



DUMFRIES AND
GALLOWAY COUNCIL

Planning Performance Framework

Annual Report

2014 - 15

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Introduction

Welcome to the annual performance report for our Planning Service which provides details of our performance during 2014/15. This fourth Planning Performance Framework (PPF) Annual Report shows that we are continuing to improve our service and deliver high quality outcomes.

2014/15 saw an important landmark being reached with the adoption of our first Local Development Plan (LDP). For the first time, this brings together planning policies for our region into a single plan. Our vision is of Dumfries and Galloway as a thriving region with a sustainable economy, making the most of our unique landscape and heritage assets and maximising our location as the gateway to Scotland to attract new investment and employment. Our progress in developing an open-for-business culture which supports delivery of a responsive and proactive Planning Service is evidenced in the report.

Encouragingly, 2014/15 saw a significant increase in planning application numbers for the first time since the economic downturn, and following a review and restructure of the Service, we have improved our average timescales for dealing with all categories of planning application. These timescales are all now better than the national average, which has been a major achievement.

Planning plays an important role in helping to grow the local economy, which is our Council's key priority. I look forward to a year of continued improvement as we deliver our 2015/16 Improvement Plan in support of these ambitions.

Cllr Colin Smyth

Chairman

Economy, Environment and Infrastructure Committee
Dumfries and Galloway Council



Part 1:

National Headline Indicators (NHIs)

Key Outcomes	2014 - 2015	2013 - 2014
Development Planning: <ul style="list-style-type: none"> Age of local/strategic development plan(s) (years and months) at end of reporting period Requirement: less than 5 years Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? (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) Were development plan scheme engagement/consultation commitments met during the year? (Y/N) 	6 months (LDP) Yes No Yes	7 years (Local plans) n/a n/a n/a
Effective Land Supply and Delivery of Outputs <ul style="list-style-type: none"> Established housing land supply 5-year effective housing land supply 5-year housing supply target 5-year effective housing land supply (<i>to one decimal place</i>) Housing approvals Housing completions over the last 5 years Marketable employment land supply Employment land take-up during reporting year 	9,895 units 4,499 units 2,537 units 8.9 years 660 units 2,259 units April 2009 - March 2014 258.71ha 2.0 ha	11,089 units 4,879 units n/a 8.2 years 397 units* n/a 299.89 ha 5.05 ha*
Development Management Project Planning <ul style="list-style-type: none"> Percentage of applications subject to pre-application advice Number of major applications subject to processing agreement or other project plan Percentage planned timescales met Decision-making <ul style="list-style-type: none"> Application approval rate Delegation rate 	 41.1% 1 100% 96.1% 96.3%	 42.9% 1 100% 95.1% 93.1%



Key Outcomes	2014 - 2015	2013 - 2014
Decision-making timescales		
Average number of weeks to decision:		
• Major developments	26.7	60.9
• Local developments (non-householder)	13.0	14.6
• Householder developments	7.0	9.9
Legacy Cases		
• Number cleared during reporting period	34	n/a
• Number remaining	73	n/a
Enforcement		
• time since enforcement charter published / reviewed (months) Requirement: review every 2 years	17 months	5 months
• number of breaches identified / resolved	196/99	177/109

* Figures cover the time period 1 July 2013 to 31 March 2014

1.1 Development Planning

1.1.1 The Local Development Plan (LDP) was formally adopted on 29 September 2014. The 6th edition of the Development Plan Scheme was published in November 2014 and is on track.

1.1.2 Work started on reviewing the LDP project management and governance structures to ensure LDP1 is replaced before its 5th anniversary. A structured project management approach will be developed in line with the Council's corporate project management guidance. A project board will be established to deliver and keep the timetable for LDP2 on track. Key staff also attended project management training delivered through the Improvement Service and will implement the lessons learned.

1.2 Effective Land Supply

1.2.1 The effective housing land supply figures contained in this year's return are based on the adopted Local Development Plan. The figures in this year's return cover the full reporting period. There continue to be a more than adequate housing land supply across all housing market areas.

1.3 Employment Land

1.3.1 The effective employment land supply figure contained in this year's return is based on the adopted Local Development Plan. The land supply figure has reduced from the previous return as the examination report recommended that two

of the allocated business and industry sites were reduced in size in response to representations. Two hectares of land have been developed and planning permission has been granted for the development of 3.43 hectares which had not been implemented during the reporting period.

1.4 Development Management

1.4.1 2014/15 saw the implementation of a number of significant changes and improvements to the Development Management service agreed as part of the Service Review process undertaken during 2013/14. The service was completely restructured into 3 hierarchy-based teams (dealing with Major Projects, Local Applications, and Minor Applications and Enforcement), each with their own dedicated Team Leader, instead of the former 2 area-based teams. This resulted in both efficiency savings and notable improvements in performance in all 3 categories in terms of average timescales (Major developments - from 60.9 to 26.7 weeks; Local (non-householder) Applications - from 14.6 to 13.0 weeks; and Householder Applications - from 9.9 to 7.0 weeks).

Local Development Plan



The adoption of the Local Development Plan (LDP) in September 2014 ensures there is an up-to-date planning policy framework for Dumfries and Galloway. The LDP is supported by a suite of statutory and non-statutory supplementary guidance documents which provide more detail and information on the policies and allocations contained in the LDP. The majority of supplementary guidance documents were adopted soon after the plan was adopted. The remaining documents should be adopted during the next reporting period in 2015/16.

Part 2:

Defining and Measuring a High-Quality Planning Service

2.1 Open for business

2.1.1 The adoption of the Local Development Plan in September 2014 was a landmark for planning in Dumfries and Galloway. 5 previous plans (the 1999 Structure Plan and the 4 Area Local Plans from 2006) were replaced by a single document. It is a significantly streamlined document, with 67 policies (compared to the 169 policies and 24 proposals previously) and 48 recognised settlements with inset maps, compared with 120 in the Local Plans. This simpler, single, up-to-date document provides certainty to developers and the wider public through its identified development sites (which were identified using a 'call for sites' in order to ensure their effectiveness) and the positively worded policies.

2.1.2 Following the adoption of the Local Development Plan, for the first time, the Council has a policy in place regarding developer contributions. Policy OP3 (see separate box) is one of the 3 overarching policies in the Plan. Supplementary Guidance on Developer Contributions was adopted on 1 December 2014. <http://www.dumgal.gov.uk/index.aspx?articleid=11943>

An officer working group (involving representatives from Planning, Economic Development, Legal Services, Finance, Education and Strategic Housing) was established in October 2014 to implement the policy, establish procedures and keep the approach under review.

Policy OP3: Developer Contributions

Developer contributions will be sought where a development proposal (or a combination of developments) creates an identified need: to secure the mitigation required to address an adverse environmental impact; or to provide for new, extended or upgraded public infrastructure facilities or services. Contributions secured through a planning obligation (Section 75 agreement or other legal agreement as necessary) will be consistent with the tests set out in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. Developers will be required to make a fair and reasonable contribution (financial or "in kind"), proportionate to the scale and nature of the development, towards these additional costs or requirements, relative to:

- affordable housing;
- open space and green networks;
- leisure, recreation and tourism infrastructure;
- education;
- community facilities, including health facilities;
- waste management infrastructure;
- offsite infrastructure works including transport infrastructure.

Supplementary guidance shall provide further details on the scale and nature of developer contributions; any exceptions that may apply; and the submission of development appraisal information where development viability issues arise.

2.1.3 The revised Development Management structure introduced in 2014/15 has allowed the Council to provide the appropriate and proportionate level of skill and expertise for each respective applications i.e. the Major Projects team included more experienced planners with specialist knowledge.

2.1.4 The pre-application enquiry system itself has become better established and understood by local agents. Forms are available online.

<http://www.dumgal.gov.uk/index.aspx?articleid=11983>

In addition to Development Management staff providing advice, during 2014/15, Development Planning have been assisting with replies, which has assisted in those staff seeing the practical application of the new policies.

2.1.5 A project management approach is undertaken for Major applications, best exemplified where a processing agreement is used (please see the DGRI case study). However, there is a concern regarding the willingness of certain developers (particularly those in the wind energy industry) to enter into Processing Agreements. There are proposals to attempt to address this during 2015/16. In Autumn 2014, Dumfries and Galloway Council was one of the planning authorities which was surveyed in the Scottish Government's "Benefits of using Processing Agreements: April 2015" <http://www.gov.scot/Topics/Built-Environment/planning/Development-Management/Processing-Agreements/processing-agreements-report-April2015>

2.1.6 There are strong links between the Council's Planning Service and Economic Development Service. They fall within the same Directorate and the 2 respective Heads of Service attend the Departmental Management Team (DMT) together. A Strategic Projects Leadership Board (chaired by the Head of Economic Development but including the Head of Planning and Regulatory Services) has been established to ensure that major projects within the region are suitably prioritised and a joined-up approach is taken.

2.2 High quality development on the ground

2.2.1 The adopted Local Development Plan contains a specific overarching policy on design - Policy OP2 : Design Quality of New Developments (see separate box). Supplementary Guidance on Design Quality has been produced and should be adopted in 2015/16. A technical paper on what should be included in a masterplan was also produced and adopted.

Policy OP2: Design Quality of New Development

Development proposals should achieve high quality design in terms of their contribution to the existing built and natural environment contributing positively to a sense of place and local distinctiveness. Where relevant proposals should:

- relate well to the scale, density, massing, character, appearance and use of materials of the surrounding area and in so doing be sympathetic to the local built forms as well as respecting the important physical, historic and landscape features of the site and its vicinity;
- be designed with people, not vehicle movement, as the primary focus, incorporating the principles set out in 'Designing Streets' and where possible increase connectivity to nearby places, paths, streets and open spaces;
- ensure that any open space required is of high quality, appropriate and integrated to the development and where possible provides linkages to the wider green network;
- incorporate a hard landscaping and planting scheme which includes the proposed treatment of existing trees and other landscape features;
- be designed to create safe, accessible and inclusive places for all people which are well integrated into existing settlements and respect the established historic layout and patterns of development, that are also adaptable to future changes;
- integrate sustainable energy measures.

This policy is supported by supplementary guidance.

A masterplan and/ or development brief may be needed for some sites, the site guidance in Chapter 6 outlines where this is required.

2.2.2 A key opportunity site within Dumfries and Galloway is the Stranraer Waterfront, which arose following the relocation of Stena ferry operations to Cairnryan. This site is identified in the Local Development Plan as a mixed use area, STR.MU1. Supplementary Guidance on Urban Design Strategy And Masterplan for the Stranraer Waterfront was adopted on 1 December 2014

<http://www.dumgal.gov.uk/index.aspx?articleid=11943>

2.2.3 Many of the adopted Supplementary Guidance documents which were produced and consulted upon during the 2014/15 period (i.e. Housing in the Countryside; Conversion of Traditional Buildings; Housing Immediately Outside Settlement Boundaries: and Open Space) will help ensure high quality development on the ground.

2.2.4 In the last year, the Council has undertaken a number of public realm improvements, such as the Burns Statue Square and the refurbishment of Dock Park in Dumfries (the latter winning the accolade of the national winner in the People's Choice award as the nation's favourite open space in a Keep Scotland Beautiful poll) and works to Lockerbie Town Centre (which has been shortlisted in the Scottish Awards for Quality in Planning 2015).

2.3 Certainty

2.3.1 It is important for planning authorities to provide clear advice to agents and applicants as to what will be required in the submission of a planning application. To assist with this, Guidance Notes for validation on both General and Householder planning applications were extensively updated in September 2014 and were provided online <http://www.dumgal.gov.uk/index.aspx?articleid=1888>

2.3.2 Similarly, Dumfries and Galloway Council used to create all its own applications forms. Papers copies were kept in the Planning offices and copies were also on the Council website. However, there were 2 issues with this practice. Firstly, every time there was a change in legislation, the forms became out of date. Secondly, the easy availability of paper application forms may have been a contributory factor with the lower adoption rates for the submission of electronic applications than found in other authorities. Accordingly, after

communication with the Scottish Government, in November 2014, we removed all our own forms from offices and the Council website, gave express encouragement to lodging applications electronically and only provided a link to the Scottish Government ePlanning website for forms. Applicants and agents can therefore be sure that they are using the most up-to-date forms in the event that they choose not to submit electronically. <http://www.dumgal.gov.uk/index.aspx?articleid=13652>

2.3.3 In order to provide greater clarity of what was expected to be provided by way of justification under the new Local Development Plan policies, Supplementary Guidance on Assessing the Adequacy of Marketing for Change of Use Applications was adopted on 1 December 2014.

<http://www.dumgal.gov.uk/index.aspx?articleid=11943>

2.3.4 For pre-application meetings for Major and other significant applications, the Council invites all the key stakeholders to meetings, in order to try to provide a 'one stop shop' service. The possibility of formalising (and charging for) this service will be further explored during 2015/16.

2.3.5 Similarly, Dumfries and Galloway Council planning staff attended a number of gate-checking meetings in Glasgow with the Scottish Government Energy Consents and Deployment Unit, in order to ensure that all key areas of concern for Section 36 / 37 applications are identified as early as possible.



2.4 Communications, engagement and customer service

2.4.1 The Development Planning pages on the Dumfries and Galloway Council website were kept up to date as this is one of the main mechanisms used for public consultation. The adoption of the LDP provided an opportunity for us to review and redesign the web page, making it more user friendly and streamlined.

A dedicated Development Planning e-mail address was also established. <http://www.dumgal.gov.uk/index.aspx?articleid=11944>

2.4.2 The Council's Development Management Customer Charter and Customer Guidance Note were revised and updated online in May 2014 <http://www.dumgal.gov.uk/index.aspx?articleid=13681>

2.4.3 Customer survey was undertaken by the Development Management Service during 2014/15. Although the response rate was not high (a phenomenon noted by other planning authorities), the responses obtained showed 88% satisfaction rating. What was encouraging however was greater unsolicited, spontaneous praise. For example, one local agent submitted an email in March 2015 which simply stated "For quite some time now all my Minor Applications (Household) have been processed very promptly and efficiently, very good service and praise is due."

2.4.4 The annual Planning Agents' Forum was held on 30 September 2014. This provided an opportunity for a 2 way exchange of information and feedback between the parties as well as some informal networking before and afterwards.

"For quite some time now all my Minor Applications (Household) have been processed very promptly and efficiently, very good service and praise is due."

Case Study 1

DGRI

The £270m relocation of the regional hospital has been a significant and high profile project for Dumfries and Galloway. Processing agreements were used to deliver outline planning permission, with legal agreement, within 4 months and approval of conditions within 3½ months.

Pre-application discussions were comprehensive, with 'twin-tracking' for the two separate bidders at detailed design stage. High levels of engagement were promoted throughout. One agent praised *'the highly professional way in which you have processed the application to determination, ensuring that we have been kept fully updated on issues arising ... and allowing us to keep to the timetable'*.



2.5 Efficient and effective decision-making

2.5.1 The Council's Scheme of Delegation to Officers for Planning is working well, with 96.3% of decisions being made under delegated powers in 2014/15.

2.5.2 In terms of Committees, there are 12 Planning Applications Committee meetings each year and also 10 scheduled Local Review Body meetings. All Development Planning matters are reported to the Economy, Environment and Infrastructure Committee, which meets every 2 months. Key Local Development Plan decisions are made by the Full Council, which meets every 3 months.

2.5.3 During the period, Development Management staff have continued to develop the back-office system, IDOX Enterprise for Acolaid. In addition to being the Development Management casework management system, Enterprise provides a graphic 'traffic light' system, following each required tasks for each application and flagging up any which have fallen behind schedule. This enables officers to monitor their own caseload easily and allows managers to identify where assistance may be required / action is necessary and ensure proportionate allocation of new cases takes place.

2.5.4 34 legacy cases were determined during 2014/15 but there remained 73 cases of more than a year old as of 31 March 2015. Some of these relate to wind energy developments where additional information is required. Greater use of Regulation 24 letters and delegated refusals is being made in order to address the issue of legacy cases.

2.5.5 Currently, Dumfries and Galloway Council has an agreement with Historic Scotland which allows for the Removal of the Duty to Notify (RDN) in the case of certain Listed Building Consent applications. This has operated effectively, has improved performance and has been to the satisfaction of Historic Scotland. The impending changes to Historic Scotland during 2015 mean that RDN will cease. Planning staff have attended a number of meetings and workshops with Historic Scotland to try and ensure the smooth operation of the new system in terms of secondary legislation and procedures. This collaboration will continue into 2015/16.



2.6 Effective management structures

2.6.1 The move away from the former area structure has been seen to provide tangible benefits both in terms of performance and greater flexibility. Officers are now working outwith what was formerly seen as "their" area, providing greater opportunities and interest to staff. There is greater consistency of interpretation as the same manager signs off all the decisions across the region within their respective hierarchy

2.6.2 As of January 2015, a single Service Manager Planning has been in place (replacing the former Service Manager Development Management and Service Manager Development Planning and Environment posts), allowing for greater integration between the 2 aspects of the service. (See Structure Charts)

2.7 Financial management and local governance

2.7.1 The Dumfries and Galloway Council Planning Service continues to face significant budget pressures due to wider Council funding efficiencies and this position has been compounded by the continuing low levels of planning fee income. Stringent budget monitoring processes have been put in place to monitor and report on budget pressures on a monthly basis.

2.7.2 Budget and efficiency measures are considered at management team meetings of all levels and reports are made regularly to the Economy, Environment and Infrastructure Committee.

2.7.3 The Developer Contributions officer working group (as referred to in the 'Open For Business' section above) was established to ensure transparency and accountability where such contributions are required.

2.8 Culture of continuous improvement

2.8.1 The Council operates a practice of requiring all staff to have an annual Professional Development Review (PDR). This formalised process allows staff development needs to be identified and for useful 2 way feedback to be facilitated and recorded. 100% of Development Management and Development Planning staff completed PDRs during 2014/15.

2.8.2 Team meetings are used as a method of ensuring that all staff are aware of relevant changes both at a national and local level. Each of the managers holds regular meetings with their Team. There is a cascade process of information from the Corporate Management Team to the Departmental Management Team to the Planning Management Team meetings. These meetings are however a 2 way process, where staff are encouraged to provide feedback. In addition to these team meetings, a staff development day for all Planning staff was held in September 2014. 1-2-1 meetings are also held.

2.8.3 Benchmarking has been used as a method of sharing best practice between authorities and among staff. The Service Manager Planning attended all the Heads of Planning Scotland (HoPS) Development Management Sub-Committee meetings during 2014/15 and is also a Vice-Chair of HoPS Energy and Resources Sub-Committee.

2.8.4 The large rural authorities benchmarking group, which includes Dumfries and Galloway, has met a number of times this year through the support of HoPS and the Improvement Service, attended at Head of Service level and sharing information on performance, costs, structures and best practice.

2.8.5 We have been trying to actively encourage the increase in use of ePlanning submissions (see 'Certainty' section above). In 2013/14, 27.2% of applications were submitted online. During 2014/15, this figure rose to 37.1%, a 36% increase over 1 year. Notably, in both Q3 and Q4, for the first time, over 50% of applications were received electronically. It is hoped that the eBuilding Standards project will assist in a further increase in the coming years.



Supplementary Guidance



Part 3: Supporting Evidence

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

- Dumfries and Galloway Council Economy, Environment and Infrastructure Committee Reports and Minutes
- Dumfries and Galloway Council Full Council Reports and Minutes
- Dumfries and Galloway Council Planning Performance Framework 2013/14
- Planning and Environment Services Business Plan 2012-15 (Refreshed 2014)
- Dumfries and Galloway Council Development Management Customer Charter 2014
- Dumfries and Galloway Council Service Customer Guidance Note 2014
- Dumfries and Galloway Council Planning Enforcement Charter
- Planning Services Structure Charts
- Dumfries and Galloway Council website
- Reports from IDOX Acolaid (Development Management back-office system)
- Reports from Scottish Government ePlanning portal
- Heads of Planning Scotland Meeting Minutes
- Scottish Government ECDU Meeting Minutes
- Scottish Government Planning website

[NB - Wherever possible, weblinks have been included within Part 2 above, in order to give direct online access to the relevant evidence and thus avoiding unnecessarily duplication in the PPF. Case studies of key elements have been also provided within the PPF.]

Case Study 2

Glenmuckloch

Glenmuckloch is currently the only operational opencast coal mine within Dumfries and Galloway. It is located near Kirkconnel in Upper Nithsdale.

In 2013, the operator, ATH, went into liquidation. The Council, in partnership with Hargreaves (who took over the operation of the site) and Buccleuch Estates (owner of the site), successfully called in the restoration bond and £8.15M was made available for the site's restoration. Restoration works are now complete on the previously worked area and around £2M remains available to the final restoration upon the completion of coaling in an approved extension.



Development Management



The Development Management Customer Charters were revised and republished (para 2.4.2). Updated and more detailed guidance notes for registration of planning applications were also produced and provided online (para 2.3.1).

Part 4:




Service Improvements 2015-16

In the coming year, we will:

- Progress Local Development Plan 2 to pre-MIR stage and establish a project board
- With the exception of Conservation Area Appraisals, complete the suite of statutory and non-statutory Supplementary Guidance
- Complete the closer integration of Development Management and Development Planning and Environment teams
- Prepare for and use the creation of the new Economy, Environment and Infrastructure Department on 1 April 2016 (which will result in Planning and Roads staff coming together under the same Director) as an opportunity to further establish collaborative working relationships
- Review and update as necessary all the Customer Charters
- In collaboration with the Council's Web Team, review and revise the content of the Council planning web pages, in preparation for 'channel shift' and the creation of a new updated website
- Explore the possibility of establishing a Design Awards Scheme within Dumfries and Galloway
- Proactively promote the use of Processing Agreements by establishing them as a normal requirement for all Major applications (with an active opt-out being required)



Delivery of our service improvement actions in 2014-15:

Committed Improvements and Actions	Complete?
<p>Commitment</p> <ul style="list-style-type: none"> Further develop joint working through the Roads Planning Hub, seeking better alignment between planning and Roads Construction Consent procedures together with an improved understanding of Designing Streets implementation. <p>Evidence</p> <ul style="list-style-type: none"> The Roads Hub has further developed over the year, with a permanent lead officer within DG First now appointed to co-ordinate with the 4 area offices. This has resulted in greater consistency of advice and a simpler process for knowing who to contact where any queries arise. It also provides a better service to the applicant at pre-application stage. As Planning and Environment Services and the roads function of DG First will be merge during 2015/16 into the new Economy, Environment and Infrastructure directorate as part of a Council-wide restructuring (and will fall under the same Director), there will be further opportunities for the closer working relationships and closer alignment between the planning and RCC procedures, together with a common approach to Designing Streets. <p>[Evidence - Council restructuring reports]</p>	
<p>Commitment</p> <ul style="list-style-type: none"> Implement new structures within the Service based on the outcome of the Service Review undertaken during 2013/14, including the creation of a dedicated team for each category of application (Major, Local and Householder) <p>Evidence</p> <ul style="list-style-type: none"> As of 1 April 2014, the new structure of 3 discrete Development Management teams has been operational. Please see D. Context of Part 5 below for details of how the operation of the new structure has performed and operated during its first year. <p>[Evidence - Before and After Structure Charts / Performance statistics]</p>	
<p>Commitment</p> <ul style="list-style-type: none"> Develop proposals for Elected Member engagement at pre-application stage for Major applications <p>Evidence</p> <ul style="list-style-type: none"> Discussions were undertaken during 2014/15 with other planning authorities (including benchmarking authorities) about the approach taken to the implementation of the COSLA / Scottish Government recommendations. <p>[Evidence - emails]</p> <ul style="list-style-type: none"> The matter was considered but, to date, no firm proposals have been brought forward for the implementation of these recommendations, for 2 reasons. Firstly, the opportunity already exists for Members to be involved / informed through the formal Pre-application Consultation phase required for all Major applications. At least one public event is required for all such applications and it is open to any interested Member to attend. Secondly, there is a risk for any Member of the Planning Applications Committee attending non-public meetings with developers. Any comments made which gave any hint of pre-determination could debar them from considering the application at Committee. In the absence of a nationwide adoption by planning authorities of this practice (which has not been forthcoming to date), it is not intended at this point to establish a formal procedure for Member engagement. 	

Committed Improvements and Actions	Complete?
<p>Commitment</p> <ul style="list-style-type: none"> Develop a draft project plan for LDP2 including early engagement with elected Members and stakeholders, once the current LDP has been adopted. <p>Evidence</p> <ul style="list-style-type: none"> The Local Development Plan was adopted in September 2014. Following this, the primary focus of the Development Planning team has been to produce and adopt the related Statutory Supplementary Guidance as quickly as possible, in order to provide comprehensive advice and certainty for developers and the wider public. This was largely achieved within 2014/15. An approach to project management and planning for LDP2 has been developed, with proposals to establish a project board. Whilst outwith the 2014/15 reporting period (due to the 2 monthly Committee cycle), a report on this matter is due to be considered at the July 2015 Economy, Environment and Infrastructure Committee. <p>[Evidence - Committee report]</p>	<p>Yes</p>
<p>Commitment</p> <ul style="list-style-type: none"> Further develop and improve benchmarking with peer planning authorities within the "large rural" family grouping, working closely with the Improvement Service. <p>Evidence</p> <ul style="list-style-type: none"> Good working relationships have been established and maintained with our benchmarking colleagues. For example, the collaboration which existed before the implementation of the High Hedges (Scotland) Act 2013 on 1 April 2014, especially in respect of fee setting, has continued after the implementation of this new piece of legislation. In particular, appeal decisions were quickly shared around the group by email, highlighting the differences which Reporters were making between this legislation and planning legislation (e.g. unlike planning, the loss of a view can be considered under High Hedge legislation). This sort of sharing is particularly useful for newly evolving interpretations. <p>[Evidence - emails]</p> <ul style="list-style-type: none"> The Head of Planning and Regulatory Services is a member of the HOPS Executive Committee, regularly attending these meetings, and also a member of the Management and Practice Sub-Committee. Meetings of the benchmarking family group have been arranged to tie in with Executive Committee meetings and a wide range of performance, cost, best practice and operational information has been shared. The Service Manager Planning attended all of the Heads of Planning Scotland Development Management Sub-Committee and Energy and Resources Sub-Committee meetings during 2014/15 and used the opportunities to network with the representatives from the benchmark authorities represented there. <p>[Evidence - HoPS Minutes]</p>	<p>Yes</p>

Committed Improvements and Actions

Complete?

Commitment

- Improve our understanding of the costs of the Planning Service by participating in the Costing the Planning Service project led by the Improvement Service.

Evidence

- This exercise was undertaken September 2014 where, for a 4 week period, all officers involved in the planning process (including those not just within Planning and Environment Services but within all relevant sections and departments within the Council) recorded their daily activities in terms of both time and category of activity. Officers attended pre-implementation meetings with the Improvement Service in Edinburgh in June 2014 and submitted the completed data at the start of November 2014.

[Evidence - the Dumfries and Galloway Council data within the Improvement Service figures]

- This exercise proved to be far more time consuming than anticipated, partially due to our back-office system, Acolaid, not being able to readily provide the data that Uniform users appeared to be able to source simply. This resulted in a lot of manual production and matching of data. Accordingly, it is hoped that these figures will be used effectively and the results of the exercise will be taken forward by the Scottish Government and Ministers.

Yes

Commitment

- Develop proposals for introducing charges for formal pre-application processes, subject to the outcome of current Scottish Government proposals for regulatory changes in this area.

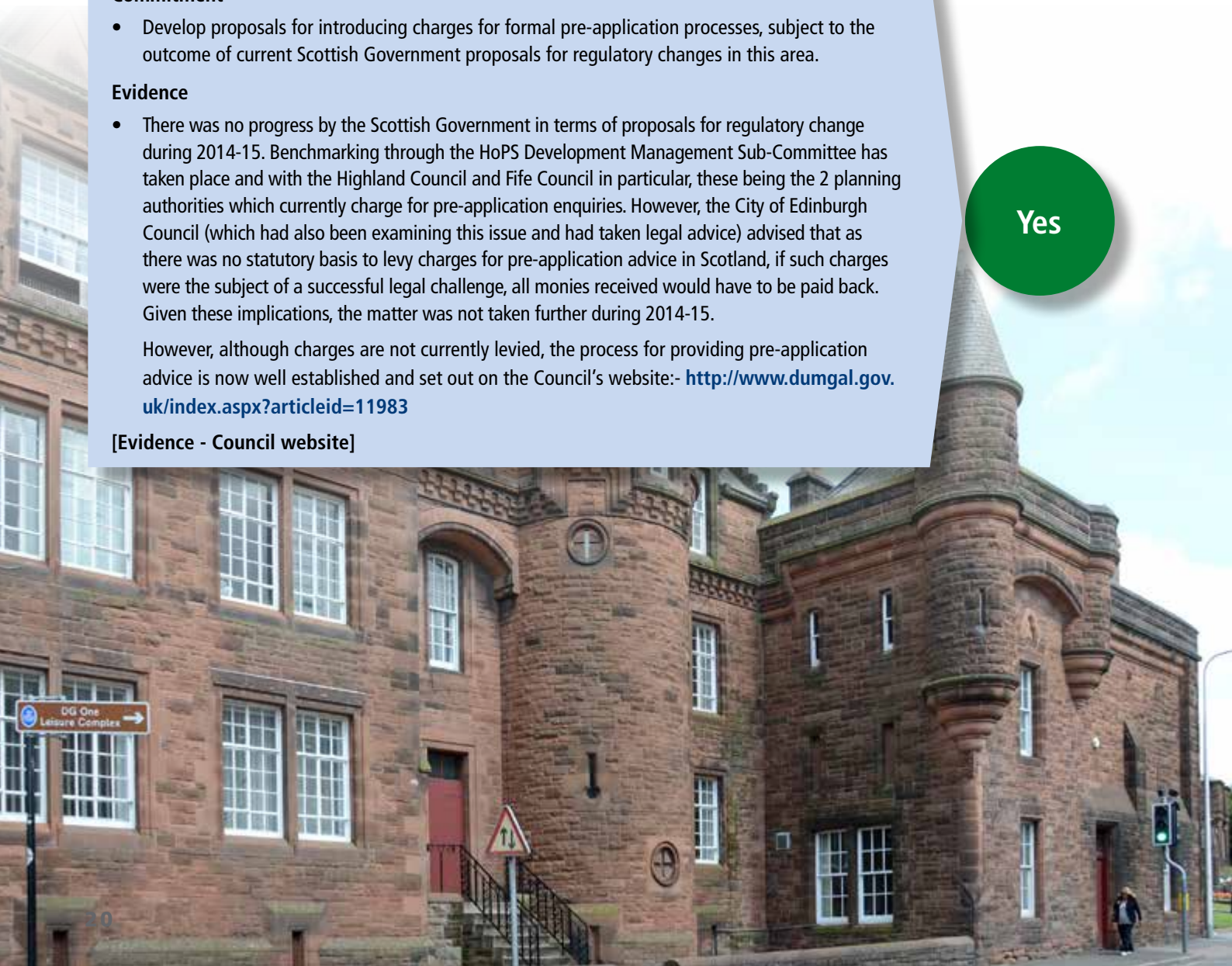
Evidence

- There was no progress by the Scottish Government in terms of proposals for regulatory change during 2014-15. Benchmarking through the HoPS Development Management Sub-Committee has taken place and with the Highland Council and Fife Council in particular, these being the 2 planning authorities which currently charge for pre-application enquiries. However, the City of Edinburgh Council (which had also been examining this issue and had taken legal advice) advised that as there was no statutory basis to levy charges for pre-application advice in Scotland, if such charges were the subject of a successful legal challenge, all monies received would have to be paid back. Given these implications, the matter was not taken further during 2014-15.

However, although charges are not currently levied, the process for providing pre-application advice is now well established and set out on the Council's website:- <http://www.dumgal.gov.uk/index.aspx?articleid=11983>

[Evidence - Council website]

Yes



Part 5: Official Statistics

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

Category	Total number of decisions 2014-2015	Average timescale (weeks)	
		2014-2015	2013-2014
Major developments	9	26.7	60.9
Local developments (non-householder)			
• Local: less than 2 months	364 (45.0%)	6.7	6.7
• Local: more than 2 months	445 (55.0%)	18.1	19.3
Householder developments			
• Local: less than 2 months	927 (88.1%)	6.2	6.3
• Local: more than 2 months	125 (12.8%)	12.8	16.4
Housing developments			
Major	0	-	103.3
Local housing developments			
• Local: less than 2 months	94 (31.0%)	7.0	6.8
• Local: more than 2 months	209 (69.0%)	20.1	20.6
Business and industry			
Major	0	-	19.5
Local business and industry			
• Local: less than 2 months	24 (42.1%)	7.2	7.4
• Local: more than 2 months	33 (57.9%)	18.5	18.8
EIA developments	3	46.0	54.0
Other consents*	5	12.8	13.1
Planning/legal agreements**			
• Major: average time	2	48.1	135.2
• Local: average time	21	57.5	109.0
Local reviews	12	14.3	14.2

* Consents and certificates: Listed buildings and Conservation area consents, Control of Advertisement consents, Hazardous Substances consents, Established Use Certificates, certificates of lawfulness of existing use or development, notification on overhead electricity lines, notifications and directions under GPDO Parts 6 and 7 relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 and 62 of the GPDO.

** Legal obligations associated with a planning permission; concluded under section 75 of the Town and Country Planning (Scotland) Act 1997 or section 69 of the Local Government (Scotland) Act 1973

B: Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2014-2015		2013-2014	
		No.	%	No.	%
Local reviews	12	10	83.3	18	85.7
Appeals to Scottish Ministers	23	14	60.9	20	66.7

C: Enforcement Activity

	2014-2015	2013-2014
Cases taken up	196	177
Breaches identified	*	*
Cases resolved	99	109
Notices served***	5	30
Reports to Procurator Fiscal	0	1
Prosecutions	0	0

* Not available

*** Enforcement notices; breach of condition notices; planning contravention notices; stop notices; temporary stop notices; fixed penalty notices, and Section 33 notices.

D: Context

1. The change to 3 dedicated hierarchy-based teams from 1 April 2014 can be seen to have made a significant difference. Whilst the driver for the Service Review in 2012/13 (which resulted in these changes) was the need to make efficiency savings, the revised structure can be seen to have very beneficial in terms of performance. The previous structure was geographically based, with a West team and an East team, with a single Area Planning Manager responsible for all types of applications within that area. As the task of issuing all decisions for these large areas would have been too large for 1 person, the task of issuing more minor applications (householder developments, DPAs, utility consultations, tree works, etc) was delegated to Senior Planners. However, understandably, these officers would often have to prioritise dealing with their own caseload, resulting in decisions on straight-forward applications being unnecessarily delayed. By moving to a structure where there was a dedicated Team Leader for Major Projects (NB

- not limited to just Major applications in terms of the hierarchy), Local Applications and Minor Applications and Enforcement, the appropriate and proportionate resources could be applied and faster decisions produced.

2. The dedicated Major Projects team perhaps produced the most striking improvement - from 60.9 weeks on average to 26.7 weeks (56% reduction in time taken). In addition to having a small but dedicated team with the necessary experience and expertise to focus on these larger proposals, another reason for this improvement is faster planning obligations. This has been achieved by the development and use of pro-forma 'styles' by Legal Services and an explicit statement in Committee reports that if the Section 75 has not been progressed sufficiently within 6 months, the application will be refused under delegated powers. This has removed any tendency to allow matters to drift by either side.

3. Whilst the improvement in householder application determination speeds has been dramatic (from 63.7% determined within 2 months in 2013/14 to 88.1% in 2014/15), it is important to also note the number of applications determined. Although it was mainly attributable to a considerable number of applications for individual air source heat pumps by a local RSL, the number of householder applications determined rose from 741 in 2013/14 to 1052 in 2014/15, a 42% increase. It is a tribute to the team and their Team Leader that such a significant improvement in performance was achieved in the context of this significant increase in the volume of applications.

4. Although there was not such a dramatic rise in the number of non-householder Local applications determined (from 746 in 2013/14 to 809 in 2014/15, a 8.4% increase), the improved performance was also notable in this team. In 2013/14, only 36.9% of such applications were determined within 2 months but in 2014/15, this rose to 45%, a 22% increase. It should be noted 1 team member was on long-term sick leave during this period.

5. Although there was no material change in the outcomes of Local Review Body cases and appeals to the Scottish Ministers, it is noticeable

that the number of Notices of Review and appeals reduced quite markedly. There were just 12 Notice of Review decisions this year compared to 21 the previous year (43% less). The number of appeals dropped from 30 to 23 (23% less). There is no obvious reason for this change although both the rate of delegated decisions rose (from 95.1% to 96.1%) as did the approval rate (93.1% to 96.3%) so there were fewer applications which could proceed to review / appeal.

6. One aspect which is worth noting which is not captured in the PPF statistics (but which has a very significant impact on Dumfries and Galloway Council) is the number of consultations received by ourselves regarding applications made to the Scottish Government under Section 36 and 37 under the Electricity Act 1989. These type of consultations require a considerable amount of time and resources to be dedicated to them, especially where the Council decides to object, as this automatically generates a Public Local Inquiry. 4 S36 applications were determined during this period, each one requiring the production of a lengthy Committee report. The volume of screening requests (75) and scoping requests (19) has an impact.



Part 6:

Workforce and Financial Information

	Tier 1	Tier 2	Tier 3	Tier 4
Head of Planning Service			•	

Note: Tier 1= Chief Executive, Tier 2= Directors, Tier 3= Heads of Service, Tier 4= Managers

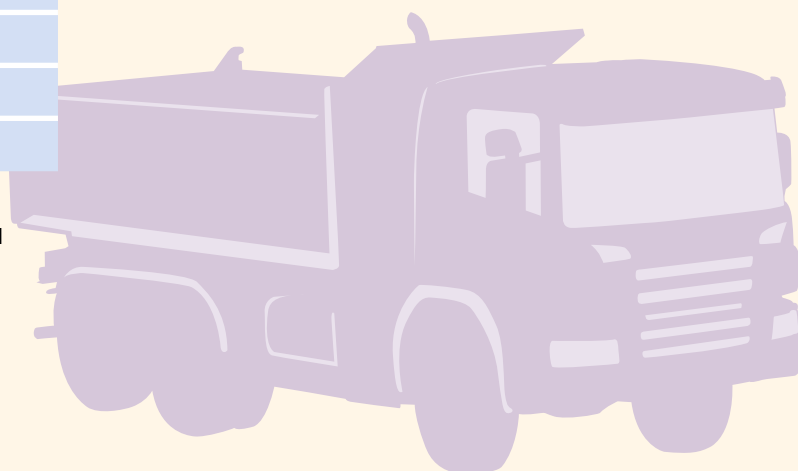
		DM	DP	Enforcement	Other
Managers	No. Posts	3	1	See DM	1 Service Manager Planning
	Vacant	0	0	0	0
Main grade posts	No. Posts	9 (8.4 FTE)	7 (6.4 FTE)	0	2
	Vacant	0	0	0	0
Technician	No. Posts	6 (5.1 FTE)	3 (2.9FTE)	2.5 FTE	0
	Vacant	0	0	0	0
Office Support/Clerical	No. Posts	Clerical / administrative* 5.5 FTE Registration Team 3.1 FTE	0	0	0
	Vacant	0	0	0	0
Total		25.1	10.3	2.5	3

Note: Managers are those staff responsible for the operational management of a team/division. They are not necessarily line managers.

* Pro-rata figure as Administrative staff are shared with Building Standards

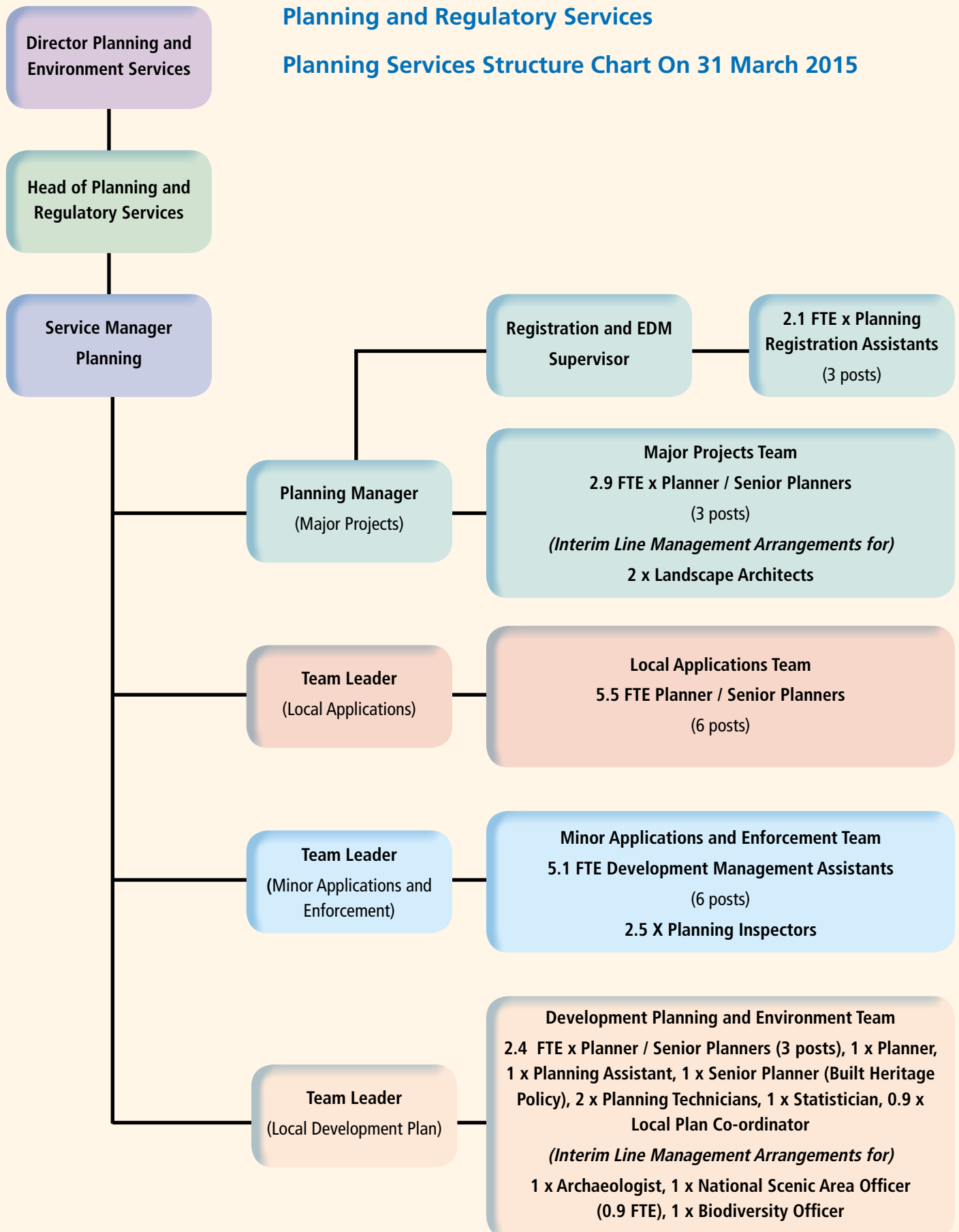
Committee and Site Visits	Number per year
Full Council meetings	0 (for planning applications)
Planning committees	12
Area committees (where relevant)	N/A
Committee site visits	10
LRB*	7
LRB site visits	0

** This relates to the number of meetings of the LRB. The number of applications going to LRB are reported elsewhere.



Planning and Regulatory Services

Planning Services Structure Chart On 31 March 2015



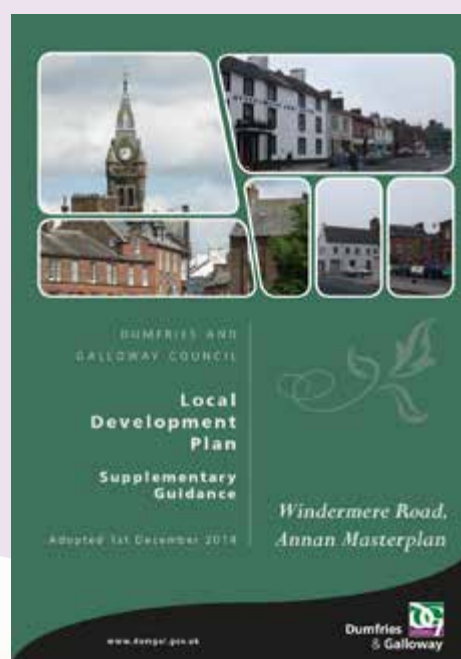
	Total Budget	Costs		Income
		Direct	Indirect	
Development management	£209,602	£1,169,953	£284,411	£1,244,762
Development planning	£483,976	£387,389	£97,337	£750
Enforcement	N/A			
Other	N/A			
TOTAL	£693,578	£1,557,342	£381,748	£1,245,512

Case Study 3

Facilitating the delivery of allocated housing and business and industry sites in Annan

The Local Development Plan allocates three housing sites in the north-western corner of Annan which have the potential to deliver 330 affordable and private housing units. The site guidance for the two larger housing sites required a masterplan to be prepared and agreed by the Council. Assistance was given to the landowner to prepare a masterplan for the sites which has been and adopted as supplementary guidance to the LDP. The masterplan contains details about how the development will be phased, landscaped, drained, accessed by public transport, where the main footpath and cycle links and open space will be located and how and where the affordable housing required from the development will be located and provided. The masterplan should help ensure that the site is developed in a comprehensive rather than piecemeal manner.

The plan also allocates land for business and industry site adjacent to the housing sites. The site guidance for the allocated sites requires the road and junction serving the sites to be upgraded. The cost of the road infrastructure upgrades was not financially viable for any of the developers to undertake, therefore the Council and Scottish Enterprise provided financial assistance and undertook the facilitation works which the developers will re-pay.



Performance Markers

Driving Improved Performance

Performance Marker	Measure	Source/Evidence	Policy Support	PPF
Decision making: authorities demonstrating continuous evidence of reducing average timescales for all development types	Evidence of continuous improvement.	Statistics and National Headline Indicators	Official Statistics and PPF reports	NHIs Part 5 : Official Statistics Para 1.4.1 D. Context 1 - 6
Project management: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications and availability publicised on planning authority website	Y/N	PA to provide	Modernising the Planning System (Audit Scotland); SG website / template	NHIs Paras 2.1.3, 2.1.4, 2.1.5, 2.3.4 and 2.3.5
Early collaboration with applicants and consultees on planning applications: <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications clear and proportionate requests for supporting information 	Y/N Examples	PA to provide	White Paper; Delivering Planning Reform; Planning Reform Next Steps	NHIs Para 2.1.4
Legal agreements: conclude (or reconsider) applications within 6 months of 'resolving to grant' * <i>* this will require production of supporting guidance, following wider stakeholder input</i>	Reducing number of live applications more than 6 months after resolution to grant (from same time last year)	PA to provide	Official statistics; PPF reports; evidence of delays to major developments	NHIs Part 5 : Official Statistics D. Context 2
Enforcement charter updated / re-published	Within 2 years	PPF report	Planning Act (s158A)	NHIs
Continuous improvement: <ul style="list-style-type: none"> show progress/improvement in relation to PPF National Headline Indicators progress ambitious and relevant service improvement commitments identified through PPF report 	Progress on all commitments	PPF report	Delivering Planning Reform; PPF Report	Part 4 : Service Improvements

Promoting the Plan-Led System

Performance Marker	Measure	Source/Evidence	Policy Support	PPF
LDP (or LP) less than 5 years since adoption	Y/N	PPF report	Planning Act (s16); Scottish Planning Policy	NHIs Para 1.1.1
Development plan scheme demonstrates next LDP: <ul style="list-style-type: none"> on course for adoption within 5-year cycle project planned and expected to be delivered to planned timescale 	Y/N Y/N	PPF report	Planning Act (s16); Scottish Planning Policy	NHI Para 1.1.2
Elected members engaged early (pre-MIR) in development plan preparation	Evidence of activity	PA to provide		Para 1.1.2 Commitment section
Cross-sector stakeholders, including industry, agencies and Scottish Government, engaged early (pre-MIR) in development plan preparation	Evidence of activity	PA to provide		Para 1.1.2 Commitment section
Production of regular and proportionate policy advice, for example through supplementary guidance, on (i) information required to support applications and (ii) expected developer contributions	Evidence of activity	PA to provide		Para 2.1.2, 2.1.3, 2.1.4, 2.1.5 and 2.3.3



Simplifying and Streamlining

Performance Marker	Measure	Source/Evidence	Policy Support	PPF
Corporate working across services to improve outputs and services for customer benefit (e.g. protocols; joined-up services; single contact; joint pre-application advice)	Examples from the year	PA to provide		Paras 2.1.6, 2.3.4 and 2.3.5
Sharing good practice, skills and knowledge between authorities	Evidence of activity to pass on and adopt good practice	PPF report	Delivering Planning Reform; Planning Reform Next Steps	Paras 2.5.5, 2.8.3 and 2.3.4

Delivering Development

Performance Marker	Measure	Source/Evidence	Policy Support	PPF
Stalled sites/legacy cases: conclusion/withdrawal of planning applications more than one year old	Reducing number of applications more than one year old (from same time last year)	Statistics from SG Analytical Services		Paras 2.5.3 and 2.5.4
Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> set out in development plan (and/or emerging plan,) and in pre-application discussions 	Y/N Examples	LDP PA to provide		Para 2.1.2



Planning and Regulatory Services

Kirkbank House, English Street

Dumfries, DG1 2HS

www.dumgal.gov.uk