Development Services Planning Performance Framework Annual Report 2015–16









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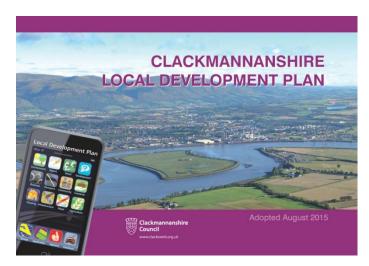
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Introduction

This is Clackmannanshire Council's fifth Annual Report on its Planning Performance Framework (PPF) for Development Services. Following the submission and publication of performance information for 2014–15, and as part of its culture of continuous improvement, the Council has welcomed and reviewed the Scottish Government's feedback on Performance Markers and the outcome of the peer group review undertaken through benchmarking groups. Where appropriate, we have considered the scope to change and improve practice and procedures, and embed these within our planning process. Particular focus has been given to the inclusion of evidence on the Performance Markers which were identified as priority areas for improvement, although we are reassured by the continued positive trend in the reduction of RED ratings. We are confident that the work of the Service this year will largely eliminate the remaining two RED ratings.

This year saw the adoption of the Council's Local Development Plan (LDP), prepared in accordance with the legislation and advice embraced within the Government's delivery of Planning Reform in Scotland, and replacing both the Stirling and Clackmannanshire Structure Plan and the Clackmannanshire Local Plan. The plan incorporates modifications from Scottish Ministers. We now have an up to date plan which sets out a vision for Clackmannanshire, provides a policy framework to guide development and inform decision making on planning applications, and identifies priority sites for planned development with clear guidance on opportunities, constraints and developer contributions.



The Development Plan and Development Quality (Management) Team are now working together under the supervision of one team leader. This has facilitated flexible and managed working arrangements within one Services, drawing on practical work experience. There is no doubt that such flexible working arrangements were a crucial factor in the successful delivery of the LDP.

Equally, there is no doubt that this joint working has had a positive impact on the planning application process.

This Annual Report represents a summary of the services provided by the Council on planning related matters. Measurement of performance has in the past focussed on speed of decision making on planning applications and time periods for up to date development plans. This latest Planning Performance Framework continues to broaden that profile, and presents an analysis of our performance in a wider context. It includes, for example, evidence of our procedures outwith the regulatory process, illustrates the proactive steps

taken to engage with customers, and shows how the Service has made a difference in the quality of development approved or carried out in Clackmannanshire. Nevertheless, the Council continues to maintain its pace of application decision making, and is committed to providing punctual feedback on enquiries, applications and other submissions, all in accordance with our Customer Charter, and we make no apologies for a continued focus on speed of decision making and willingness to engage early with applicants and other customers on development proposals.

Part 1 - National Headline Indicators

Planning Performance Framework Annual Report 2014–15

Development Planning	2015–16	2014–15
Age of local/strategic development plan(s) (years and months) at end of reporting period Requirement: less than 5 years	Local Development Plan	Structure Plan (13 years)
	(8 months)	Structure Plan 1st Alteration (11 years) Structure Plan 2nd Alteration
		(11 years) Structure Plan 3rd Alteration (6 years)
		Local Plan (11 years)
		Local Plan 1st Alteration (4 years)
Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? (Y/N)	Y	N
Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? (Y-earlier/Y-later/N)	N	N
Were development plan scheme engagement/consultation commitments met during the year? (Y/N)	Υ	Υ

Table 1 – Development Planning

Effective land supply and delivery of outputs	2015–16	2014–15
Established housing land supply	5,404 units	5,551 units
5 year effective housing land supply	1,472 units	1,686 units
5-year housing supply target	675 units	1,620 units
5-year effective housing land supply	11 years	5.2 years
Housing approvals	120 units	129 units
Housing completions over the last 5 years	429 units	424 units
Marketable employment land supply	60.84 ha	37.67 ha
Employment land take-up during reporting year	11.07 ha	_

Table 2 – Effective land supply

Development Management, Project Planning	2015–16	2014–15
Percentage of applications subject to pre-application advice	41%	28%
Number of major applications subject to processing agreement	0	1
Percentage planned timescales met	_	100%

Table 3 - Development Management, Project Planning

Decision-making	2015–16	2014–15
Application approval rate	95%	98.2%
Delegation rate	93.8%	95.4%

Table 4 - Decision-making

Decision-making timescales	2015–16	2014–15
Major developments	39.3 weeks	16 weeks
Local developments (non-householder)	7.4 weeks	6.5 weeks
Householder developments	5.9 weeks	6.1 weeks

Table 5 – Decision-making timescales

Legacy Cases	2015–16	2014–15
Number cleared during reporting period	1	0
Number remaining	1	1

Table 6 – Legacy cases

Enforcement	2015–16	2014–15
Time since enforcement charter published/reviewed (months)	15 months	This year
Requirement: review every 2 years		
Number of breaches identified/resolved	39/42	54/64

Table 7 - Enforcement

Development Planning

The figures illustrate the transitional change in 2015, both in terms of earlier reliance upon a combined structure plan and local plan, and also an up to date document with an agreed programme for review.

Effective Land Supply and Outputs

The effective housing land supply remains relatively unchanged. It should be noted that the approvals exclude the grant of planning permission in principle for any residential development. We expect the modest increase in number of house completions to increase further next year.

Development Management

The percentage of applications subject to pre-application advice includes those where we have advised on permitted development rights. These may have been excluded previously, but are identified by applicants, particularly householders.

The performance figures for local development remain consistently positive. The process management tool is a useful aid, but we recognise the value of process agreements or similar techniques, and plan this as a service improvement for next year.

The statistics show an increase in the average number of weeks for decisions on major developments. As this was a single application, statistical trends have no value in such circumstances.

A similar trend is noted for local non-householder developments. While the figures would suggest a downturn in performance, analysis indicates that no more than three applications contributed to that outcome.

Figure 1 shows the comparative levels of performance for householder and non-householder developments in the last four years. On all occasions, and for every category, the levels of performance compare favourably with the equivalent national averages.

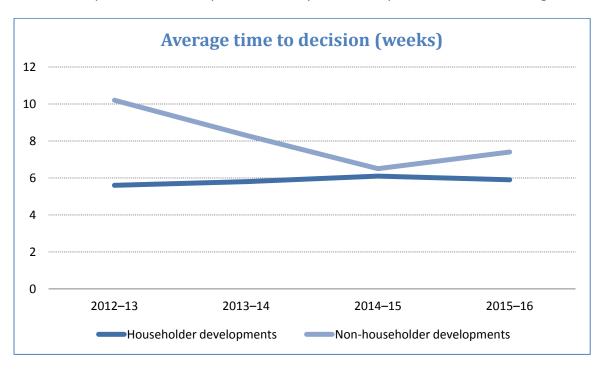


Figure 1 – Average time to make a decision for householder and non-householder developments over the last four years

Part 2 - Defining and Measuring a High Quality Planning Service

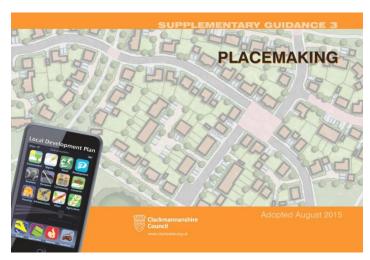
1. Quality of Outcomes

a. High Quality Development on the Ground

The LDP was adopted in August 2015 and its Vision therefore reflects recent Scottish Government guidance and thinking. The vision is supported by the suite of Development Plan Policies which were subject of an Examination, the findings of which were published in March 2015, and 7 pieces of Statutory Supplementary Guidance.

Our pre-application advice service delivers the Government's objectives in Designing Streets to ensure a seamless transition through the planning and road construction consent regimes. Planning and Roads officers will work jointly on any proposal that involves the provision of potentially adoptable roads and footpaths. This is effectively a twin track process, but ultimately the first of a 2-stage framework, with the Road Construction Consent application process following on. It is a one door approach, helps deliver Designing Streets objectives, and provides developer confidence in the regulatory process. It therefore embraces the principles of Aligning Consents published by the Scottish Government. We plan the introduction of a protocol for next year to improve procedures and clarify roles and responsibilities.

Our Placemaking Supplementary Guidance, which includes illustrative material, a Design Process Map and toolkit reinforces this joint approach and signals the Council's commitment to the delivery of successful places and drive towards high design thresholds. In doing so, however, we are mindful of the balance to be struck on the delivery of development, freeing up sites



and taking a balanced approach to site constraints.

With the adoption of the LDP, we have sought to galvanise the housing market by taking a number of proactive steps within the Service. These include:

- The inclusion of a property post within Development Services, with specific responsibility for identifying and disposing of Council sites that are surplus to requirements, in liaison with relevant planning officers.
- The setting up of a joint planning and property group to monitor progress on the implementation of all LDP development sites. Key actions are to agree priorities, identify barriers and constraints and provide front-loaded planning advice. This is

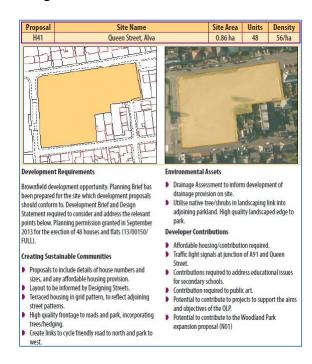
- evidenced in the Placemaking on the Ground The Council's Lead Role case study below.
- The production of focussed development briefs, partly designed to improve the
 quality of development expected by the Council, but early notice of the planning
 requirements and policy expectations on each site. The lead officer attends the Local
 Authority Urban Design Forum. We have effectively sought to achieve a golden
 thread through training, development briefs, supplementary guidance and planning
 application decision making.

Design improvements secured through the planning process continue to be recorded on the planning application management system, captured against a series of criteria which include: changes to comply with Development Plan policy on amenity, design and road safety; securing of community benefit or developer contribution; and changes following preapplication advice. It is important that the regulatory process achieves added value in these aspects of service delivery.

Development guidelines in the previous adopted Local Plan have been refined into a more consistent format in the LDP, where we have grouped the guidance under four categories:

- Development Requirements;
- Creating Sustainable Communities;
- Environmental Assets; and
- Developer Contributions.

Combining this with map based and aerial photographic images presents a composite and concise package of guidance that should ultimately improve the quality of development on the ground.



Clackmannanshire has seven designated conservation areas which range from a small rural village to Victorian suburbs of a large town. They are of varied character and built heritage as a consequence of their different periods of development. It is therefore important that the Council has a good understanding of their specific qualities. Accordingly, the Council has undertaken appraisals of all conservation areas to identify their important characteristics and provide guidelines to prevent harm and assist in the enhancement of the conservation area. One appraisal is complete and the others are at various stages of the consultation process. The appraisal process has included



research of historic development and townscape analysis, and is to be subject to public consultation prior to their approval. The work provides a framework for development management decisions and identifies opportunities and priorities for enhancement. Owners and occupiers of properties in conservation areas will have a reference base to assist them in developing proposals to alter their buildings and surroundings to retain and enhance the character and appearance of their localities.

b. Case Studies

A Conservation Masterplan for Dollar Academy

In April 2000, Dollar Academy submitted proposals for <u>an all-weather hockey pitch</u> on land on the western periphery of the school grounds. The main school building is A-listed and the entirety of the school grounds are located within the Dollar Conservation Area.

The proposal attracted many representations and the application was ultimately refused, in summary for reasons of residential amenity, conservation and road safety. A subsequent appeal to Scottish Ministers led to a public local inquiry and the appeal was also unsuccessful. In a 26 page ruling, the Reporter determined that on all three counts, the proposal failed the relevant development plan policy tests.

The Council and Dollar Academy acknowledged the need to learn from this episode and worked together to plan for the future investment in school infrastructure. This resulted in a masterplan being produced by conservation architects in 2008. Emerging from the exercise were a series of developments, including a building dedicated to arts and drama, and a new all-weather sports pitch.

This year saw the latest stage of the masterplan. Dollar Academy has a pressing requirement for <u>new general purpose classrooms</u>. At the time of the approved masterplan, a site on the northern edge of the all-weather pitch was occupied by a number of larch trees. These trees were judged to have become dangerous and the Council agreed to their removal. This was now a suitable development site reinforcing the L-shaped academic and development

pattern by linking the original A-listed Playfair Building with the recent Maguire Arts and Drama space.



Updated campus masterplan showing site of new teaching building (© Page \ Park Architects 2013)

The masterplan process has delivered on a number of levels:

- Proactive joint working between the planning authority, agents and Dollar Academy.
- The elimination of most objections to development from local residents.
- A consolidated pattern of development which respects the setting of the A-listed building, the wider conservation area and the amenity of the surrounding residents.
- A secure and accessible all-weather sports pitch with support accommodation.
- An award winning teaching block (the Westwater Building) recognized by the Scottish Design Council for the quality of the space and its siting within the school campus.

Justin Wilkes, Dollar Academy Bursar, offered this perspective on the planning process —

'The success of the Westwater Building is on no small measure a result of close cooperation with Clackmannanshire Council Planning department. From the outset the department has been involved in, and had oversight of, the campus masterplan, offering good, timely advice. It is this planning and development framework which has allowed us to pursue a number of development objectives on the campus which have resulted in first class additions to our facilities. It is to the department's credit that it has supported our ambitions to create the best of modern architecture on the site which is respectful of its environment but also quite bold and innovative. This is a careful balance to strike and we have received excellent support in trying to achieve just that. The Westwater Building is just the latest in a long series of developments we have undertaken, but the planning department has always been of great practical help - with officers frequently attending site to understand properly the detail of what it is we are trying to achieve, to be present at meeting of professionals and the local community, and to help resolve the technical and aesthetic issues which inevitably arise with any major planning application'.



The Westwater Building (© Andrew Lee Photography 2015)

Placemaking on the Ground - The Council's Lead Role

This year, the Council has disposed of, or become involved in the development of Council land that has become vacant as a result of service rationalisation or through changes to the school estate. The Council has also been a joint-venture partner with a Registered Social Landlord (RSL) in delivering affordable housing developments.

This process resulted in several housing development proposals via a variety of delivery models, including sites disposed of on the open market, sites sold to RSLs for the delivery of affordable housing, and sites retained and developed by the Council.

The sites in question were all identified as housing proposals in the LDP. Policy SC5 – Layout and Design Principles, set out layout and design principles for new developments and the related Supplementary Guidance, SG3 on Placemaking was produced to help provide guidance and advice flowing from the Government's placemaking aspirations, and set out good practice for Clackmannanshire in order to raise design standards in new residential developments.

The detailed advice in the Placemaking Supplementary Guidance is structured around the six key qualities of successful places as identified by the Government in Designing Places:

- Distinctive
- Safe and Pleasant
- Easy to Move Around
- Welcoming
- Adaptable
- Resource Efficient

Under each heading, the Supplementary Guidance has a checklist. This year, we have developed this checklist to identify how well the principles of Placemaking have been followed through into developments on the ground that the Council has helped to facilitate. It is an honest assessment that we continue to build on and learn from.

The following six examples, consisting of group of surplus Council sites, have been planned and developed through a range of development models and funding mechanisms. The sites are also quite different from one another in terms of size, location, and constraints; but equally, there are some similarities as five of the sites were former schools. There is strong evidence of good and consistent implementation of placemaking polices and guidance in these case studies. For example, all developments include shared surface streets and in general there is a good relationship of house frontages to the street. We will continue with our efforts to embed placemaking principles in sites subject to potential disposal.

Fairfield School, Sauchie

Delivery Model: Council Housing Development Brief Prepared: No

Site Plan:



Current Status: Completed

Key Quality	Outcome	
Distinctive	Achieved	
Safe and Pleasant	Achieved	
Easy to Move Around	Achieved	

Key Quality	Outcome
Welcoming	Achieved
Adaptable	Achieved
Resource Efficient	Partially achieved

Summary: Achieved

Early pre-application engagement between the design team and planners was invaluable in shaping the layout. The position and layout of the former school building made retention and reuse difficult, but a high quality new street environment was formed within the site and with frontage houses facing an existing street along the existing building line.

Tillicoultry Community Centre

Delivery Model: Joint venture - Council and RSL

Development Brief Prepared: No

Site Plan:



Current Status: Completed

Key Quality	Outcome	Key Quality	Outcome
Distinctive	Not achieved	Welcoming	Achieved
Safe and Pleasant	Partially achieved	Adaptable	Not achieved
Easy to Move Around	Achieved	Resource Efficient	Achieved

Summary: Partially achieved

Suitable re-use of a vacant site close to the town centre. The development resulted in a compact layout of houses facing into a well connected, but cardominated communal square. Good and enhanced connecting footpath network

Alloa Road, Tullibody

Delivery Model: RSL

Development Brief Prepared: Yes

Site Plan:



Current Status: Under construction, phases 1 and 2 completed

Key Quality	Outcome	Key Quality	Outcome
Distinctive	Partially achieved	Welcoming	Achieved
Safe and Pleasant	Partially achieved	Adaptable	Achieved
Easy to Move Around	Achieved	Resource Efficient	Achieved

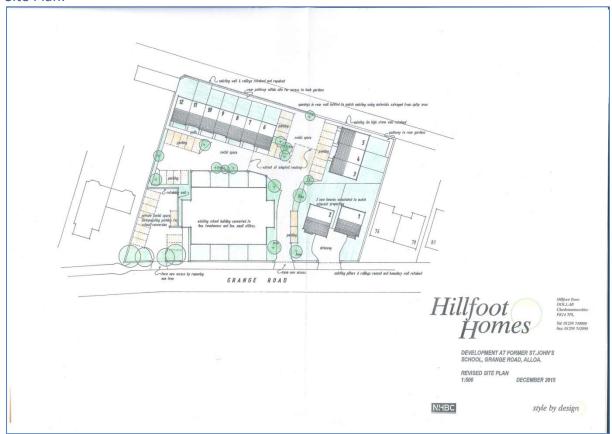
Summary: Achieved

New houses fronting Delph Road where there was previously a gap site. Good quality and size of internal shared space and future links to further phases and the adjacent park. Potential risks that splitting the site may undermine attempts to achieve high quality outcome, but the Development Brief assisted this, and initial plans for the northern phase will enhance safety and circulation.

St John's Primary School, Alloa

Delivery Model: Private Developer Development Brief Prepared: Yes

Site Plan:



Current Status: Under construction

Key Quality	Outcome
Distinctive	Achieved
Safe and Pleasant	Achieved
Easy to Move Around	Partially achieved

Key Quality	Outcome
Welcoming	Achieved
Adaptable	Partially achieved
Resource Efficient	Achieved

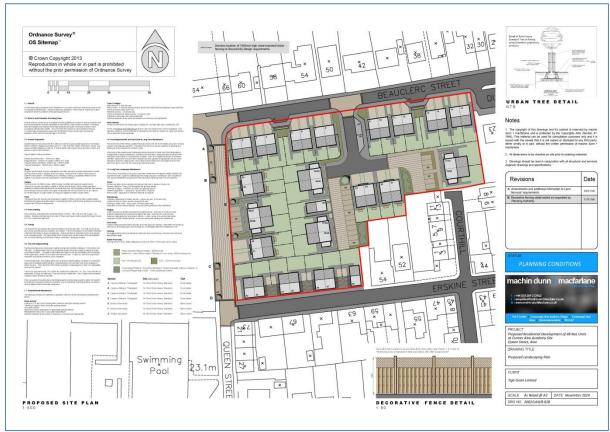
Summary: Achieved

A successful development outcome in a constrained site. A detailed brief helped in steering the layout and design to ensure desired outcomes, in particularly by saving an important B-listed heritage building.

Queen Street, AlvaDelivery Model: RSL

Development Brief Prepared: Yes

Site Plan:



Current Status: Under construction

Key Quality	Outcome	Key Quality	Outcome
Distinctive	Partially achieved	Welcoming	Achieved
Safe and Pleasant	Achieved	Adaptable	Not achieved
Easy to Move Around	Achieved	Resource Efficient	Achieved

Summary: Achieved

The redevelopment of a former school site for higher density affordable housing. The Development Brief helped ensure a perimeter block layout, resulting in active built frontages to existing streets, and the remodelling of Queen Street. Innovative off-site assembly to extremely high standards of energy efficiency.

Claremont Primary School, Alloa

Delivery Model: Private Developer Development Brief Prepared: Yes

Site Plan:



Current Status: Under construction

Key Quality	Outcome	Key Quality	Outcome
Distinctive	Not achieved	Welcoming	Achieved
Safe and Pleasant	Achieved	Adaptable	Partially achieved
Easy to Move Around	Achieved	Resource Efficient	Not achieved

Summary: Partially achieved

A continuation of development on the adjoining former academy site, and subject of Development Brief. Similar in layout and design, generally suburban, but with good quality street design and central open space. Some good quality design features, but in a mainly suburban development.

2. Quality of Service and Engagement

a. Open for Business

The adoption of the LDP represents the foundation upon which the service can now build on investment on the ground, growth in the economy and an enhanced quality of service. The first two of its strategic objectives set a clear framework for positive change and aim to deliver sustainable economic growth. In that context, we have identified a specific section of the plan on Employment and Prosperity, aimed at addressing the economy, creating jobs and supporting business. The plan has six key policies which capture the principles:

- Support for new business and industry on strategic sites.
- Support for the retention and promotion of businesses.
- The circumstances where business expansion outwith allocated sites can be considered favourably.
- The general presumption against non-employment generating uses on existing and allocated sites.
- Support for the principle of homeworking. We are particularly looking to encourage this within planned developments at Dollar, Muckhart and Forestmill.
- Encouragement for investment in green business.

More work is required to translate this policy framework into job creation outcomes. We will examine this as part of the monitoring report.

The Development Quality Team continues to be structured with a customer focus. The three case officers deal with: residential development; commercial development; and householder developments. This model is embedded in our Service Structure. It works well, ensures that customers receive a consistent level of advice, and helps to develop good working arrangements with developers, and those less familiar with planning procedures. For example, the planner dealing with householder developments has the skills and experience necessary to communicate with applicants and third parties who are not familiar with planning procedures, and who may often be looking to be guided on matters such as permitted development and the application process. However, that lack of familiarity can include local businesses.

The following comments from a local firm of consulting engineers illustrates the benefits they have derived from our approach to customer service.

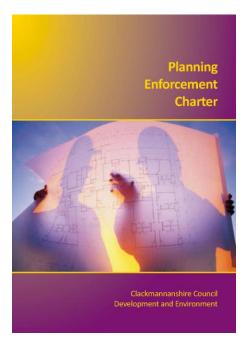
Further to a number of planning enquiries and indeed actual planning applications made over the past couple of years, we have been impressed with the level of response and guidance provided by this department, which, as Consulting Engineers being unfamiliar in the processes involved, has been extremely beneficial and invaluable.

We have found this department to be proactive and forthcoming in progressing any query or application no matter how simple or complex it might be. It has been usual for officers to be contacting ourselves looking for and assisting with additional information that may be required.

This level of service can only lead to a more streamlined and effective system that is constructive and avoids the issues of disputes and disagreements.

The officer responsible for residential development can consistently apply his knowledge and experience, on Designing Streets, placemaking and other design guidance, to secure the outcomes described earlier. Indeed, this officer helped prepare residential policy guidance for the LDP, and plays a leading role in facilitating the Developer Contributions Group. This work builds on an earlier secondment to the Development Plan team. We see that continuity of customer focus in the Development Plan process as an important theme through the planning service. It helped to make sure that the LDP was fit for purpose, and a practicable document for decision making. Ultimately, development management officers will be one of the main users of the Plan.

Since the adoption of the LDP, a monitoring framework has been under preparation with a view to reporting annually each October on the performance of the LDP. This will include details on the frequency of the use of policies, examples of good practice flowing from Policy input, identification of any policy voids and other performance criteria related to the LDP.



Development Quality has no dedicated enforcement or monitoring officer. Each planning officer provides a "cradle to grave" service, from pre-application advice through to monitoring implementation of development. The Council's Enforcement Charter was originally published in February 2011 and reviewed in 2015. The review included an examination of casework between 2011-14, with analysis of results by type of alleged breach, development sector and method of communication. The broad findings of the exercise appeared to indicate that the criteria set out in our Charter used to inform decision making were fit for purpose and delivering proportionate outcomes with strong public confidence in the Service. Enforcement Charter has been updated following the

review, and re-published on our website. Any alleged breach of planning control can be reported via the Council Website. This Report It facility is a convenient method of reporting an alleged breach, and enables officers to populate our enforcement management system. And in the coming year, we plan to add the Enforcement Register to the website, making it easier to find out about enforcement action taken by the Council.

Free pre-application advice continues to be available to all prospective applicants. This message is set out on the Council's website, where we have a specific page dedicated to the service. It explains the process, and it includes an on-line form to make it as easy as possible to submit an enquiry. We wanted to align our feedback to the needs of the development industry, as the pre-application stage is seen as a vital opportunity to explain policy, procedures and key issues, and above all else, smooth the application process. It helps identify information that we may require, and, if it works well, should reduce the prospect of applications for planning permission being delayed or refused, with attendant appeals to Ministers and the Local Review Body. The NHIs confirm a continued increase in the proportion and number of applications subject to officer advice. We recognise that providing advice can take time. It is a cost to the Council, and other Council's have recognised this by introducing charges, or moving to a self service model. We remain open minded on the need to review existing practice and secure best value and this is reflected in our service improvements for the coming year, in the knowledge that it demands a significant proportion of officer time. It remains to be seen whether the Review of the Planning System in Scotland provides further direction in this respect.

As a separate stream of information management, we record permitted development enquiries for householder and non-householder developments on our application database. Each receives its own unique reference number, and a target response date. It therefore enables us to monitor workload and performance, and ensure that each enquiry gets a timeous response.

The Council's Developer Contributions Team is now in it's second year. It operates to approved Terms of Reference and represents a cross-Service model of working that is fit for purpose, providing consistent and informed decisions that have minimised impact on the pace of decision making. Agenda items will include applications and pre-application enquiries, thereby supplementing the LDP guidance and providing prospective applicants with early warning of the potential contribution that will be sought as part of a development proposal. The Council has now developed a database to monitor decisions and outcomes. This Group has brought tangible benefits to our Planning Service. We now have coordinated and recorded decision making, an efficient model of cross-service working, and more consistent decision making.

b. Certainty

Almost all planning applications were decided in accordance with the balance of Local Plan policies, or in accordance with allocations and the schedule of sites within the Clackmannanshire Local Plan. The formatting and content of the Schedule of Sites in the LDP is divided into 4 sections as described previously. In many respects, we have tried to simplify the content, reduce prescribed standards, place added emphasis on quality and focus on key issues to enable development. It is a simple format usually in checklist form and

designed to make it easy to use and understand. Any interested party can confidently identify key issues for any site.

All officers continue to use the planning application process map we have reported on previously to manage casework. This "standard" management tool has contributed to our sustained levels of performance on decision making. Officers are fully aware that good communication with agents and others builds confidence in the service, keeps applicants and agents informed, and represents a proactive approach to decision making. We plan to increase the use of techniques similar to process agreements, include information in our acknowledgement letters and use the proposed e-newsletter to help convey this message.

Well over 90% of planning applications are decided by the Council's Appointed Officers in accordance with its Scheme of Delegation for Local Developments. The Scheme of Delegation was originally approved by Scottish Ministers in 2009, and was reviewed in 2014. The review concluded that the Scheme operated well, achieved the Government's original objectives for decision making on local development, and should continue to operate in its current form. As a matter of policy, we continue to refer applications for major developments to Committee for decision, irrespective of the circumstances, although these are few in number. We continue to have a relatively low number of requests for Local Review on planning application decisions, a further indicator of the success of this Scheme, but a clue perhaps on our drive to enable rather than regulate development. Our approval rate remains proportionately high, and is evidence of meeting the Planning Reform call for delivering development.

Case conferences are convened with the Development Plan and Development Quality Team Leader and Development Service Manager (the Appointed Officers) to discuss selected preapplication enquiries, key applications, and all those with representations against the development. This provides early direction on the outcome of applications and ensures that applicants and agents receive early and confident notification of progress and probable outcomes.

The neighbour notification process is an essential part of decision making. However, it is not without risk. To help eliminate uncertainty regarding the execution of the process and the status of planning decisions that might otherwise be subject to challenge, we have implemented a number of precautionary procedures. Neighbours are provided with a plan which shows the location of the site, but also identifies all the other neighbours to have been notified. It asks the recipient to alert the Service to any inaccuracies. Case Officers verify this during site visits. The report of handling corroborates these arrangements. It is reassuring that no problems have materialised since these arrangement were introduced.

Reports of Handling have been reviewed following the adoption of the LDP. Sections have been added to identify specific policies, proposal allocations or supplementary guidance. This is an integral part of the LDP Monitoring process and should provide reliable evidence

on the true use of policy, progress on allocations and the value of guidance. We will use this to ensure new plans are fit for purpose. Reports include a list of all parties to have made representations for and against the proposal. They summarise the representation and provide a response on the relevance to the proposal and the planning merits. Third parties receive written notification of the Council's decision, including the decision, any conditions and reasons, a summary of the objections and an explanation of our response that has contributed to the decision. Experience indicates that this feedback is well received, helping to explain how the Council has dealt with the objection and reached its decision, particularly if the decision did not reflect the third parties' hopes or expectations.

As an integral part of the LDP process, a series of Supplementary Guidance has been produced on key subjects. This expands on planning policy and provides any interested party with enhanced advice and policy, procedures, good practice, information and assessment. This helps to "front load" the planning process, and identify key issues at the outset.

c. Communications, Engagement and Customer Service

This year, the Scottish Government launched the edevelopment. Scot programme, a business transformation programme to deliver a replacement <u>eplanning service</u>. The launch of the ebuildingstandards service is planned for August 2016, and the eplanning initiative is partly supported to drive a new business model access the combined regulatory processes. We are reviewing the Development and Environment management structure in light of this change. The favoured option is to combine the Planning and Building Standards teams.

We have successfully managed and implemented the new programme within our planning system, continuing the journey form a largely paper-based system to one that, both from customer and Council perspectives, is increasingly based on e-services and communications. That said, and despite direct communication with those key agents who have chosen to rely upon paper submission, we have not experienced any measurable change in the number/proportion of e-submissions. We will re-double our efforts in the coming year as part of a service improvement that will further reduce our use of paper documents and secure cost savings to the Council.

Our online planning information system represents the main source of information on planning applications received and decided. It is maintained in accordance with "Publishing Planning Applications Online" the Scottish Government's data protection guidance to planning authorities. It provides 24/7 access to planning application files. Each file will include the application form, drawings, consultees responses, representations, report of handling, decision notice and approved plans.

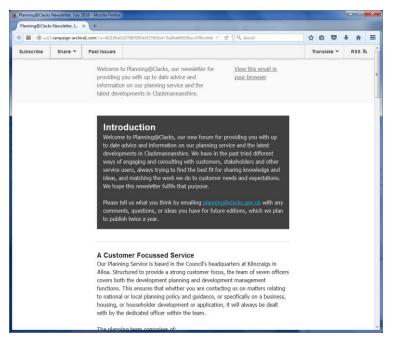
The home page of the Council's website, <u>Clacksweb</u>, includes Planning as one of eight top tasks subjects, providing quick and easy access to our suite of information. The page also has a dedicated Self Service Section, with links for "Apply for It" and "Report It". The former

takes the user to a group of applications, including one to the eplanning.scot home page, and the latter provides access to icons that include an alleged breach of planning control.

In addition to the online planning information service, we continue to offer alternative channels of communication. Customers can make direct telephone contact with planning officers. All incoming calls are answered by a planning officer or support staff. Where a planning officer is not available, the call will be returned later that day. A customer should never need to leave a recorded message with the Council. Through management of workload, officers are able to incorporate this level of service within their work schedules without detriment to wider service delivery. We have more than anecdotal evidence demonstrating wide customer support for this level and quality of service.

In previous years, the Council has convened customer forums to complement other channels of communication, and provide the opportunity for different groups to engage directly with planning officers. Last year we reported on a change to these events, and feedback from customers on our different methods of communication. On the back of this exercise, our commitment to customers service and engagement has concentrated on:

- A continued positive approach to providing advice to customers on a case by case basis.
- The preparation of a planning e-newsletter (now issued) with advice and information of a diverse range of planning topics and an invitation to identify any new subjects for forthcoming versions. The newsletter will be published biannually.
- The preparation of a suite of Conservation Area Character Appraisals, with attendant arrangements for forthcoming public consultation on our web-based consultation management database.



Final version of the eNewsletter ready for distribution

The Council has a two stage corporate complaints service. Development Services represented on the working group and training has been provided to all staff. A key component of the new scheme focus on frontline resolution. This has worked well. One formal complaint was taken to Stage 2. The complaint related in part to an

investigation by Environmental Health, but partly associated with an alleged breach of planning control. It was not upheld. The complainant took his complaint to the Local Government Ombudsman. The complaint was not upheld, but the review findings will be reported to a forthcoming team meeting to share the key messages and good practice to have emerged from the scrutiny of this enforcement case. For example, it highlighted the value of good records of communication with customers with outcomes and actions.

During the period of reporting there was no formal consultation on the LDP. The Examination Report was published in March 2015 and the Proposed LDP, including modifications, was reported to Council in May 2015. It was approved for adoption and submitted to the Scottish Ministers. The Plan was formally adopted in August 2015. The Council's website was regularly updated with information on the progress of the Plan as well as notification of any significant milestones in the Council's weekly <u>Development Services Bulletin</u>. The bulletin is published on a weekly basis, providing a note of planning applications and building warrants received and decided in the preceding 7 days. It is also the opportunity to report on any other matters of interest, such as planning committee dates, appeal decisions or enforcement matters.

3. Governance

a. Efficient and Effective Decision-making

The adoption of the LDP has ensured that decision making is up to date. It therefore contributes to more effective decision making arrangements. Following the adoption of the plan, the Council proceeded to update its Development Plan Scheme, which explains all the key stages of the review process, and sets a timetable with milestones for adopting a new plan by March 2020. This ensures that planning and investment is guided by up to date policies and site assessment.

One key area of investment for the Council is in Renewable Energy. The Service has taken a positive approach to addressing the demand for renewable energy development in response to the statutory requirement to reduce greenhouse gas emissions and to enable Clackmannanshire to contribute to achieving the Scottish Government's targets for renewable energy production. This reflects the clear vision for the area by 2035 set out in the LDP, which includes "a community that has experienced a successful transition to a vibrant low carbon economy..."

The LDP contains a number of policies relating to renewable energy and specific renewable energy technologies as well as two areas of Supplementary Guidance on Onshore Wind Energy and Energy Efficiency and Low Carbon Development. This policy framework, together with other policy guidance and experience has informed decision making on a number of renewable energy proposals including;

- an extension to Burnfoot Hill Windfarm at Rhodders,
- a single turbine at Gibsley Farm,
- a solar array at Balhearty Farm, and
- a micro-hydro scheme at Harviestoun Home Farm.

These exemplars will be reported in full next year following their implementation, with evidence to demonstrate how our policies and guidance have been critical to decision making, ensuring that renewable energy developments can be delivered to meet government targets, and in a manner that is sensitive to their site and environment.

This and previous PPF reports have described our customer focussed case officer structure, our model for pre-application advice, case conference arrangements for key applications and the review of the Council's Scheme of Delegation for Local Developments.

Case officers undertake planning application site visits within 7 days of receipt of all planning applications. A photographic record is held on the application file. Officers are expected to have collated all information on the expiry of publicity periods, identified relevant policy considerations and either agreed a likely decision or identified key issues within a four week period, in accordance with the application process map. Applicants or agents can expect first communication within that same time frame. Anecdotal evidence,

plus responses from agents, provide compelling evidence of the value of early feedback. We may examine the scope for a KPI linked to this in the coming year.

Over 90% of all planning applications for local developments are determined by Appointed Officers under the Scheme of Delegation. Applications for approval which have attracted no representations, and no objections from consultees, are signed off by one Appointed Officer. Any application with representations or recommended for refusal will be signed by two Appointed Officers. The Scheme remains an efficient model for decision making, with universal expressions of confidence arising from its contribution to efficiency and decision making.

The Service has a robust committee decision making structure in place which is fit for purpose and designed to avoid any delay in decision making, and structured to give added certainty. The key features of this structure include:

- the release of confidential draft agendas to the Council's Management Team and Councillors as an early warning system, with a draft officer recommendation on each item of business;
- pre-Committee convenor briefings on items of business to identify any new information received and barriers to decision making;
- arrangements for elected member site visits to be convened before the planned committee meeting. No applications are deferred for site visits. There has been no deferral of any decision during the reporting period.
- a scheme of oral representations which provides the opportunity for the applicant, objectors and community councils to address the committee; 75% of committee meetings have heard representations from applicants, or objectors.
 The scheme is <u>publicised on our web site</u>, and we send details to all those submitting representations against a proposal before the committee meeting.
- arrangements for decisions to be issued immediately after the committee meetings.

Planning Committee meetings are planned to be re-scheduled on a 4 week cycle. Meetings of the Local Review Body are diarised on the same day.

The Council still has one legacy case. In 2013, the Planning Committee expressed its intention to grant planning permission in principle subject to a Legal Agreement. Since that date, we have navigated our way through a very complicated sequence of events. This has involved a significant staff resource. We have provided the applicant with comprehensive guidance, set out alternative process models for a revised masterplan, developer contributions and Section 75 Agreement. The application has not been decided, but an outcome is expected in early 2016–17.

b. Effective Management Structures

Two major changes to the management structure and function of Development Services were implemented last year. One team leader has responsibility for the Development Plan and Development Quality teams. This merging of function has created a single planning service, reinforcing joint working, and consolidating other areas of shared engagement, such as the Planning and Property Group, the Developer Contributions Team and the production of Supplementary Guidance.

Secondly, a property officer with specific duties for non-operational assets now works with the planning service to ensure that planning considerations are included in site disposal plans. This has represented a positive move to embed planning within the Council's Asset Management function, facilitated in part through the Planning and Property Group meetings. Both the planning and non-operational asset functions are managed within Development Services, delivering a number of projects, including those illustrated in the case studies in Section 1 of this report.

Additional management structures within the Service include:

- Monthly team leaders meeting focussing on strategic cross cutting issues, applications and proposals.
- One to one manager and team leader meetings on a fortnightly basis, focussed on major applications, LDP progress, forthcoming items of committee business and significant enforcement case work.
- Diarised one to one weekly meetings between the team leader and case officers, with separate case conference meetings where key applications require management input.
- Monthly liaison meetings between the Council's Legal Service and the Development Service to review progress on instructions relevant to planning agreements, enforcement cases, site disposal and other general legal matters.

Monthly performance reports are submitted to the Development Services Management Team which provide details of applications received and decided, performance information on those decisions, and an up to date record of fee income set against targeted figures. The format of such reports, and the associated public reporting of performance, was a planned service improvement for 2015–16. However, with no public interface, it was not prioritised. We have separately trialled to a new performance management system (Covalent) which provides greater scrutiny and reporting of performance indicators. Information from this platform is collated for wider reporting to the Council.

c. Financial Management and Local Governance

The budget setting process is undertaken on an annual basis to identify expected expenditure and income for the coming year. This will include the outsourcing of any key projects, income from planning applications and other sources, and is set against Action Plans and Key Performance Indicators in the Development & Environment Services Business Plan for the period.

The Service continues to ensure that flexible resource management arrangements are in place to broaden skills, knowledge and experience and to react to fluctuating demand on resources from the LDP and Development Quality casework. Previously, the staff resource was aligned to prioritise work on the preparation of the LDP, with associated Supplementary Planning Guidelines and Open Space Strategy. This adjustment was absorbed by the reduction in planning application casework. This flexibility within the staff resource has been reinforced with the refined joint team leadership arrangements. Financial prudence is central to these arrangements.

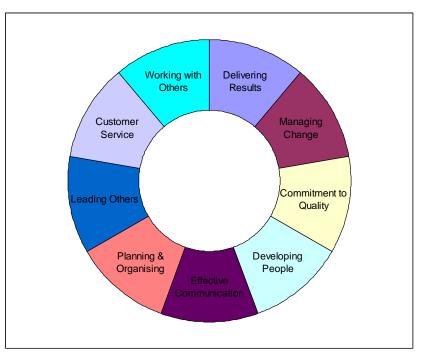
At a corporate level; the Council continues to respond to the financial challenges facing it and most other planning authorities. Our new approach, Making Clackmannanshire Better, aims to get maximum benefit from our available resources. The key elements of the programme for the planning service are:

- To focus on clear priorities such as statutory duties set out in planning legislation, in favour of more discretionary tasks
- Transform services to best meet user needs, and we have referred previously to the focus on improved website advice and information. The edevelopment.scot programme and planned merger of the Planning and Building Standards departments are further examples.
- To be as efficient and effective as possible.
- Have an appropriate approach to charging for services and getting better value for money. We decided not to introduce charges for pre-application advice, nor to consider a charge for some premium standards of service, but this remains under review on an ongoing basis.
- A move away from paper copies of plans and guidance associated with the LDP towards easily accessible web based documents, while still meeting statutory requirements for having documents available in local libraries and community access points.

4. Culture of Continuous Improvement

All staff within the planning service undertake a Performance Review and Development (PRD) programme on an annual basis, with 6 monthly reviews. This exercise focuses on

behavioural competences such as commitment to quality, developing people and excellence in customer service. At a corporate level. and under the umbrella of Making Clackmannanshire Better, the Council has developed training pathways Service Managers and Team Leaders. Each pathway has number of themed events, with high level learning outcomes. Both the Development Service



Manager and Development Planning and Development Quality Team Leader completed this programme during the year.

The Development Planning and Development Quality annual operational plan informs the PRD process. This is monitored on a regular basis. It aligns with the Service Improvements in Part 4, most of which have been completed.

Clackmannanshire Council has joined one of four benchmarking families to share good practice and stimulate improvements in service. The sharing of work on indicators and performance markers develops themes elsewhere in the Planning Performance Framework, and enables the exchange of views and good practice on Planning Performance Framework; Service Improvements; budgets; enforcement; and benchmarking indicators.

We continue to use the Local Government Knowledge Hub for evidence of good practice, and whilst not yet contributing to the content, have found the Government's exemplars for Inspirational Design, a useful resource.

Police Scotland, based at Tulliallan College in Kincardine, approached the Council to resurrect an offer to provide training to their trainee Architectural Liaison Officers. Our Development Planning and Development Quality Team Leader continues to offer his services. This voluntary arrangement should heighten the awareness and value of personal safety issues and Government ambitions for placemaking and a safer Scotland. Feedback from the events has been very positive.

Part 3 - Supporting Evidence

Part 2 of this report was compiled, drawing on evidence from the following sources:

- 2015–16 Development and Environment Services Business Plan
- Clackmannanshire Local Development Plan
- Clackmannanshire Council Competency Framework
- Clacksweb Planning & Building Standards
- Development Planning and Development Quality Service Improvement Plans
- Discussions with staff in the respective teams
- Supplementary Planning Guidelines
- Planning Enforcement Charter
- Clackmannanshire Housing Land Audit
- Conservation Area Character Appraisals (various)
- Scheme of Delegation for Local Developments
- Communication with applicants and agents
- The Knowledge Hub
- 2014–15 Performance Markers Report
- 2014–15 HOPS PPF Peer Review

Part 4 - Service Improvements 2016–17

The following improvements in service delivery are planned for 2016–17. They are drawn from the Development Planning and Development Quality operational plan for the period, which in turn develops the key themes of the Development and Environment business plan.

- Examination of the scope to move towards a self-service model for preapplication advice, a generic model based on the most common development proposals.
- Improve information on town centres by completing a programme of health checks reviewing funding to inform planning policy and investment priorities.
- Develop a new householder permitted development enquiry service using a template and access to the general permitted development order.
- Develop further changes to all e-document and information management systems to reduce paper, increase proportion of e-planning applications, improve advice on the use of the e-planning portal, and improved performance information.
- Formulate protocol with internal services (Roads and Transportation, and Environmental Health) for consultation on planning applications and preapplication enquiries.
- Consolidate all development monitoring arrangements, including updates on LDP allocated sites, policy analysis, developer contributions, and infrastructure or other constraints.
- Improve components of our enforcement service in preparation of a review of the Planning Enforcement Charter, including model conditions, an online Enforcement Register, and case monitoring.
- Design and implement a 22 day householder planning application decision making service on selected applications.

1. Committed Improvements and Actions

Action	Completed
Develop an improved form of performance reporting, both for management and	
customers, to ease understanding of the information we provide. This will provide a	Yes
clearer picture of performance and improvements.	

Performance management information has been developed and added to Covalent, our internal performance management system. The information is now aligned to indicators and statistics in the Planning Performance Framework. Information to customers has not changed and we have made a further commitment for the coming year.

Action	Completed
Provide a 6 month Planning e-Letter, giving customers a better insight into the work	
and outputs of the planning service, providing further opportunity for feedback to	Yes
inform the services we provide.	

Our first newsletter was published in 2016 and we intend to continue with this service, and have invited recipients to identify topics for future editions.

Action	Completed
Review the content of our GIS datasets and the need to outsource information and	Yes
development analysis, thereby building added safeguards on constraint analysis.	res

Our datasets are up to date. We examined the additional service available from The Wildlife Information Centre and based on statutory duties, policies and a review of existing data, no added value materialised.

Action	Completed
Develop a site visit assessment tool to record site constraints, verify the accuracy	
and content of planning applications, and make better and more informed	Yes
decisions.	

This has been prepared. It provides a reliable source of information on the results of each site visit, and was a product of our ombudsman case which highlighted the importance of information on neighbouring property not shown in the planning application.

Action	Completed
Develop planning application validation standards, as an abbreviated version of the model prepared on behalf of Heads of Planning Scotland, to improve the planning assessment of proposals and build confidence for customers.	No

We have not progressed this change. The standards have been reviewed through Heads of Planning Scotland, and are being tested on a trial basis by one or more local authorities.

Action	Completed
Review the content of our website planning pages to ensure that the information	Na
and advice is easy to find, read and understand.	No

A review of our website is an ongoing process. However, it is largely based on the structure of the service, rather than the main interests of the customer. Any further changes will be dependent upon resource implications.

Action	Completed
Implement the recommendations of our Review of the Planning Enforcement	
Charter, and in addition: formulate model planning conditions; review advertising	Yes
on strategic routes; and keep customers informed of case work.	

We have yet to complete an approved set of model conditions, otherwise all other improvements have taken place. And despite the absence of an enforcement or monitoring officer post, casework is managed and reviewed, with no customer complaints on timeliness or communication.

Action	Completed
Adopt the Clackmannanshire Local Development Plan, forming the basis for future review to be detailed in the next Development Plan Scheme.	Yes

The Local Development Plan was adopted in August 2015. It is publicized widely, and is used to provide advice and inform decision making.

Action	Completed
Utilise Online Local Development Plan to allow more efficient and effective public	
consultation on the proposed Supplementary Guideline identified in the Local	No
Development Plan and future stages of the Local Development Plan Review.	

We did not use the Local Development Plan Module for consultation, the Council has developed its own corporate consultation database (Citizen Space) which was used to consult on two Supplementary Guides and will be used for draft Conservation Area Character Appraisals prepared earlier in the year.

Action	Completed
Develop the recording and monitoring of planning applications and consents to	V
inform Local Development Plan monitoring reports and future reviews.	Yes

The format of reports of handling has been reviewed and improved to ensure accurate reporting of Local Development Plan policies relevant to the site and the proposal. The Local Development Plan Monitoring Project, to be finalized in the coming year, will cover the period from August 2015 to August 2016.

Action	Completed
Continue to replace outdated supplementary advice notes with Supplementary Guidance on key priority areas of policy and land use.	Yes

We reviewed Planning Advice Notes that predated the new Local Development Plan. New guidance was prepared on Woodlands and Forestry, and Domestic Developments, which will be adopted later. Other Supplementary Guidance is planned to follow.

Action	Completed
Provide learning opportunities for principal planning officers as an integral part of the Council's series of staff development pathways.	No

The Council planned to roll out this staff development pathway but it has not materialised. Staff do undertake Performance Review and Development. Development requirements and opportunities are a core element to this exercise.

Action	Completed
Continue to provide 6 monthly reports to Planning Committee with updates on	
progress with major developments, enforcement action, appeals, complaints,	Yes
performance and development on the ground.	

This improvement to service delivery rolled forward from previous years. It is an important component of our Scheme of Delegation for Local Developments and helps to build confidence in the Scheme by elected Members.

Action	Completed
Examine the need and opportunity to roll out our Community Council Planning Protocol for other internal and external consultees.	No

For the moment, this protocol has not been taken further. We plan its introduction with internal services in the coming year, and will monitor arrangements with external consultees during the period.

Part 5 - Official Statistics

1. Decision-making: timescales (based on 'all applications' timescales)

Category	Total number of decisions 2014–15	Average timescale (weeks) 2015–16 2014–15		
Major developments	1	39.3	16.0	
Local developments (non-householder)	77	8.4	6.5	
Local: less than 2 months	78.6(%)	6.4	5.7	
Local: more than 2 months	21.4(%)	11.4	12.7	
Householder developments	124	5.9	6.1	
Local: less than 2 months	91(%)	5.5	5.7	
Local: more than 2 months	9(%)	10.4	11.3	
Major housing developments	1	39.3	0	
Local housing developments	30	8.1	7.5	
Local: less than 2 months	73.3(%)	7.1	6.7	
Local: more than 2 months	26.7(%)	10.9	11.2	
Major business and industry	0	0	0	
Local business and industry	21	6.1	5.9	
Local: less than 2 months	86(%)	5.5	5.4	
Local: more than 2 months	14(%)	9.9	15.3	
EIA developments	0	0	0	
Other consents	49	6.3	6.2	
Planning/legal agreements				
Major: average time	0	0	16	
Local: average time	0	0	0	
Local reviews	2	9.8	27.9	

Table 8 – Decision-making timescales

2. Decision-making: local reviews and appeals

Туре	Total number	2015–16		2014–13	
	of decisions	No	%	No	%
Local reviews	2	1	50%	0	0%
Appeals to Scottish Ministers	3	1	33%	1	100%

Table 9 – Local reviews and appeals

3. Enforcement activity

	2015–16	2014–15
Cases taken up	45	57
Breaches identified	39	54
Cases resolved	42	64
Notices served*	1	2
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

Table 10 – Enforcement activity

4. Context

Decision-making: timescales

We have experienced some fluctuation in performance this year. The average timescale for local developments has increased to 7.4 weeks, although the average time for those taking over two months has reduced to 11.4 weeks. Over 90% of householder applications are decided in less than two months; we expect to see a further drop in the annual average time next year. A modest increase in the average time for local housing developments has occurred, but once again, the average time for those exceeding two months has fallen. And within that same category, the average time for local business and industry developments has fallen significantly. Perhaps the most notable trend is the improvement in timescales for decisions on local reviews.

Decision-making: local reviews and appeals

The number of decisions in both categories is low. On one level that offers confidence in planning application decision making. Secondly, the low numbers largely prevent any meaningful analysis of statistical trends.

Enforcement activity

The activity is closely aligned to the previous year. The overall caseload is down and the number of formal notices is very low. We did serve two High Hedge notices during this recording period. This reflects well on our Enforcement Charter.

Part 6 - Workforce and Financial Information

	Chief Executive	Director	Head of Service	Manager
Head of Planning Service	_	_	_	1

Table 11 – Head of Service

		Development Management	Development Planning	Enforcement	Other
Managers*	Posts	1	0	_	_
	Vacant				
Main grade posts	Posts	3	1.5	_	_
	Vacant				
Technicians	Posts	0.25	0.25	_	_
	Vacant				
Office Support/Clerical	Posts	1	0	_	_
	Vacant				
TOTAL		5.25	1.75	_	_

Table 12 – Planning Service personnel

* Managers are those staff responsible for the operational management of a team or division. They are not necessarily line managers.

Staff age profile	Number
Under 30	0
30–39	0.5
40–49	4
50 and over	3.5

Table 13 – Staff age profiles

Committee meetings and Site Visits*	Number per year	
Full council meetings	7	
Planning committees	5	
Area committees (where relevant)	_	
Committee site visits	5	
Local Review Body**	2	
Local Review Body site visits	2	

Table 14 – Committee meetings and site visits

- * References to committees also include National Park Authority Boards. Number of site visits is those cases where visits were carried out by committees/boards.
- ** This relates to the number of meetings of the Local Review Body (LRB). The number of applications going to the LRB are reported elsewhere.

	Total	Costs (£)		Income***
	Budget (£)	Direct*	Indirect**	(£)
Development Management	39,160	223,650	3,360	168,057
Development Planning	194,080	96,819	23,944	49
Enforcement	_	_	_	_
Other	_	_	_	_
TOTAL	233,240	320,469	27,304	168,106

Table 15 – Departmental costs and income

- * Direct staff costs covers gross par (including overtime, national insurance and superannuation contribution). The appropriate proportion of the direct cost of any staff member within the planning authority spending 30% of more of their time on planning should be included in costs, irrespective of what department they are allocated to (for example, legal advice, administration, typing). Staff spending less that 30% of their time on planning should be excluded.
- ** Indirect costs include all other costs attributable to the planning service. Examples (not exhaustive) include accommodation, IT, stationery, office equipment, telephone charges, printing, advertising, travel and subsistence, and apportionment of support service costs.
- *** Income includes fees from planning applications and deemed applications, and recharges for advertising costs etc; but excludes income from property and planning searches.