

Title of paper	Post planning permission design management in Ebbsfleet
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Purpose of Paper and Executive Summary

This report provides an update to Planning Committee on progress made in addressing the design management issues being experienced after planning permissions have been granted within Ebbsfleet.

Annexes

Annex 1 : Summary of design assessments of major scheme planning permissions 2016-2023

Annex 2 : November 2023 Ebbsfleet Delivery Dashboard

1. Introduction

- 1.1. Over the past five years we have seen a steady improvement in design quality at planning application stage, as demonstrated by the longitudinal analysis of design assessment tools in Annex 1. The advice, decisions and associated messaging of the Planning Committee, combined with the introduction of EDC's design guidance, the Ebbsfleet Design Forum and design assessment tools at application stage have all contributed to a clear step change in quality between earlier phases of development in Castle Hill and Ebbsfleet Green, and the current projects being built out across Alkerden, Ashmere and Northfleet.
- 1.2. This increased focus on design quality has been recognised by applicants in their use of higher quality design practices, which has also contributed to the quality of planning applications within Ebbsfleet. However, a number of issues have emerged in recent years in regards to the management and delivery of design quality after planning permissions have been granted, during the detailed design, procurement and construction stages.
- 1.3. A design management paper was presented to Planning Committee in September 2023 outlining these issues and identifying a number of actions to address them, which were to be implemented during the remainder of the 2023/24 financial year.
- 1.4. The Ebbsfleet Planning Dashboard was updated to record this risk, and a RAG 'red' status was given to the risk to reflect the significance and immediacy of the

risk. The dashboard was shared which EDC's Board at November's Board meeting.

- 1.5. Board requested that this issue be given further consideration and a paper be brought back to the Planning Committee to report on progress in implementing the actions, and to consider any further actions required to mitigate the risk further. This paper thus provides an update on the actions already undertaken in the past 6 months, and the remaining / ongoing actions proposed.
- 1.6. The tables on the following pages set out the proposed actions and progress made to date.



1. Detailed design / construction package stages (RIBA Stage 4)

Issue	Action	Progress to date (Jan 24)
Replacement of high-quality architectural design practices post planning approval with technical teams.	1. Review the feasibility of introducing a mechanism such as LLDC’s ‘Design Monitoring’ S106 requirement which seeks the retention of the original design team that submits the reserved matters application, for the preparation of subsequent associated conditions discharge packages.	Review completed, which concluded that this would be legally challenging to implement, and face significant challenge from applicants.
	2. Update the validation checklist to require definition of key design principles that will deliver the design narrative and develop detailed guidance on the design details that are most commonly compromised during the detailed design stages, to either enable the securing of a clear commitment to the detailing within the reserved matters application, or allow stronger management of details at condition stage.	Completed. Revised validation checklist agreed by Planning Committee in December 2023.
	3. Promote the benefits of retaining the original design practice for conditions discharge packages to applicants during the pre-app and application stages.	Explicit guidance being drafted on the discharging conditions, and the associated requirements of applicants to manage design quality post planning approval. To be completed in February 2024.

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	4. Continue to review Planning Conditions packages comprehensively to ensure full compliance and alignment with original application drawings.	Ongoing implementation.
Substitution of high quality materials with poorer quality equivalents.	5. Support applicants through actively identifying appropriate bricks / suppliers and share appropriate products with applicants, including sharing those bricks that have now been used elsewhere in Ebbsfleet.	Ongoing implementation.
	6. Develop database of materials used in Ebbsfleet that are supported.	Materials database being developed.
Inflation and value engineering.	7. Proactively seek attendance at project value-engineering meetings, and provide pro-active support and advice.	Ongoing implementation through advocacy during pre-app / application meetings.
Construction stage (RIBA Stage 5)		
	8. Encourage the original architectural practice to be retained to provide design management	Ongoing implementation through advocacy during pre-app / application meetings.

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Degradation of design quality during construction	services during construction and associated quality assurance.	
	9. Update planning validation checklist to clearly define our information requirements, particularly in relation to architectural and landscape detailing and specification, to enable tighter policing of quality post-planning permission.	Completed. Revised validation checklist agreed by Planning Committee in December 2023.
	10. Develop a 'Site Management Schedule' for each scheme granted planning permission, identifying the key architectural / landscape elements that require monitoring during construction. This can be issued to both the applicant, and the Enforcement Officer, to provide clarity to both on areas of focus for policing of the construction of the scheme.	Pilot project being implemented using Alkerden 5B as a test project (Westerhill Homes- approved in December 2023) to test and develop the approach.
	11. Implement programme of post-completion landscape audits to ensure landscape is planted in the correct location, and to the correct size and species/ planting density as per the planning permissions.	In development / ongoing implementation We have now implemented a number of systems to formalise the co-ordination of post completion landscape audits, and to seek remedial works within the initial 5 year period (post completion). Most completed schemes have now been audited prior to winter 23/24, and any

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		<p>required remedial works will be pursued during 2024.</p> <p>EDC is also developing a new online green infrastructure tool that will allow residents to identify missing / dying trees, which EDC can seek to be replaced within the first five years post completion. This could minimise resourcing needs for landscape audits to be undertaken annually, through the promotion of resident-led stewardship.</p>
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2. Conclusion and Recommendations

- 2.1 The identified actions have considered the different decision points after the approval of a reserved matters application to try and make the interventions as meaningful as possible. Collectively the actions should assist in tackling the issues currently being experienced however we also need to be aware of potential limitations in this area. For example, if a breach of planning permission occurs then is it expedient to take planning enforcement action?
- 2.2 It is inevitable that developers will from time to time need to consider changes in aspects of a scheme (for example materials) but it is important to ensure design quality is not eroded through these changes.
- 2.3 We will continue to implement the action plan and provide a report back to Planning Committee after 6 months in order to give sufficient time for the actions to have effect.

Recommendation: Planning Committee is asked to:-

- 1) Note progress on the identified actions; and**
- 2) Propose any further actions for officers to explore / implement.**