removed. Prosecution for non-compliance was not considered expedient at present in light of other work priorities.

**13.4 Acre Farm, Hare Lane, Blindley Heath:**

Allegations of the importation and deposit on inert waste and the import and burning of non-inert mixed waste in a field used for grazing were investigated and resulted in a PCN being issued in March 2021 and an EN & SN issued in June 2021.

13.5 The EN was partially complied with as waste import and burning ceased, but a stockpile of waste which should have been removed by early February 2022 has been spread on the land. The site has been made more secure through the erection of fencing and a new field gate.

13.6 With no further breaches reported and the land remaining secure, it was deemed not expedient to pursue a prosecution of the landowners.

**14 Examples of successful negotiation and ongoing challenges include:**

**14.1 Land forming part of Bullhousen Farm off Shaftesbury Road, Bisley, Surrey, GU24 9EW:**

Unauthorised land raising works involving the import of inert waste soils and small scale burning of waste. Following investigation, a site visit and liaison with the EA & SuH BC, a Planning Contravention Notice was issued in 2022. Negotiations have led to the landowner agreeing with the CPA to the clearance of the 77 loads of imported waste, which has allegedly commenced but stopped due to ground conditions. Liaison with both the landowner and the LPA continues, and further site visits are planned to check the land after the landowner advises the imported waste has been removed which will be expected to be completed by no later than the end of June. Enforcement action will be considered if clearance has not been achieved by this date.

**15 For Information:**

**15.1 Future changes in legislation that would affect Planning & Planning Enforcement:**

**15.2 Draft Levelling Up and Regeneration Bill:**

Additionally, officers wish to bring to your attention to the following link to a draft Levelling Up and Regeneration Bill, which may be of interest:

[Levelling Up and Regeneration: further information - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/bills-2023/levelling-up-and-regeneration-bill)

15.3 In the view of some of the more experienced Planning & Enforcement Officers at SCC, the Bill does not go far enough and is a bit weak, as we believe there should be improved powers to move things on more swiftly. We appreciate that this is a draft at present and contains some useful aspirations, such as

the excerpt below, though fear it and others may be watered down by the time the Bill is actually adopted.

‘The scope for appeals against enforcement notices will be tightened so that there is only one opportunity to obtain planning permission retrospectively;’

15.4 Officers believe that the existing planning legislation and guidance is very much in favour of developers who purposefully seek to exploit the system. Whilst accepting the Town & Country Planning Act and assorted guidance has been written for the majority of developers who do not actively seek to exploit the system, it unfortunately leaves gaping holes for the criminal fraternity involved with waste tipping to exploit the juxtaposition of expediency and reasonableness having to be applied. LPAs are left seeking information from people that do not willingly give it and balancing that before initiating costly and protracted formal action through taking formal enforcement action.

15.5 The bill is of course a matter for MPs to address and discuss, but any support for positive change from County & Borough/District councillors would always be appreciated.

#### 15.6 Wider improvement to planning procedures.

**The digital transformation of planning services, alongside wider improvements to speed up procedures and deter breaches of planning control:**

##### **In the Bill:**

*The Bill includes a number of measures which will allow a transformation in the use of high-quality data and modern, digital services across the planning process, including powers to set common data standards and software requirements. It also provides for several technical changes to the processes of planning, to make them work more efficiently and effectively, whilst reducing the administrative burdens felt by local authorities, statutory consultees, and other users of the system. These include:*

- *Ensuring that planning enforcement works effectively by: extending the period for taking enforcement action to ten years in all cases; introducing enforcement warning notices; increasing fines associated with certain planning breaches; doubling fees for retrospective applications; extending the time period for temporary stop notices from 28 to 56 days; and giving the Planning Inspectorate the power to dismiss certain appeals where the appellant causes undue delay. The scope for appeals against enforcement notices will be tightened so that there is only one opportunity to obtain planning permission retrospectively;*
- *Enabling temporary relief to be given for enforcement action against prescribed planning conditions, where it is necessary to lift constraints on operations (e.g. for construction and delivery times);*
- *Making permanent existing temporary powers to require pre-application engagement with communities before a planning application is submitted for specified forms of development;*

- *The Bill will also create a new power to amend planning permissions in limited circumstances to provide greater post-permission flexibility following recent caselaw;*
- *Speeding up the planning appeals process by giving Planning Inspectors the power to change the procedure for determining a planning appeal if an alternative would be more suitable;*
- *Reforming existing powers to provide a faster and more effective route for urgent and nationally important Crown development; and*
- *We will seek to bring forward powers to charge developers and promoters for statutory consultee advice in certain circumstances.*

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**CONTACT:** Ian Gray or Caroline Smith

**Email:** Ian.Gray@surreycc.gov.uk or carolinedrinkwater@surreycc.gov.uk

**BACKGROUND PAPERS:**

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