

PLANNING PERFORMANCE FRAMEWORK 2015/16

**PLANNING PERFORMANCE FRAMEWORK
ANNUAL REPORT 2015-2016**



Part 1: National Headline Indicators (NHIs)

Key outcomes	2015-2016	2014-2015
Development Planning: <ul style="list-style-type: none"> age of local/strategic development plan(s) (years and months) at end of reporting period <i>Requirement: less than 5 years</i> 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) 	<p>8/3</p> <p>n</p> <p>y – later</p> <p>y</p>	<p>7/2</p> <p>n</p> <p>y-later</p> <p>y</p>
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 	<p>3307 units 6250 units 4967 units 3.3 years</p> <p>945 units 2043 units</p> <p>4.5 ha 0.5 ha</p>	<p>2606 units 6250 units units 2.5 years</p> <p>2050 units units</p> <p>5.5 ha 1.0 ha</p>
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 other project plan percentage planned timescales met Decision-making <ul style="list-style-type: none"> application approval rate delegation rate 	<p>62.7%</p> <p>0</p> <p>0</p> <p>n/a</p> <p>96.9% 93.5%</p>	<p>52.6</p> <p>0</p> <p>0</p> <p>n/a</p> <p>95.6 94.1</p>

Decision-making timescales Average number of weeks to decision: <ul style="list-style-type: none"> major developments local developments (non-householder) householder developments 	38.3 9.0 7.6	31.5 13.9 7.5
Legacy Cases <ul style="list-style-type: none"> Number cleared during reporting period Number remaining 	241 200	155 441
Enforcement <ul style="list-style-type: none"> time since enforcement charter published / reviewed (months) <i>Requirement: review every 2 years</i> number of breaches identified / resolved 	3 months since review/2 months since published 210/120	14 months since review/14 months since published 167/56

Development Planning

Development Plan Scheme 8 (March 2016) sets out the progress of the East Lothian Local Development Plan (ELLDP) in relation to the approval of SESplan and its Supplementary Guidance on housing which had implications for the timescale of LDPs. The DPS is backed up by rolling work programmes. [DPS8](#)

A draft Proposed Local Development Plan was considered by the Council on 17 November 2015, this non-statutory stage being taken to get full clarity on strategy and sites. Workshops had taken place in the lead up to the November meeting with Administration and Opposition Councillors, building on the engagement work of the Main Issues Report process. The Councillors approved the draft with amendments and since then further technical work has been finalised to support the plan. The most significant delay has been transport modelling, reliant on the delivery of Transport Scotland's cross-boundary model which was delivered 13 months late. The Proposed Plan will be reported to Councillors late Summer 2016 and go out to representation shortly after and examination early 2017. [draft Proposed LDP](#)

The Council's adopted Interim Guidance for Housing Land was further updated to reflect progress with the LDP and set out the Council's consideration of the weight to be given to LDP sites as it progresses through the statutory stages, giving further clarity to developers. For the Council this guidance remains a constructive tool to manage the shortfall in the housing land supply whilst giving both developers and communities understanding of where development will be supported. The Interim Guidance has been used to support approval of some 440 units in 2015-16. [Interim Guidance](#)

Previous engagement and governance arrangements as used for the Main Issues Report are continued for the proposed LDP with monthly meetings of a cross-service officer LDP group and a parallel officer/Councillor group, further informed by a two-weekly senior

officer/Administration meeting. As before the LDP process is managed through a Gantt chart detailing timescales, project work with timings and responsibilities, including cross service work and a Principal Planner is responsible for coordinating delivery to meet those planned requirements.

The housing land supply has been augmented by site starts following a degree of economic recovery and work by the Council to assist delivery through early affordable housing delivery to support investment cash flows. Further progress has been made with sites on previously economic land. Completions are now being delivered from existing strategic sites at Hallhill Dunbar (525 units), Mains Farm North Berwick (420 units), 4 significant sites in Haddington (together some 400 units) and Pinkie Mains Musselburgh (473 units). Infrastructure work has commenced at the Wallyford strategic site for 1450 units and detailed applications have been received. A site start for Letham Mains Haddington (809 units) is anticipated for October. Other existing permissions or minded to grant decisions support development on sites across East Lothian of some 920 units. Housing completions are in the 300-400 per annum bracket and there are significant opportunities for housebuilders to increase this with the land and approvals available.

The effectiveness of the employment land supply remains constrained by the investment market and high servicing costs, a lack of serviced sites, infrastructure costs, viability of investment in the current financial climate and contrast with high residential land values. Residential approvals on non-effective employment land sites have included for a proportion of serviced employment land in Haddington (approximately 25% of total site area of some 9.4 hectares), with the delivery of this is now triggered by the on-going housing delivery on site. Permission for a sensitively designed out of town site for an agency for large agricultural machinery has enabled the redevelopment of a constrained town centre site for retirement housing and allowed for the expansion of a local business on a more suitable site. Going forward the LDP will promote mixed use on sites to maximise the potential for serviced employment land coming forward with housing development.

Development Management

The availability of pre-application services continues to encourage developers and individuals to discuss proposals before submitting an application and the increased level of such discussions in relation to the application numbers is encouraging. This and the continued trend of increase in the approval rate confirm the value of the services approach to being open for business.

As in previous years, processing agreements are offered and discussed for major and complex applications through both the Council's website and pre-application discussions, however, as in previous years developers have not pursued this opportunity.

The percentage of delegated decisions has declined slightly though not significantly. There were 19 applications called in to Planning Committee in the year as opposed to 12 in 2014-15, though that was a significant reduction on the previous year's 42. The increase in average time for major applications from 31.5 weeks to 38.3 weeks is disappointing, though this figure is skewed by a single legacy application out of the 10 major applications determined. The underlying figure of 26.6 weeks for the 9 other applications is encouraging. Further improvements in dealing with commercial applications and a strongly consistent performance on householder applications underpin that the service is delivering improvements in timescales. The 9 week average for non-householder developments is

particularly encouraging. This performance has not come at the expense of the Service's approach to resolving issues cooperatively with applicants and together with the figures for approval rates and pre-application discussions, demonstrates a good balance of decision making timescales, focus on quality of development and certainty for applicants.

The increase in enforcement cases is notable and reflects growing public awareness of the development process and how they can interact with it. It is very encouraging that a higher proportion of the increased number of cases was resolved.

PLANNING PERFORMANCE FRAMEWORK

Part 2: Defining and measuring a high-quality planning service

Quality of outcomes

The Council's Local Plan design policies, adopted *Design Standards for New Housing Developments* and development frameworks/design guidelines for individual sites complement national policy and guidance on masterplanning, site layouts and street design, providing developers with a clear picture of expectations and aspirations for place making and design quality, particularly around the relationship of buildings to spaces, reducing vehicle dominance and promoting active travel opportunities.

[Design Standards](#) [Haddington Development Framework](#)

New build housing is progressing in all the main settlements of East Lothian reflecting these design principles, whilst other developments seek to reuse buildings and land appropriately and with respect to the area's significant built and natural heritage assets whilst also opening up new opportunities for development in appropriate locations.



Steading conversion and new build flats with traditional materials and form as an extension to an existing village. The courtyard setting opens to the main road and raised concerns from families, so a traditional field gate was suggested to the developer to maintain the openness of the development to the village while addressing safety concerns. The new build is designed to sit in the landscape as the original steading buildings do.



New build housing extending the existing street building line on the left and on the right, internal arrangements with overlooked open space with frontage parking minimised to add to the quality of space. One architect who moved into the development praised the changes made to the original layout by the Service as a significant improvement on the housebuilder's design.



New build housing with frontage parking minimised and surface treatments to give a sense of shared space, reducing the dominance of vehicles to the street and to the houses.



Redevelopment of agricultural machinery service depot in Haddington Conservation Area for retirement housing. A new active street frontage with traditional house forms and materials treated in a contemporary language and respecting the street's one storey building height. The developer originally intended the houses to be at the rear of the site with the three storey building (seen right) to the street frontage. Stone boundary walls delineate the frontage and the access completes a route from the town centre through the development to the River Tyne.



The relocated agricultural machinery service depot in an accessible countryside location to the west of Haddington, set down into the landscape. Tree planting on the boundaries to the north and east will further integrate the buildings into the landscape, whilst existing mature trees on the west road frontage are retained to maintain the character of the side road.



New social housing occupying the site of a former public bar, bringing a stronger presence to the street whilst maintaining a relationship with the existing social and market housing.



Left - Infill house with a traditional design and materials fitting in to a sensitive gap site, reflecting the architectural diversity of its site within a conservation area and re-establishing an appropriate relationship with the street building line. Right – infill house relating to different building and window heights on either side, with a contemporary approach but reflecting the roofscape typical of this part of Musselburgh.

Quality of service and engagement

A significant area of service has been working with developers/consortia to secure permissions for strategic housing sites and other development opportunities including mixed housing/business use on ineffective employment land sites and to work constructively on phasing of section 75 agreement requirements to assist with cash flow. This includes support for amendments to Section 75 agreements where needed and justified. Agreements are phased where possible to allow housing completions in advance of contribution payments rather than requiring up-front payment. At Halhill, Dunbar, commencement of development of 525 houses was facilitated by the phasing of affordable housing provision early in the development in agreement with the landowner and by the amendment of the planning obligation to extend the timescale and phasing for education contributions for housebuilders. At Mains Farm, North Berwick the requirements for land and contributions for both school and road extensions to facilitate a mixed use development including 420 houses were subject to careful negotiation of phasing so as to remove infrastructure constraints.

Developers have a clear insight into requirements for affordable housing contributions, assessed in terms of the Council's adopted affordable housing policy, which has a 25% requirement for developments of 5 or more unit and a cascade for provision from on-site to off-site to commuted sum. The Council's Housing service completed a project on commuted sums with the District Valuer. Assessments have been made of housing areas within East Lothian and index linked values for affordable housing prepared so that accurate information is available for developers on costs and to take account for differences in land values in housing sub-market areas (e.g. land values in North Berwick differ significantly from those in Prestonpans).

Other requirements for developer contributions e.g. for education, transportation, open space/play provision are assessed on a case by case basis so as to ensure they meet the terms of Circular 3/2012. We are actively working with other Councils and with the Scottish Government to pursue a longer term upfront approach in the LDP so that greater certainty is available to inform the development process by allowing a clearer picture for landowners and developers. Feedback on this from the Scottish Government was less than positive and the recent Aberdeen and Shire Court of Session Judgement indicates significant care has to be taken in pursuing that approach. However, in the context of that judgement and the Independent Planning Review we can take this forward on an informed basis.

Other than the Interim Housing Guidance, further work on supplementary guidance has been in abeyance due to the requirements of the LDP process.

Requirements for supporting information for applications are clearly set out in development frameworks and Local Plan policies. Where a developer is of the view that some part of the information normally required should not be in their case then a pragmatic approach is taken. Internal and external consultation at pre-application stage often assists with this process of consideration, particularly for smaller proposals. This is done on a case by case basis and examples are not recorded; it is case specific and often relates to consultee responses. For example, where policy or Historic Environment Scotland guidance requires a window survey for replacement window applications, however, this can be onerous for a householder and often the condition of the windows can be established by site visit rather than insisting on a report. Another example is where Transport planners are involved early in the pre-application process to advise on what type of Transport study is proportionate to the proposal.

The Service's encourages pre-application discussion for all types and size of project. A duty planner is available every weekday between 9am and 1pm to help face to face or on the

phone. Email/post enquiries are allocated to officers with a response target of 10 working days. Some proposals need consultation with other Council services or outside bodies so responses will be given on the basis of information available and further feedback given as soon as possible. Requests for information to accompany applications are proportionate to the nature of the application. Individual case officers meet with applicants for significant sites as required and with consultee involvement to resolve issues pre-application.

The continuing general trend for improvements in headline performance indicators for application determinations demonstrate that the continued restructuring of the Planning service has allowed for better focus on major, complex and business applications without compromising determination timescales for other applications. Continued implementation of Service Review in 2016-17 is focused on embedding these improvements.

High approval rates reflect constructive pre-application discussions informed by development frameworks and briefs and consultation comments. Both pre-application enquiries and applications are appraised in weekly team meetings to highlight potential issues, assess opportunities for design improvements and give greater consistency on outcomes. Where resources allow, internal consultees including Roads, Education, Environmental Health, Landscape, Countryside and Legal services are involved in pre-application discussions as appropriate to the case. Where applicants have not brought proposals for pre-application discussions or submit applications with only partial consideration of the advice given so there is often a need to negotiate improvements at the application stage and the approval rates also reflect a willingness to work with applicants to secure better developments whilst avoiding the duplication of work for both parties that a refusal can bring.

The headline indicators show high rates for delegated decisions and high approval rates for applications. Only 6 of 38 cases at Committee went against officer recommendation (2015/16 3 of 22, 2014/15 3 of 22, 2013-14 3 of 31). The 38 included 2 as departures from the development plan, the only 2 such decisions made.

With only a small number of officer recommendations overturned, all of these figures demonstrate the benefits of constructive pre and post application discussions and give developers confidence in the outcomes of the planning process.

The Council's criteria based interim guidance on non-allocated housing proposals has been updated. This allows officers to give constructive advice in relation to the appropriate location and scale for these, as a constructive tool to guide development as the LDP takes shape. The main issue with agents is how the standard of their work affects the Service workload.

The Service draws on a team of Transport Planners who are consulted on proposals and who also deal with the Roads Construction Consents for the same proposals so as to ensure that RCCs and planning applications are subject to consistent processes.

The biggest issue over certainty remains the submission of invalid applications, which is hugely resource intensive to resolve. Of 1070 applications 782 were invalid 73% (2014-15 64.2%, 2013-14, 69%, 2012-13, 65%). Of these 126 were due to fee not received with online application or an incorrect fee. Improvements are being made to the Government's planning portal to enable fee submission, which will assist in this. It is disappointing that applicants continue to make poor quality submissions.

- incorrect fees– agents often misunderstand the type of application they are making and the fee regulations e.g. an application for a significant extension to a factory was submitted via e-planning as a form of prior approval with a fee of £78. The application was subject to the maximum fee;
- insufficient drawings/statements – e.g. an application for conversion of a listed building in a conservation area was submitted without details of replacement windows or justification of replacement rather than refurbishment
- incorrect drawings– e.g. elevations/floorplans/roofplans not matching up with each other
- incorrectly scaled/annotated drawings – e.g. scale bars and measurements not matching up, site line boundaries being incorrectly drawn.

As previously reported the Service has carried out a significant amount of work in previous years to publish (including website publishing) clearly stated and easily available guidance notes for submission of applications. These reflect legislative requirements that an application be sufficient to describe the development. The Duty Planner is also available to check through applications or discuss submission requirements and the Service assists agents wherever possible to make complete applications that can be registered. There is a continued perception that Council's are over demanding but taking the legislative requirement that the application be sufficient to describe the development, which has to be to the point that it can be determined and potentially enforced, submissions often fall short of this for reasons as described above. The Service Manager and other senior planners have discussed these issues with a number of practitioners and agents in person and by phone and further workshops with agents will take place. [online guidance notes](#)

Up to date information on the development plan is provided on line and a database of interested parties facilitates distribution of updates. Continued work on the LDP has been carried out with the Council's management team and Councillors through regular scheduled meetings. A series of LDP workshops have also been held with service providers to assess infrastructure and land requirements for service growth required as a result of the likely LDP housing and employment land allocations. Officers have continued public engagement through Community Council and Area Partnership meetings and with public meetings for discussion of draft development briefs for sites in Humble, East Saltoun and Gladsmuir as examples of this.

The Policy and Projects Team (Development Plans) won the award for services to communities at the Council's annual Star awards, recognition of the quality of work which fed into the Main Issues Report and of the corporate working which involved Heads of Service, Service Managers and key officers from across the Council to ensure consideration and provision for all service needs.

From an interested party at a wind farm hearing:

Our thanks are due to you and all at ELC. Whatever the result, it was so encouraging to see a LPA defend its interests, and those of its residents, so well but particularly with a clear understanding of why it mattered. Again, thanks for your contribution and all that came from ELC, those of us just over the border really appreciated it

From a general enquiry:

This was a very rewarding discussion and helped us determine exactly what we may be able to do with the property in the future. I might add that the new system of recording inquires and

information they now use at the planning department was very useful indeed. We were given all the necessary information and documentation to take away there and then.

From a Councillor:

I contacted **Howard Wallace** on behalf of **Lothian Broadband** who want to have a transmitter on his grandstand ... he was praising planners and **Iain** in particular for all your help at recent meetings. Also, **Chas Stevenson** of **Clerkington** praised officers for their help.

The Service has maintained its duty planner availability so as to allow all stakeholders in the planning process the opportunity to discuss either process or proposals face to face or by phone. Whilst a revamp of the Council's website should promote greater channel shift for enquiries, the duty planner service will be maintained but reviewed in the light of progress with web based services and the extent of continued customer demand. Given the existing availability of information on the website already and email addresses for planning enquiries, there is a likelihood of continued demand for it from prospective applicants or people concerned about an application which may affect them. As well as these channels for pre-application advice, clear and comprehensive guidance notes for applicants are provided in web or print form to help with the submission process. Applicants can also arrange to have their application checked over by a planning technician before they submit it.

Public and Amenity bodies:

We accept representations by online portal, by email and by letter. All representations received in time are referred to in the report on the application; if there is objection the report goes on a weekly list to Councillors, with access to copies of objections and representations. If an application is called-in from the list to Planning Committee anyone who has submitted a representation can attend Committee and present their case and this opportunity is also available when major applications are considered. Case reports are publicly available once the application is determined or when published on the weekly list or Committee agenda. Reports give an assessment of the proposal and the reasons for the decision.

Governance

East Lothian's Planning Service operates within the Development Division of the Council's Partnerships and Services for Communities Department, reporting directly to the Head of Development.

Service review is now being implemented after corporate approval, giving a stronger focus through Team Managers as lead officers on Development Management and Planning, giving the Service Manager greater opportunity to review and improve service culture, performance management and application and development plan delivery in addition to the other functions within the service (Landscape and Tree Protection and the Corporate Address Gazetteer. This is backed by enhanced responsibilities for MRTPI qualified officers to give a strong, formal structure of responsibility and delegation. Planners are moving to a generic description which will allow movement between the traditional Development Management/Development Planning workflows s workload and staffing requirements allows. This provides a strong developmental aspect for planners as well as a flexible and robust structure for managing planning functions.

Following growth of workload in the previous year, enhanced resources have been allocated to Planning to reflect increased fee income and provide for the likely further increase in workload relating to LDP examination and major applications for housing sites. The upturn in work last year

has been used to evidence the need for this. It is also a recognition of a more central, corporate role for planning in helping other services make provision for predicted housing and employment growth. The Service Manager uses monthly financial monitoring statements to track current income and expenditure against budget. Regular meetings are held with a Management Accountant to ensure any issues with budgets are highlighted early. Financial performance 2015-16 showed underspends as a result of savings exercises and additional fee income due to a greater number of major applications. Higher budgeted fee income for this year is being reinvested in service provision with an additional planner post and a one year graduate intern post.

No changes have been made to the Council's scheme of delegation in the past year. As extant it allows for officer decisions for all but major development proposals, though where there is public objection or if the application raises important planning issues, the report is circulated to all Councillors through a weekly Scheme of Delegation List. This allows Councillors to call in applications to Planning Committee where they have concerns. Some 183 applications (17% of the number received) were decided this way rather than going to Committee (2014-15 170 (16%) 2013-14 260 24.4%; 2013-14 350 34%). With a delegated decision rate at 93.5% and a trend towards greater scope for delegated decisions the service is performing effectively whilst allowing for cases of significant public interest to be taken to Committee.

We maintain a time limit of 6 months for conclusion of legal agreements on minded to grant applications, adopted in 2010. If not concluded in the required timescale then the application stands to be refused; this has occurred in only one case. Where others have taken longer than 6 months this reflects an approach based on reasonableness if the applicant has been working consistently to resolve any remaining issues.

After further corporate negotiation, Committee Services has agreed to the scheduling of Committee meetings at the end of June and early in August to significantly reduce the traditional 3 month recess gap between meetings in early June and early September. This is a gain for the service in dealing with called in and major applications, and offers a much improved service to applicants.

Since the beginning of 2015 some 270 legacy application cases have been withdrawn and a small number determined. Whilst this is short of removing all such cases and some 200 remain, including 60 awaiting legal agreements and which are outwith the Council's Scheme of Delegation. These are where negotiation with applicants or agents has been unsuccessful or are for retrospective listed building consent applications where there are ongoing enforcement concerns. Further work will see removal of these remaining legacy cases in this year.

Culture of continuous improvement

The service review addresses areas where performance requires further improvement with particular focus on major and complex applications.

East Lothian Council uses the *How Good is Our Council* (HGIOC) performance management system to assess its services annually through a critical analysis of performance to encourage continuous improvement. The service is committed to developing staff and improving skills through the Council's Performance Review and Development process, with annual assessment and 6 month reviews. This helps to identify and justify staff training and development need. Staff have attended courses on Urban Design, Processing Agreements and Project Management and workshops on Local Development Planning, all of which have fed into personal development needs.

The Council's Performance Review and Development framework is used to assess and plan for staff development needs. Training budget cuts have reduced the opportunities for staff to attend some available development courses and conferences. All information from the Improvement Service and other agencies is circulated to encourage all staff to participate where budgets allow.

In addition to participation in the relevant HoPS benchmarking group, the Planning Authority is a consistent contributor to the HoPS development management sub-committee and uses email networking through this to pursue issues and answer questions from other members. Both the meetings and the email network are valuable tools in receiving and distributing information on points of good practice as well as interpretation of planning law, including significant discussions on changes to the cultural heritage regime.

Work on Developer Contributions guidance for the LDP has been done in collaboration with Fife Council, who shared appropriate resources over a three month period and also in conjunction with the Scottish Government with an exchange of staff focused on delivery and developer contribution issues. Both of these examples underpinned the value of collaborative working and sharing knowledge for all. With Fife Council we benefitted from their experience in developing a model for infrastructure contributions, with a collaborative approach to how to take that approach forward in the light of the Scottish Government's Draft Planning Delivery Advice: Housing and Infrastructure. This process was informed further by the staff exchange with the Government, with significant input from one of the Council's Principal Planners into that Draft Advice. The Council benefitted from a Government Principal Planner working on the Action Plan for the Proposed LDP.

Fife Council said: "The experience was an effective example of how added value can be secured through sharing of services and collaborative working. For East Lothian Council the secondment of an experienced staff member from Fife Council assisted the development of principles for planning policy and guidance on Planning Obligations and Infrastructure Delivery. This work demanded an understanding of the technical and political requirements of the Authority in addition to the assessment of proposed infrastructure projects informing prioritisation and costing within the LDP. The secondment also identified opportunities for continuous improvement in sharing information or communicating requirements across Council Services and City Region partners. For ELC this has been a useful process in assessing the requirements for a Planning Obligations Officer post as well as contributing to a significant piece of LDP work."

Further collaborative work on the LDP process was carried out with Scottish Natural Heritage and Architecture and Design Scotland, focusing on Design Briefs for proposed LDP sites.

SNH: After the Council had approached A+DS, Scottish National Heritage offered to help with the production of development briefs for the forthcoming Local Development Plan. During the course of the project we worked collaboratively and positively to share ideas and SNH were very creative in their approach to sites. They demonstrated great flexibility to moving timescales and created high standard documents on time. Their input added value to the approach to the LDP delivery and allowed us to cover work streams for publication of the finalised plan and taught staff new presentation skills which will be used on future projects. We would welcome the opportunity to work with SNH again.

PLANNING PERFORMANCE FRAMEWORK

Part 3: Supporting evidence

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

- How Good is Our Council?: self assessment of Planning, 2016
- East Lothian Customer Care Charter
- East Lothian Customer Care Standards
- East Lothian Feedback Policy
- East Lothian Council Web Site: Planning Pages
- Planning: Service Plan 2015/16
- East Lothian Council Plan
- Single Outcome Agreement
- East Lothian Local Plan 2008
- Development Plan Scheme No 8, April 2016
- Design Standards for New Housing Areas, ELC, 2008
- Interim Guidance: Housing Land (updated)
- East Lothian Supplementary Landscape Capacity Study for Smaller Wind Turbines, 2011
- Development Frameworks for Blindwells New Settlement, Wallyford Settlement Expansion, Pinkie Mains (Musselburgh), Mains Farm/Gilsland (North Berwick), Letham Mains (Haddington), Hallhill South West (Dunbar)
- East Lothian Housing Land Audit 2015/16 (draft)
- East Lothian Council Affordable Housing Policy
- Scheme of Delegation
- Scheme of Delegation List and Committee Expedited List Procedures
- Published Scottish Government Performance Figures
- East Lothian Council Planning Performance Figures
- Notes for Guidance for Submission of Applications

PLANNING PERFORMANCE FRAMEWORK

Part 4: Service Improvements 2015-16

In the coming year we will:

- *Finalise implementation of service review phase one whilst completing phase two and programming implementation to further embed cultural and performance priorities*
- *Monitor and refine IDOX workflow practices to maximise efficiency gains of electronic working*
- *Undertake further workshops with Agents engaged in the submission of planning applications and other statutory consents*
- *Set performance targets for registration and updating invalid applications*
- *Remove remaining legacy applications by withdrawal or determination*

Delivery of our service improvement actions in 2014-15:

Committed improvements and actions	Complete?
<ul style="list-style-type: none"> • Complete the service review with amended structure and job descriptions and staff roles in relation to statutory and other functions of the service with further emphasis on improving timescales to determine major and complex applications • <i>To be complemented by collocation of all Planning service staff. Previous plans have been superseded by funded, new ways of working project to be fully implemented by February 2017</i> 	Yes
<ul style="list-style-type: none"> • Finalise and adopt IDOX workflow practices to facilitate electronic only working with efficiency gains • <i>Currently testing Uniform software upgrades for full implementation of remote/home working capabilities</i> 	Yes
<ul style="list-style-type: none"> • Undertake further workshops with Agents engaged in the submission of planning applications and other statutory consents • <i>Will form an objective for new Team Managers to pursue engagement</i> 	Workshops not scheduled but one to one discussions held
<ul style="list-style-type: none"> • Set performance targets for registration and updating invalid applications • <i>Structure of line management for technicians requires corporate clearance of service review to come into effect, this has not been achieved due to Universal Business Service review of administrative staff. Will follow in a further service review</i> 	No, ongoing
<ul style="list-style-type: none"> • Remove all legacy applications by withdrawal or determination • <i>Considerable progress on this with 200 plus applications withdrawn</i> 	Partial

PLANNING PERFORMANCE FRAMEWORK

Part 5: Official Statistics

A: Decision-making timescales

Category	Total number of decisions 2014-2015	Average timescale (weeks)	
		2015-2016	2014-2015
Major developments	8	38.3	28.1 (12 cases)
Local developments (non-householder)	299	11.4	13.9 (324)
• Local: less than 2 months	70.6%	7.5	7.1 (72.8%)
• Local: more than 2 months	29.4%	21.0	32.0 (27.2%)
Householder developments	486	7.6	7.5 (427)
• Local: less than 2 months	94.4%	7.4	6.9 (97.4%)
• Local: more than 2 months	5.6%	10.9	27.5 (2.6%)
Housing developments			
Major	6	28.1	55.4 (4)
Local housing developments	60	18.8	28.7 (80)
• Local: less than 2 months	51.7%	7.8	7.4 (46.3%)
• Local: more than 2 months	48.3%	30.5	47.0 (53.8%)
Business and industry			
Major	0	-	
Local business and industry	24	10.4	8.9 (29)
• Local: less than 2 months	79.2%	7.4	6.8 (82.8%)
• Local: more than 2 months	20.8%	21.1	19.2 (17.2%)
EIA developments	1	30.9	-
Other consents*	205	9.5	7.8 (185)
Planning/legal agreements**	11	37.2	50.2 (13)
• Major average time	2	32	57.1
• Local average time	9	38.3	48.1
Local reviews	12	10.0	11 (7)

* 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 & 8 relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 & 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			
		2015-2016 No.	%	2014-2015 No.	%
Local reviews	12	12	50.0	7	57.1
Appeals to Scottish Ministers	8	2	25.0	10	20.0

C: Enforcement activity

	2015-2016	2014-2015
Cases taken up	210	167
Breaches identified	72	56
Cases resolved	120	145
Notices served***	14	18
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

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

D: Context

The impact of one older major application being determined makes the headline figure disappointing. The underlying figure of 26.6 weeks shows improvement over the previous years as continuous improvement and is encouraging as a truer picture of performance.

Whilst non-householder local applications show a slight increase in average time for those determined within two months, the reduction in overall average times for what are often complex applications with associated legal agreements is a strong performance and underlines effectiveness of the changes made to improve performance. However, the slight lengthening of business case determination times needs to be addressed.

Householder application performance continues to be strong, with the increase in time for those determined under two months being marginal and the improvement for those more complex cases taking over two months is significant. Where any go over the 2 month period this is where an issue is under resolution with the applicant and where it would be unreasonable to move to a refusal within 2 months, or where applications are called in to Planning Committee.

Part 6: Workforce and Financial Information

The information requested in this section is an integral part of providing the context for the information in parts 1-5. Staffing information should be a snapshot of the position on 31 March. Financial information should relate to the full financial year.

	Tier 1	Tier 2	Tier 3	Tier 4
Head of Planning Service	0	0	0	1

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

		DM	DP	Enforce- ment	Other
Managers	No. Posts	0	0	0	0
	Vacant	0	0	0	0
Main grade posts	No. Posts	8.6	4.8	1	3.0
	Vacant	0	0	1	0
Technician	No. Posts	1.6	1	0	0
	Vacant	0	0	0	0
Office Support/Clerical	No. Posts	0	0	0	5
	Vacant	0	0	0	0
TOTAL		10.2	5.8	2	8

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

Staff Age Profile	Number
Under 30	2
30-39	10
40-49	12
50 and over	3

Committee & Site Visits*	Number per year
Full council meetings	6
Planning committees	9
Area committees (where relevant)	n/a
Committee site visits	9
LRB**	6
LRB site visits	6

Notes:

*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 LRB. The number of applications going to LRB are reported elsewhere.

	Total Budget	Costs		Income***
		Direct*	Indirect**	
Development management	570600	475000	95600	550000
Development planning	799600	565000	234600	-
Enforcement	In DM figures	-	-	-
Other	-	-	-	-
TOTAL	1370200	1040000	330200	550000

Notes:

* Direct staff costs covers gross pay (including overtime, national insurance and superannuation contribution). The appropriate proportion of the direct cost of any staff member within the planning authority spending 30% or more of their time on planning should be included in costs, irrespective of what department they are allocated to (for example, legal advice, administration, typing). Exclude staff spending less than 30% of their time on planning.

**Indirect costs include all other costs attributable to the planning service. Examples (not exhaustive) include accommodation, IT, stationery, office equipment, telephone charges, printing, advertising, travel & subsistence, apportionment of support service costs.

*** Include fees from planning applications and deemed applications, and recharges for advertising costs etc. Exclude income from property and planning searches.