

APPENDIX 1

PROGRESS UPDATE: Review of Planning (Development Management) and Adoption of Open Space

SCRUTINY MONITORING – PROGRESS UPDATE	
Review:	Planning (Development Management) and Adoption of Open Space
Link Officer/s:	Simon Grundy
Action Plan Agreed:	March 2023

Updates on the progress of actions in relation to agreed recommendations from previous scrutiny reviews are required approximately 12 months after the relevant Select Committee has agreed the Action Plan. Progress updates must be detailed, evidencing what has taken place regarding each recommendation – a grade assessing progress should then be given (see end of document for grading explanation). Any evidence on the impact of the actions undertaken should also be recorded for each recommendation.

Recommendation 3:	That current planning enforcement powers are reviewed and the opportunity of employing an enforcement officer is explored.
Responsibility:	Planning Services
Date:	Sept/October 2023
Agreed Action:	Wider Benchmarking of approaches to planning enforcement of Local Authorities Review of performance/approach based on temporary enforcement contractor Introduction of a Local Enforcement Plan setting out service standards/approach Cost/Benefit Analysis of employing dedicated planning enforcement officer.
Agreed Success Measure:	Investigation complete and appropriate action taken, (including potential recruitment if appropriate)
Evidence of Progress (April 2024):	As detailed within the original evidence provided, all of the neighbouring local planning authorities as have a dedicated planning enforcement officer. This is also common across the rest of the north east region, except where the resource may form part of a wider 'enforcement/regulatory control' service.

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	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">DM Manager</th> <th style="text-align: center;">Team Leader</th> <th style="text-align: center;">Principal Planning Officer</th> <th style="text-align: center;">Senior Planning Officer</th> <th style="text-align: center;">Planning Officer</th> <th style="text-align: center;">Enforcement Officer</th> <th style="text-align: center;">1</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Redcar</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1.5</td> <td style="text-align: center;">-</td> <td style="text-align: center;">1</td> <td></td> </tr> <tr> <td style="text-align: center;">Hartlepool</td> <td style="text-align: center;">0.25</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td></td> </tr> <tr> <td style="text-align: center;">Middlesbrough</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">2</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> </tr> <tr> <td style="text-align: center;">Stockton*</td> <td style="text-align: center;">0.5</td> <td style="text-align: center;">-</td> <td style="text-align: center;">2</td> <td style="text-align: center;">-</td> <td style="text-align: center;">6</td> <td style="text-align: center;">-</td> <td></td> </tr> <tr> <td style="text-align: center;">Darlington</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td></td> </tr> </tbody> </table> <p>The temporary enforcement contractor was seen as being successful in introducing a dedicated resource and point of contact to address and investigate breaches of planning control.</p> <p>The benefits of repurposing a vacant planning officer role and re-introducing a permanent planning compliance role ensuring a dedicate resource and point of contact was therefore considered to offer an improved ‘customer’ experience. With the benefit of increases in productivity of responding to such planning compliance/enforcement queries. There was also deemed to be an added benefit of ‘freeing’ up some capacity of the planning officers to focus on planning applications and pre-application enquiries.</p> <p>The Local Enforcement Plan (LEP) has been completed and is attached for information purposes.</p>		DM Manager	Team Leader	Principal Planning Officer	Senior Planning Officer	Planning Officer	Enforcement Officer	1	Redcar	1	-	1	1.5	-	1		Hartlepool	0.25	1	-	3	2	1		Middlesbrough	1	-	2	2	1	1		Stockton*	0.5	-	2	-	6	-		Darlington	1	-	1	-	3	1	
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<p>Assessment of Progress (April 2024): (include explanation if required)</p>	<p>1/2 – Fully complete/on track albeit some minor slippage re LEP’s ‘formal’ introduction.</p> <p>As above the new Planning Compliance Officer role was created in July 2023, with the post being successfully appointed in August 2023 and the new officer commencing employment with the council in early October 2023.</p> <p>The Local Enforcement Plan (LEP) has been through its final draft and reviewed by CMT with their agreement being given to the content and introduction of the LEP.</p> <p>Following a review of the documentation and process associated with the planning compliance some additional minor changes have now been made to the LEP. The LEP is also being reported to planning committee on the 10th April 2024 with view to implementation date of the 1st June 2024.</p> <p>Alongside the drafting and introduction of the local enforcement plan, a review of the planning enforcement procedures has been undertaken with the introduction of some new process to aid consistency and prioritisation. Performance monitoring measure for of the identified service standards have also been developed in order that the new processes are embedded as one.</p>																																																
<p>Evidence of Impact (April 2024):</p>																																																	

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Evidence of Progress (September 2024):	<p>The Local Enforcement Plan was deferred at the planning committee meeting on the 10th April 2024 for further member training/briefing to be undertaken. The requested briefings were completed in May / June 2024</p> <p>The LEP was then listed at the next scheduled planning committee (September 2024) where members agreed to its introduction and endorsement. The implementation date of the associated performance monitors is the 1st November 2024</p> <p>For the avoidance of doubt, the intention is to also offer a wider briefing for Members via the Members seminar format.</p>
Assessment of Progress (September 2024): (include explanation if required)	1 – Fully achieved
Evidence of Impact (September 2024):	

Recommendation 4:	That <i>Maps@Stockton</i> is enhanced to provide information on those responsible for the maintenance of individual open spaces across the borough.
Responsibility:	Information & Intelligence
Date:	December 2023/January 2024
Agreed Action:	<p>Discussion with Information & Intelligence over scope of information needed and timetables for implementation</p> <p>Provide relevant information from planning applications to inform mapping layer</p> <p>Information inserted into new mapping layers and assessed before going ‘live’</p>
Agreed Success Measure:	Mapping layer is introduced
Evidence of Progress (April 2024):	<p>Following changes in structure, management responsibilities and personal within the former Information and Intelligence service, the responsibility of the GIS function / ‘I share’ software now sits within the council’s Performance Service.</p> <p>Nevertheless, dialogue has recently taken place and the associated actions discussed/picked up with the Business Partner – Performance, to discuss the requirements for the improvements to the ‘I share’ mapping software. Work on bringing forward the identified improvement has begun with a list of open space site requiring information to be drawn from the associated planning applications.</p>

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	<p>Discussion have also centred on an additional tool available (a spotlight map), where residents of the borough can input their postcode and this will highlight nearby areas of Public Open Space (POS). This tool will become readily available once the 'master' data to produce the I share layer has been completed.</p> <p>Whilst regrettably this piece of work has slipped, it is not considered that it will take a significant amount of time to resolve and it is anticipated that the works and identified improvements should be complete by the summer.</p>
Assessment of Progress (April 2024): (include explanation if required)	3 – Slipped. Anticipated revised timeframe of an additional three months.
Evidence of Impact (April 2024):	NA
Evidence of Progress (July 2024):	<p>Whilst obtaining land ownership details has been relatively straight forward some information regarding adoption is taking additional time.</p> <p>Additionally, we have found some gaps in the data layer which primarily include more recent housing development sites and need to get these rectified.</p> <p>Propose a further progress update next quarter.</p>
Assessment of Progress (July 2024): (include explanation if required)	3 – Slipped
Evidence of Impact (July 2024):	

Recommendation 5:	That Stockton-on-Tees Borough Council (SBC) provide guidance to town or parish councils, where approached, and continue to liaise with developers on adoption of open space.
Responsibility:	Planning Services/Community Services
Date:	January 2024
Agreed Action:	Guidance developed in accordance with planning regulations/ supplementary guidance alongside best practice on appropriate maintenance information/frequencies.
Agreed Success Measure:	Incorporated into future advice / guidance note as appropriate.

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Evidence of Progress (April 2024):	<p>Draft document to be complete and signed off by community services in by the end of summer 2024</p> <p>Given existing resource pressures within the Planning Services Team it has not be possible to dedicate resource to finalising the above guidance.</p> <p>A broad framework for the document is in place and following the return of a Principal Planning Officer from maternity leave, it is considered that a draft of the document could be prepared relatively quickly for consideration, comments and associated amendments with the Community Services team.</p>
Assessment of Progress (April 2024): (include explanation if required)	3 – slipped.
Evidence of Impact (April 2024):	NA
Evidence of Progress (September 2024):	The internal documentation is now complete (see attachment) and will be shared with the relevant Parish Council’s or community groups as approached.
Assessment of Progress (September 2024): (include explanation if required)	1 – Fully achieved
Evidence of Impact (September 2024):	

Recommendation 6:	That planning conditions for maintenance of open space be reviewed and options for SBC to obtain a copy of the maintenance agreement for each new residential development is investigated.
Responsibility:	Planning Services
Date:	<ul style="list-style-type: none"> a) July 2023 b) July 2023 c) September 2023
Agreed Action:	<p>Review of current planning condition(s) and benchmarking against other Local Authorities and Planning Inspectorate</p> <p>Internal consultation with colleagues in community services</p>
Agreed Success Measure:	<ul style="list-style-type: none"> a) New ‘standard condition’ formulated. b) Condition circulated to development management team c) Condition incorporated into an updated ‘book of standard conditions’

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<p>Evidence of Progress((April 2024):</p>	<p>a) With regards to the formulation of a new standard condition, the revised condition as a result of a tweak to a previous condition is shown below with the additional wording identified below (underlined);</p> <p>On Site Public Open Space Notwithstanding the submitted information, no development shall commence until a scheme has been submitted to and has been approved in writing by Local Planning Authority has the details of the Public Open Space (POS) within the site including:</p> <ul style="list-style-type: none"> • The delineation and siting of the proposed POS including consideration of the ['landscape for play'] approach; • The phasing for delivery of the POS across the site • Existing and proposed ground levels for all the POS and any associated mounding. Mounding details shall also include typical cross sections, at a minimum scale of 1:200 illustrating topsoil capping and core materials, side slope gradients that shall not exceed 1:5 and indicative heights. Placed soil materials shall be of a suitable depth and compaction to ensure successful grass, shrub and tree establishment. • The type and nature of the facilities to be provided within the POS which shall comprise of play equipment for all age groups including young children and teenagers which shall be supplied and installed to a specification as agreed by the local planning authority. • Details of the preparation, cultivation, grading and drainage of large grassed areas of POS; • Details of street furniture within POS; • The arrangements the developer shall make for the future management of the POS including water courses which pass through the site. • Where Title Transfer is not proposed the management details shall be prepared for a minimum period of 25 years from practical completion of the final phase of the POS works <u>and shall include details of the appointed management company.</u> <p>The open space shall be completed in accordance with the approved scheme and any phasing arrangements as agreed.</p> <p>b) the revised wording has been shared with the principal planning officers responsible for major large scale housing developments likely to feature new areas of public open space. The condition will also feature within the standard book of conditions which will feature on a shared drive once complete.</p> <p>c) Wider book of standard conditions is well underway and is to be reviewed against a recent copy of the Planning Inspectorates book of model conditions, which is considered to be a benchmark of good practice.</p>
<p>Assessment of Progress (April 2024): (include explanation if required)</p>	<p>a) 1 - fully achieved b) 1 - fully achieved c) 3 – slipped. Standard book of conditions to be complete by summer 2024</p>

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Evidence of Impact (April 2024):	
Evidence of Progress (September 2024):	<p>C. The standard book of conditions is now complete, has been reviewed by the Principal Planning Officers and shared with those within the development management team. It is an extensive document of c.100 pages structured into appropriate topic areas.</p> <p>The intention is that the document is a 'working draft' whereby conditions can be added to as they are developed or we become aware of new useful conditions from the Planning Inspectorate.</p> <p>It sits within the Planning Services Microsoft teams channel so that access is readily available to all members of the team and amendments can be tracked.</p>
	1 – now fully achieved
Evidence of Impact (July 2024):	

Assessment of Progress Gradings:	1 Fully Achieved	2 On-Track	3 Slipped	4 Not Achieved
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