

Development Services

Planning Performance Framework

Annual Report 2016–17



**Clackmannanshire
Council**

www.clacksweb.org.uk

Cover Images

Restoration of Japanese Garden

Social housing development using prefabricated housing

Burnfoot Hill windfarm and extension

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Introduction

This is Clackmannanshire Council's sixth Annual Report on its Planning Performance Framework (PPF) for Development Services. Following the submission and publication of performance information for 2015–16, 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 red rating.

The Development Plan and Development Quality (Management) Team now includes Building Standards under the supervision of one team leader. This has facilitated a more joined up approach to customer service for development proposals.

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 – Defining and Measuring a High Quality Planning Service

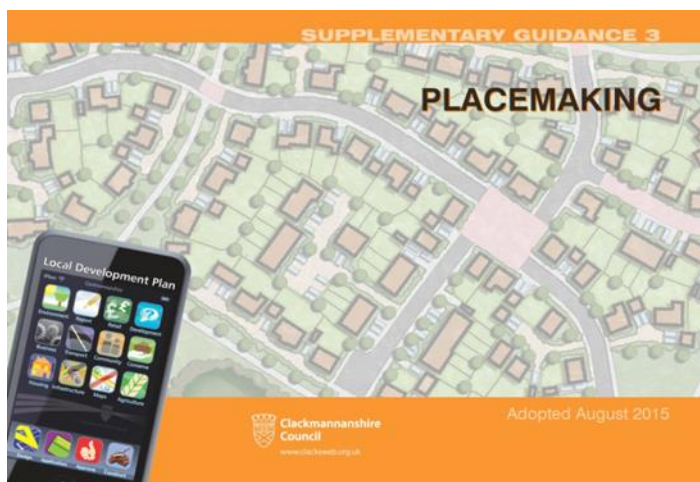
1. Quality of Outcomes

a. High Quality Development on the Ground

The Local Development Plan (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 and 9 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.

- 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 pre-application 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.

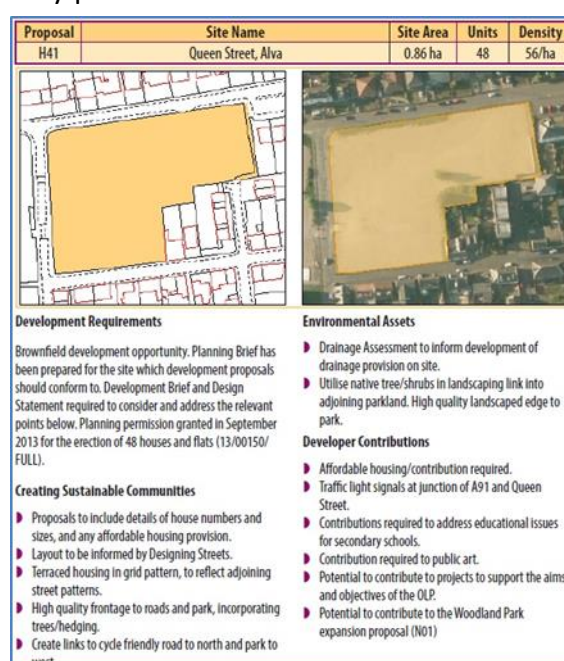


Figure 1 – Map and aerial photograph composite and associated development guidelines for the housing site at Queen Street, Alva

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. The appraisals are complete and will be reported to Council. 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

Case Study 1 – Pre-application questionnaire survey

For several years the Council's Planning Service has provided pre-application advice, largely on an informal basis. However in recent years we moved to a more formalised approach where pre-application enquiries were electronically recorded, formal acknowledgement letters or emails are sent out upon receipt, and written responses provided for all enquiries. In addition, our website includes a page explaining how to seek pre-application advice and how we will respond to enquiries.

In June 2017, we undertook a short survey of individuals and businesses who had submitted a pre-application enquiry during the previous year (April 2016 to March 2017) in order to gauge if the service was meeting our customers' needs, help identify areas for improvement, and seek feedback on whether we should be considering charging for pre-application advice.

A questionnaire was sent out by email to the 41 parties who had requested pre-application advice and a two week period was given for their responses to be received. The questionnaire contained 12 questions in total, nine of which were multiple choice and sought answers to be scored according to the following: ***Strongly disagree, Disagree, No view either way, Agree, Strongly agree, or not applicable*** as well as requesting any additional comments the respondent had. The final three questions sought comments only in response.

Whilst only nine recipients responded to the questionnaire, a 22% response rate, we have found the responses to be very useful, both in terms of providing very positive feedback on the service we already provide, but also in informing how we can continue to improve the provision of pre-application advice in the future, where resources may be more limited.

Question 1 – If you referred to the Council's website, you were able to find enough information to adequately answer your pre-application enquiry.

Responses: 78% agree or strongly agree, 11% disagree, and 11% had no view either way.

Proposed Action: We will review the FAQs on our website and seek to improve the coverage of straight forward enquiries.

Question 2 – If you referred to the Clackmannanshire LDP (including the on-line version), you were able to find enough information to adequately answer your pre-application enquiry.

Responses: 78% agree or strongly agree, 22% strongly disagree.

Proposed Action: We will seek to improve usability of the web-based LDP and Supplementary Guidance documents.

Question 3 – We were clear about the type and amount of information you were required to submit to allow us to deal with your pre-application enquiry.

Responses: 100% agree or strongly agree.

Proposed Action: None

Question 4 – We acknowledged your pre-application enquiry promptly.

Responses: 89% agree or strongly agree, 11% had no view either way.

Proposed Action: None

Question 5 – We provided a response to your pre-application enquiry within an acceptable timeframe.

Responses: 89% agree or strongly agree, 11% had no view either way.

Proposed Action: None

Question 6 – The advice you received met your expectations in terms of content and detail.

Responses: 100% agree or strongly agree.

Proposed Action: None

Question 7 – The advice you received helped to inform the final proposal that you submitted for planning permission.

Responses: 100% agree or strongly agree.

Proposed Action: None

Question 8 – The decision on the planning application reflected the advice given at pre-application stage.

Responses: 56% agree or strongly agree, 44% were not applicable.

Proposed Action: None

Question 9 – The pre-application advice you received influenced your decision to not submit a planning application.

Responses: 22% agree or strongly agree, 67% had no view either way or not applicable, and 11% disagree

Proposed Action: None

A questionnaire respondent included this comment with their response to question 9 —

The response received does help inform the decision, however, it is ultimately down to the Applicant themselves as to whether to progress with an application.

Question 10 – Is there anything we could improve on in providing pre-application advice to you in the future?

Responses:

- Clackmannanshire Council Planning Officers are always very approachable when it comes to obtaining Pre-Application advice – We do not see any areas which need improvement.
- Service was very good.
- Not in my opinion.
- Not based on my recent experience.
- Though not specific to Clackmannanshire Council, a co-ordinated response confirming the position of the Council would be preferable to individual responses from the respective Services (Planning, Roads, etc) which can on occasion conflict.
- On site discussion with planning officer.

Proposed Action:

- It is normal practice to consult relevant Council services at the pre-application stage and refer to any comments received in pre-application responses. The Service will seek to ensure this good practice continues.
- Limited resources mean that on site meetings cannot always be accommodated at the pre-application stage, however, given the relatively small size of the area and the local knowledge of case officers, most sites are well known. We will consider requests for pre-application site meetings positively, where the nature of the site or proposal warrant this.

Question 11 – Do you think that the pre-application advice service could be adequately replaced by information on our website, such as in FAQs?

Responses:

- In some cases this may be helpful for the general public, however as agents regularly involved in the planning process, our enquiries are generally more complex and on a case specific basis where general advice may not always be helpful.
- No, as web site cannot address every scenario.
- No it was much more effective to receive a specific reply.
- No, as a house builder, site specific discussion is crucial to determining the feasibility of opportunities, promotes collaborative design from the earliest stage which can streamline timescales, and prevent any abortive work with associated expense.

- No....being able to meet with and / or talk to an Officer is preferred as FAQ's never answer every question, and it is critical to get the correct advice for the application.
- No, the website is good for simple questions but it's not adequate for site specific items.

Proposed Action:

- We will continue with our current service.
- We will review FAQs on website and seek to improve coverage of straight forward enquiries.

Question 12 – If Council resources in the future meant that we had to consider withdrawal of the pre-application advice service, unless it were made subject to a fee, would you consider paying a fee for advice, and if so, can you indicate what may be an acceptable fee to you?

Responses:

- If a fee was required it would still be something that we would consider for a large or complex development depending on the fee proposed. In some cases it may lead to an application being submitted which lacked certain levels of information leading to additional work for the officers which could have easily been addressed had pre-application advice been given at the outset.
- Yes would consider paying a fee as long as it was considerably less than the application fee.
- I would be very disappointed if Clackmannanshire went down this line. The current system and accessibility of advice ensures that a streamlined process operates. Any obstacle to that would introduce delays and remove the ability to seek quick simple advice on smaller Local Applications.
- It is currently a pleasure dealing with Clackmannanshire Council's Planning staff, I fear that charging for the service would remove the human element from what is ultimately a public service. PLEASE do not do it!
- Yes, but that value would depend on the value of the project.
- It is a good service however if a fee became applicable then 9 times out 10 a planning application would be submitted regardless of pre app advice.
- A fee would be preferable to having no pre-application advice service. Fee would need to be based on amount of advice given and scale of project so not easy to specify a single figure.
- Only if pre-application fee is deducted from planning application fee when submitted.
- As pre application advice has been so strongly promoted by Local Authorities – for the reasons noted above – it would be somewhat farcical to now withdraw it. With the new planning fees now in force, I would suggest now would not be a welcome

time for introducing a fee for this service. However if unavoidable, and it retained the service, perhaps this could be introduced only on the more complex sites (i.e Major Applications).

Proposed Action:

- Our intention to continue with the service largely in its current form. This is clearly a service that our customers value and want us to retain free of charge.

It is clear from the results that the pre-application service offered by Clackmannanshire Council is working well for our customers and is highly valued by them. Whilst there are areas identified for continuing improvement, the strong view from our customers is that the service should largely stay as it is, with the key principle of getting a direct response from a planning officer, who will likely deal with a subsequent planning application, identified as the most important element.

It is also clear that whilst the Council's website, including the on-line LDP, is a useful reference point for straight forward enquiries, receiving qualitative advice from planning officers is of paramount importance which could and should not be replaced by a web-based self service approach. Prior to undertaking the questionnaire survey, we had considered looking into the concept of a website-based self-service approach, relying significantly on the LDP and Supplementary Guidance. It appears that this is not what our customers want, and whilst having these documents available on-line is helpful, on their own, they would not meet our customers needs.

In addition, significant resources would be required to set up and manage a more advanced on-line self service system, such as through significantly expanding FAQs, and it is clear that this may not be the best use of the Planning Service's limited resources, compared to the cost of officer time responding directly to pre-application enquiries, as our customers want.

Nevertheless, we will continue to improve the scope and accessibility of on-line planning information, including expanding FAQs and improving usability of the on-line LDP and Supplementary Guidance.

On the subject of potential charges for pre-application advice, the feedback was generally against this approach. However some respondents indicated that a charged for the service would be preferable to no service at all. The Council is not currently minded to start charging for pre-application advice, based on the responses we have received and having examined the options for charging.

Whilst consideration has been given to charging a fee for pre-application advice, this presents a number of challenges, in terms of arriving at a fee (or scale of fees) that reflects the scale or nature of the proposal and amount of work involved in providing the response.

The end result is likely to be a fixed fee that is either too high, thereby dissuading enquiries, resulting in more “cold” applications which may require more officer time as a result; or too low, and therefore not providing a significant source of income to the Service, but also dissuading enquiries at the same time.

The idea of a scale of fees, commensurate with the scale/nature of development and amount of work involved in providing the response is likely to be difficult to administer and would have the same impact on the amount of enquiries received.

The view of the Planning Service is that where applications are subject of pre-application advice, this can help enable faster determination times and provide greater certainty about decision-making from an early stage, where the advice is reflected in the submitted application. In many cases, therefore, officer time spent at the pre-application stage is often well spent as it can ease help ease the subsequent planning application process.

In summary, the Council will continue to provide the pre-application service largely in its current form as this is meeting our customers’ needs and expectations. Continuing to run the service on this basis, free of charge, whilst resources are being stretched is something that the Council will require to keep under review.

Case Study 2 – The use of Supplementary Guidance and web based guidance systems

In August 2015 the Clackmannanshire Local Development Plan was adopted. For the first time the Local Plan contained a Supplementary Guidance section which outlined the Councils position on a variety of topics including Domestic Developments.

The Council has previously used pages within it’s website to inform the public of:

- the role of the planning service;
- the rules relating to permitted development;
- the hierarchy of developments;
- FAQ’s on the need for planning permission;
- how to submit an application;
- neighbour notification and publicity;
- assessing and processing application proposals, the scheme of delegation on planning decisions;
- decision notices;
- the local review body;
- appeals against planning decisions;
- notification of development; and
- display of site notices.

These pages are reviewed every year and also updated when necessary. For example, following a change in legislation.

Work is ongoing on whether an automated flow chart enquiry system should be introduced or whether an automated enquiry system would be appropriate. For example, filling in a standard online form, that then would be passed to the planning team.

The Supplementary Guidance is seen as a higher level guide that does not contain detailed criteria to enable a customer to assess whether planning permission is required. It is more designed as a guide outlining what information should be provided by an applicant preparing an application for planning permission, and outlining factors that should be taken into account when considering a development such as impacts on neighbours, energy efficiency, use of water, and impacts on the surrounding land uses.

The hope is that the combination of the Supplementary guidance and online guidance will lead to a more informed public and result in a higher quality of application submitted, both in terms of design and information submitted.

The use of the Supplementary Guidance and its impact on applications submitted will be assessed as part of the preparation of the new Local Development Plan.

2. Quality of Service and Engagement

a. Open for Business

The adopted LDP represents the foundation upon which the service can 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 and 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 officer responsible for residential development can consistently apply their 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. We see that continuity of customer focus in the Development Plan process as an important theme through the planning service.

A monitoring framework has been set up which will report annually each October on the performance of the LDP, including 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.

A survey of customers who applied for pre-application advice was carried out. Positive comments were received including:

“Exceeded my expectations based upon experience of other Local Authorities.”

“Clackmannanshire Council Planning Officers are always very approachable when it comes to obtaining pre-application advice. We do not see any areas which need improvement.”

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. 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 National Headline Indicators 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 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 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 pre-application 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 arrangements were introduced.

Reports of Handling identify specific policies, proposal allocations or supplementary guidance. This is an integral part of the LDP Monitoring process and provides reliable evidence on the true use of policy, progress on allocations and the value of guidance to ensure 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

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, Clacksweb, 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.

We published an eNewsletter in July 2016 and February 2017 which was distributed to agents, developers, Community Councils and other interested parties. This will continue to be published twice a year, allowing us to communicate topical news and information about the Planning Service and any other relevant Planning matters both local and national.

The Council has a two stage corporate complaints service, and we are pleased to report that no complaints were made in relation to the Planning Service during the reporting period.

During the period of reporting there was no formal consultation on the LDP. The Council's website is regularly updated with information on the progress of the Plan as well as notification of any significant milestones in the Council's weekly Development Services Bulletin. 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 wind turbine at Gibsley Farm;
- a solar array at Balhearty Farm;
- a micro-hydro scheme at Harviestoun Home Farm; and
- a battery storage system at Balhearty 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 publicised on our web site, 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 late 2017 or early 2018.

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. This team leader also manages the Building Standards Service which ensures an oversight for customer service.

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. 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. The aim is 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

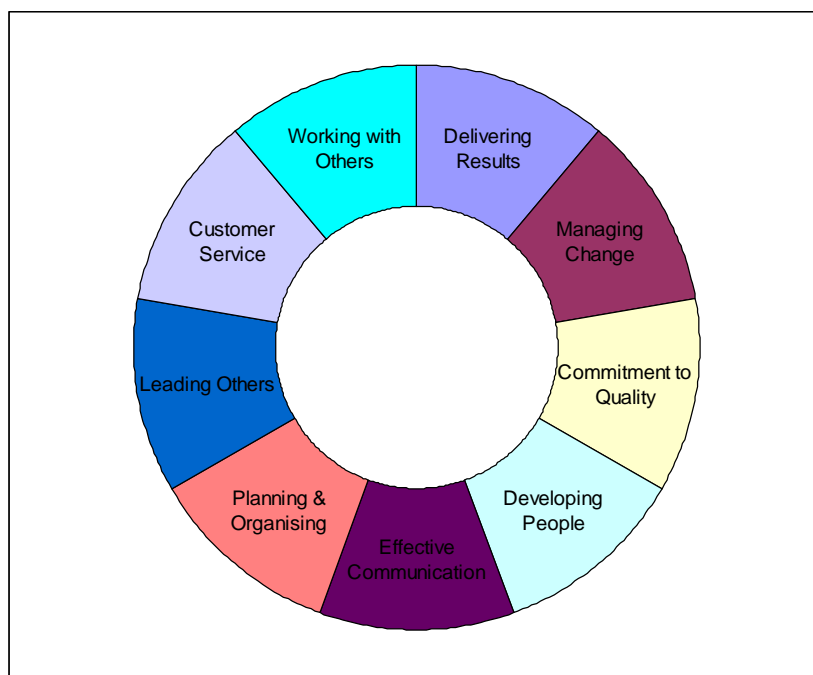


Figure 2 – PRD Competences

behavioural competences such as commitment to quality, developing people and excellence in customer service. At a corporate level, the Council has developed training pathways for Service Managers and Team Leaders.

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 provided this service in 2016–17. This voluntary arrangement heightened 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 2 – Supporting Evidence

Part 1 of this report was compiled, drawing on evidence from the following sources:

- 2016–17 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
- 2015–16 Performance Markers Report
- 2015–16 HOPS PPF Peer Review

Part 3 – Service Improvements 2017–18

The following improvements in service delivery are planned for 2017–18. 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.

- 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.
- Formulate protocol with internal services (Roads and Transportation, and Environmental Health) for consultation on planning applications and pre-application 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.
- Make use of the Place Standard Tool in the LDP review.
- Review the FAQs and online information contained on Council’s website.
- Report on Energy Efficiency Exemplars, policies and guidance.

1. Committed Improvements and Actions

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

The final standards are still being prepared by HOPS/Scottish Government.

Action	Completed
Review the content of our website planning pages to ensure that the information and advice is easy to find, read and understand.	Yes

This is an ongoing process with automated alerts to offices when pages need to be reviewed.

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

The Online Local Development Plan project has now been discontinued by the Scottish Government.

Action	Completed
Provide learning opportunities for principal planning officers as an integral part of the Council's series of staff development pathways.	yes

There are learning opportunities and they are budgeted in the training plan.

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

Initial contact made with internal consultees with discussions held relating to methodology and processes.

Action	Completed
Examination of the scope to move towards a self-service model for pre-application advice, a generic model based on the most common development proposals.	No

Research has been carried out on the methods used by other Councils. A final decision has still to be made on the format and dates for a roll out of the service.

Action	Completed
Improve information on town centres by completing a programme of health checks reviewing funding to inform planning policy and investment priorities.	Ongoing

Health checks have been carried out for four of the seven town centres scheduled for auditing. However, no reports have been prepared and there are three audits remaining to be carried out. The officer in charge of this area of work retired in March 2017 and was not replaced.

Future programming of this work requires to be considered. It may be that communities are encouraged to become more involved in the data gathering and reporting.

Action	Completed
Develop a new householder permitted development enquiry service using a template and access to the general permitted development order.	Ongoing
Issues of practicability of updating (especially with new legislation) and the level of understanding of the criteria of the GPDO by the public still being discussed.	

Action	Completed
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.	Yes
Where it is necessary or appropriate to keep paper copies these have been rationalized. Officers have been provided with information on where electronic copies of documents can be found.	

Action	Completed
Formulate protocol with internal services (Roads and Transportation, and Environmental Health) for consultation on planning applications and pre-application enquiries.	Ongoing
Initial contact made with internal consultees.	

Action	Completed
Consolidate all development monitoring arrangements, including updates on LDP allocated sites, policy analysis, developer contributions, and infrastructure or other constraints.	Ongoing
Monitoring of the LDP has been in place since its adoption almost two years ago. The monitoring information gathered has proved useful in responding to various scheduled and unscheduled information requests and monitoring the performance of the LDP and planning decisions. Variations over the time periods for which information is required have complicated information retrieval; for example calendar year, financial year, mid-year to mid-year. It is intended to review the means of recording information and retrieval, particularly in relation to the different timescales to make it easier to access.	

Action	Completed
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.	Ongoing
Work undertaken but task not completed.	

Action	Completed
Design and implement a 22 day householder planning application decision making service on selected applications.	Ongoing
An outline of process has been developed and forms a basis for decision making.	

Part 4 – National Headline Indicators

Planning Performance Framework Annual Report 2016–17

Development Planning	2016–17	2015–16
Age of local/strategic development plan(s) (years and months) at end of reporting period <i>Requirement: less than 5 years</i>	Local Development Plan (20 months)	Local Development Plan (8 months)
Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? (Y/N)	Y	Y
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)	Y	Y

Table 1 – Development Planning

Effective land supply and delivery of outputs	2016–17	2015–16
Established housing land supply ¹	5,453 units	5,404 units
5 year effective housing land supply ¹	1,329 units	1,472 units
5-year housing supply target	1,350 units	675 units
5-year effective housing land supply	5 years	11 years
Housing approvals	376 units	120 units
Housing completions over the last 5 years	536 units ²	429 units
Marketable employment land supply	68.81 ha ³	60.84 ha
Employment land take-up during reporting year	11.64 ha ³	11.07 ha

Table 2 – Effective land supply

Development Management, Project Planning	2016–17	2015–16
Percentage of applications subject to pre-application advice	22%	41%
Number of major applications subject to processing agreement	0	0

Table 3 – Development Management, Project Planning

Decision-making	2016–17	2015–16
Application approval rate	98%	95%
Delegation rate	95%	93.8%

Table 4 – Decision-making

Decision-making timescales	2016–17	2015–16
Major developments	—	39.3 weeks
Local developments (non-householder)	7.9 weeks	7.4 weeks
Householder developments	5.9 weeks	5.9 weeks

Table 5 – Decision-making timescales

¹ From 2015-16 Housing Land Audit

² Not including 2017 Q1

³ From 2016 Employment Land Audit

Legacy Cases	2016–17	2015–16
Number cleared during reporting period	0	1
Number remaining	1	1

Table 6 – Legacy cases

Enforcement	2016–17	2015–16
Time since enforcement charter published/reviewed (<i>months</i>) <i>Requirement: review every 2 years</i>	27 months	15 months

Table 7 – Enforcement

Development Planning

The figures illustrate the use of the new plan and the progress towards review of this plan.

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. Please note that there was an error in the 2015/16 figures relating to 5 year housing targets and supply.

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 average figure for Local non-householder developments increased slightly. While the figures would suggest a downturn in performance, analysis indicates that a small number of applications contributed to that outcome.

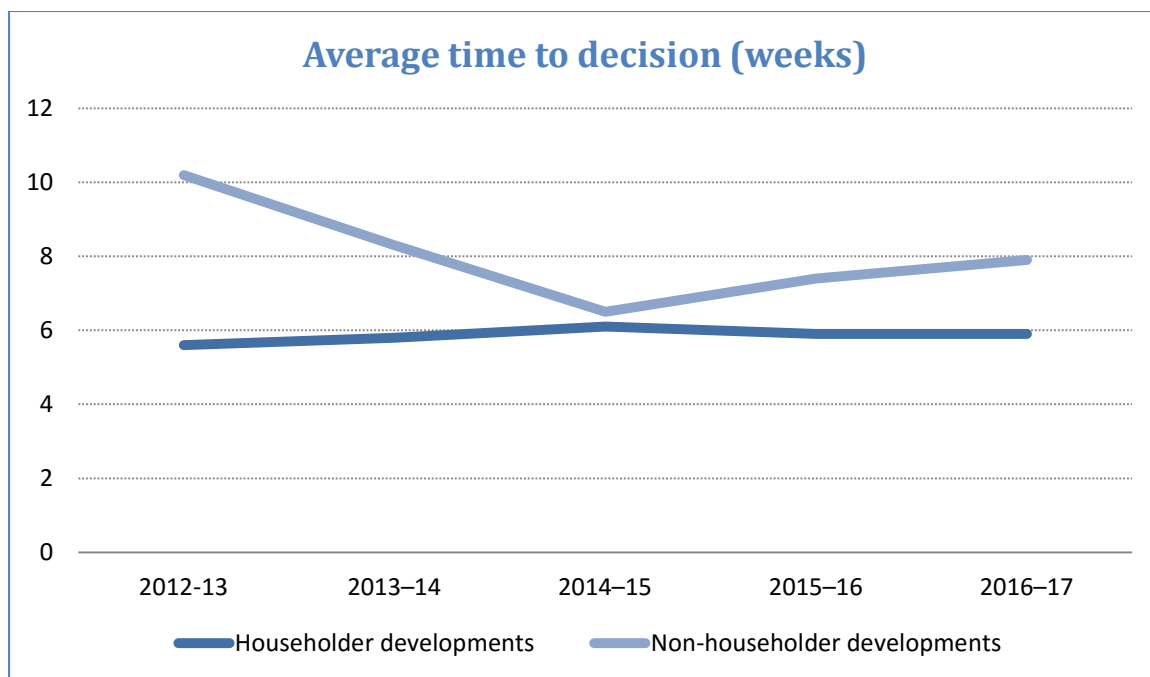


Figure 3 – Average time to make a decision for householder and non-householder developments over the last five years

Part 5 – Official Statistics

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

Category	Total number of decisions 2016–17	Average timescale (weeks)	
		2016–17	2015–16
Major developments	0	—	39.3
Local developments (non-householder)	78	8.1	8.4
Local: less than 2 months	82.1%	6.3	6.4
Local: more than 2 months	17.9%	16.3	11.4
Householder developments	116	5.9	5.9
Local: less than 2 months	92.2%	5.5	5.5
Local: more than 2 months	7.8%	11.1	10.4
Major housing developments	0	—	39.3
Local housing developments	31	8.2	8.1
Local: less than 2 months	77.4%	7.1	7.1
Local: more than 2 months	22.6%	12.1	10.9
Major business and industry	0	—	—
Local business and industry	25	9.6	6.1
Local: less than 2 months	84%	6.3	5.5
Local: more than 2 months	16%	27.1	9.9
EIA developments	-	-	—
Other consents	46	7.6	6.3
Planning/legal agreements			
Major: average time	0	—	—
Local: average time	1	70	—
Local reviews	2	6.3	9.8

Table 8 – Decision-making timescales

2. Decision-making: local reviews and appeals

Type	Total number of decisions	2016–17		2015–16	
		No	%	No	%
Local reviews	2	2	100%	1	50%
Appeals to Scottish Ministers	0	0	0%	1	33%

Table 9 – Local reviews and appeals

3. Enforcement activity

	2016–17	2015–16
Complaints lodged	—	—
Cases taken up	42	45
Breaches identified	32	39
Cases resolved	33	42
Notices served*	0	1
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 remained virtually unchanged with a decrease in time taken for householder and an increase in time frames for other local developments. 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. The average time for local housing developments has remained the same but the average time for those exceeding two months has risen.

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. This reflects well on our Enforcement Charter.

Part 6 – Workforce 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	—	—	—
	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
40–49	4.25
50 and over	3.5

Table 13 – Staff age profiles

Committee meetings and Site Visits*	Number per year
Full council meetings	11
Planning committees	7
Area committees (where relevant)	n/a
Committee site visits	1
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.