

## **PLANNING PERFORMANCE FRAMEWORK 3**

2013/2014

# Living Investing Visiting Experiencing

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#### **Our Commitment**

Our Planning Service plays an important role in delivering sustainable economic growth. Our aim is to deliver an excellent service and be one of Scotland's top planning authorities.



#### Introduction

This Planning Performance Framework ensures continuous improvement of our service and is a requirement of all planning authorities in Scotland. It represents a "holistic framework for assessing planning authority performance and improvement" so that planning "can achieve its" potential in supporting the Government's Economic Strategy" (Heads of Planning Scotland).

This is the third annual framework report (PPF3) for the National Park. It looks back at last year (2013/14) firstly statistically then qualitatively by describing projects, achievements and initiatives that have improved our service. We then focus on our service improvement (*SI*) commitments for the following year 2014/15 known as our 'Improvement Plan'.

Scottish Government feedback on PPF2 was overall very positive confirming that the National Park was "working well with the culture envisaged through the PPF". Throughout this report, however, focus is made on addressing any areas for improvement identified in the feedback report.

**Part 1: National Headline Indicators** 

Key Outcomes	2013-2014	2012-2013
Development Planning:	2 years old	1 year old
Development Plan Scheme: on track?	Yes	Yes
<ul> <li>Effective Land Supply and Delivery of Outputs:</li> <li>Effective Housing Land Supply: 5-year supply</li> <li>Effective Housing Land Supply</li> <li>Housing Approvals</li> <li>Effective Employment Land Supply</li> <li>Employment Land Take-Up</li> <li>Effective Commercial Floor Space Supply</li> <li>Commercial Floor Space Delivered</li> </ul>	Yes 398units 70units 94.87 ha Not available Not available Not available	Yes 468 units 53 units 105 ha Not available Not available Not available
Development Management:		
<ul> <li>Project Planning</li> <li>percentage of applications subject to pre-application advice</li> <li>numbers of applications subject to processing agreement or other project plan</li> <li>percentage planned timescales met</li> </ul>	39% 23 52.2%	29% 7 71.4%
Decision-making	96.6% 95.3%	98.4% 92.5%
Decision-making timescales Average Number of Weeks to Decision  • major developments  • local developments (non-householder)  • householder developments	26.3 weeks 13.8 weeks 8.2 weeks	None 15.4 weeks 8.7 weeks
<ul> <li>Enforcement:</li> <li>Time since enforcement charter reviewed (months) Requirement: review every 2 years</li> <li>Number of breaches identified</li> </ul>	1 month (published Mar 14) 31 breaches	12 months 21 breaches
Number of breaches resolved (notices only)	20 resolved	1 resolved

#### **National Headline Indicator Contextual Statement**

#### **Development Planning**

Effective Housing Land Supply has decreased due to new dwellings being built on the allocated site at Tannochbrae, Callander. As we are preparing the Main Issues Report over the next 6 months allocations are being reviewed and this information will be updated.

The Employment Land Supply has remained the same as no development has taken place on any of the allocated sites. Uptake data on windfall sites is unavailable at present. Employment Land Uptake has been difficult to monitor. We are currently in the process of updating our monitoring regime in order to make it easier to monitor employment related development and land update. Over the past year there has been an indication that employment related development is likely to happen on some key sites such as the former torpedo range site in Arrochar, The former garage site in Balloch and the approval of planning permission (Subject to a Legal Agreement) for a Supermarket in Callander.

The first consultation as we prepare our **new Local Development Plan** was launched in April under a major new campaign - the LIVE Park. This was a multi-media consultation from April to July and reached out to all parts of the Park's communities and our visitors.

#### **Development Management**

**Overall application numbers** received through 2013/14 remained fairly consistent with 2012/13 at around 340. It is notable that across the review period there has been some reduction (almost 30%) in overall numbers of householder applications received in comparison with the previous year. This trend will continue to be kept under review. The total number of logged pre-app enquiries decreased from 300 - 280.

During the review period we have improved recording of applications received that were subject to pre-app advice. This has influenced the accuracy of the figure of 39% provided in Part 1

The key performance highlights to note for the National Park are as follows:

- The stand out statistic for the National Park is that the determination of 'EIA applications' improved from 30.1 weeks in 2012/13 to 18.4 weeks in 2013/14. The Scottish average is 46.7 weeks. This evidences the work that has been undertaken jointly with the specialist advisors in the NP Conservation Team to secure a co-ordinated 'one team' approach to work on these complex applications. Also of note is that for the Q3 period in 2013 the National Park determined one fifth of all EIA applications in Scotland (run of river hydro cases).
- Connected to the above is the figure for 'Electricity Generation' applications, average
  determination time in the National Park was 17 weeks for 2013/14. The Scottish average
  is 23.1 weeks. This includes run of river hydro applications of which 15 were determined
  in the period. The statistics re-affirm the prioritisation we gave to these cases in order to
  support the renewable energy sector in Scotland. (Refer Project Focus: Approach to
  Hydro Development)
- Improvements in the average determination time are evidenced for the majority of categories of 'development type' including 'householder' applications, 'Listed Building consents' and all other 'local applications'. In many categories the determination time is slightly behind the Scottish average for example for 2013/14 'householder' applications in the National Park were determined in an average of 8.2 weeks, whereas the Scottish average is 7.7 weeks. Nevertheless, securing the year on year improvement is considered to be the more significant target.

- An area which has not evidenced improvement is 'applications subject to Legal Agreements'. These averaged 72.3 weeks for 2013/14, down from 68.1 in the previous year. The Scottish average is 68.4. This is notable as it reflects badly on an area in which we are striving to improve performance. However, it has to be seen in the context of low overall numbers of cases which can mean a single protracted case distorts the average. In this instance there was such a case which was allowed to run rather than be returned to the Planning and Access Committee for reconsideration as there was a clear indication that a positive outcome could be secured. Discretion has to be able to be applied in such circumstance. In the case in question a significant financial contribution toward affordable housing was ultimately secured. read more in Part 2 'Efficient and effective decision making'.
- The approval rate for all applications has fallen slightly to 96.6% in 2013/14 compared to 98.4% in 2012/13. However the National Park continues to consistently approve a higher proportion of applications than the Scottish average (94.1%). This is attributed to our ongoing commitment to engagement in pre-application discussions. read more in Part 2 Open for Business

In conclusion, the published statistics are particularly encouraging in light of the unprecedented pressure which the DM team came under to priority determine a number of run-of-river hydro power applications to an OFGEM 'feed in tariff' deadline of 31<sup>st</sup> December 2013. Prioritisation of these often sensitive and complex applications had an impact on other application workload – well into 2014. It also put significant demands on the Conservation Team specialist advisors required to input on matters of landscape and ecology.

Operating a Planning Service in a National Park raises unique challenges. Most notably in terms of effective partnership working with the underlying Local Authorities and ensuring due regard for the sensitive landscape and natural heritage designations. It cannot operate to a 'standard' Local Authority model. In many planning application cases delays are unavoidable for the necessary supporting survey work to be undertaken, and significant projects have inevitable staff resource impact within a small team.



#### Part 2 - Defining and Measuring a High-Quality Planning Service

#### Open for Business

We are Open for Business because we:

- Take pride in our open and accessible approach to all development proposals with an emphasis on negotiation and discussions to achieve a positive outcome.
- Operate our pre-application service in common with this approach. This is demonstrably
  having a positive influence on the approval rate for applications and is therefore a
  worthwhile shift in the deployment of our limited planning staff resource focusing on
  providing constructive advice at an early stage rather than contesting appeals. The pre-app
  service is a key tool to achieve the following aims:
  - Better quality of applications at submission (with all required supporting information having been flagged early).
  - Improved certainty for applicants on likely outcome and timescales.
  - Less refusals our approval rate (96.6% for the review period) was consistently above the national figure (94.1%).
  - Less appeals / Local Reviews (we handled 0 local reviews and 3 appeal cases in the review period)

This proactive service ensures early consideration of the detail and quality of a proposal. We ensure consistency by using a set response template that highlights the policies, the considerations for the application and information that should be submitted with an application. We undertake site meetings, consultations and request further information where needed. We provide meetings to discuss proposals and guide the development. On significant cases we use this process to give early advice on the prospect and purpose of any legal agreement or developer contribution – see more on specific work undertaken through the review period to improve the process around legal agreements in Project Focus: Processing Legal Agreements and *SI 11 (Service Improvement No.11)*. For the reporting period we received and responded to almost as many pre application enquiries as planning applications. Wherever possible the case officer engaged on the pre-application will continue to handle the subsequent application – in the interests of consistency.

- Ensure applicants have direct access to case officers by phone or email during the application process and provide access to our Head of Planning on large cases where early consideration is required of the principle of development. Case officers meet with agents and applicants, when required, on site or at the offices to negotiate improvements and resolve issues. Our validation letter provides direct contact details (email/phone) for case officers to ensure there is a single point of contact during the application. On larger cases processing agreements are now used as standard practice and contact details of the managers are also provided.
- Carefully balance the natural heritage sensitivities in our National Park area and request proportionate information to assist in determining an application. Our website provides clear information on what level of information is expected of the applicant and at preapplication this is confirmed. Given the protected status of the National Park Designation the authority is required to screen all applications under the EIA regulations. Of those that do require an Environmental Statement, our scoping responses carefully focus on only those issues that are necessary to the planning decision. Work has been ongoing through the review period to develop updated procedures on EIA screening and scoping. This includes display of screening and scoping opinions through the e-planning website, step-by-step procedures for handling a screening request, a template for scoping opinions for run-of-river hydro schemes and clear instructions for planning support to follow to manage the workflow of such applications.

- Have identified sites ready for development in our Local Plan and are actively encouraging engagement with land owners to progress the development proposals Refer also to section on promoting allocated sites under 'High Quality Development on the Ground'. We are driven by a need to create confidence in private sector decision making by having transparent, easily understood, plans and policies. We also seek to deliver more inward investment for economic regeneration by delivering a highly efficient development management service again to create confidence in investment decisions. We are customer focussed and we have created protocols with partners to create a seamless service but one which builds added value through partnership working to create more jobs and training opportunities through National Programmes with partners and the Third Sector.
- In terms of **development monitoring** at post-decision stage, we have a dedicated monitoring officer. The case officer continues to be involved, if required, to aid the resolution of any difficulties which may be causing the stalling development of a site. This could involve a meeting with a consultee, negotiation or amendment of a condition.
- Our Planning Service Charter sets out our promises to users of our service that we will
  provide a responsive service read more in Communication Engagement and Customer
  Service section.



Killin Holiday Chalets, Killin

#### **High Quality Development on the Ground**

We deliver High Quality Development on the Ground because we:

- Are maintaining an up to date Local Plan by commencing preparation of our Local Development Plan in a **proactive** way with all partners and interests.
- We take an enabling and design led approach to show what kind of development can be achieved through our Main Issues Report Consultation.
- Continued our suite of **Supplementary Planning Guidance** by adopting Guidance on Renewable Energy in June 2013.
- Continuing to support updated Community Action Plans with 10 now revised 4 being prepared.
- Our first Built Heritage Repair Grant Scheme delivered support for a range of works with successful projects located across the Park in Kilmun, Gartmore, Callander, Killin, Glen Dochart, Tarbet and Balquhidder and included six listed buildings. The £20,000 Built Heritage Repair Grant fund for 2013/14 delivered projects to a value of £66,809
- We have seen some notable community projects delivered on the ground, which we supported, including the first improvements to Ancaster Square in Callander, the completion and opening of the new visitor facility at Argyll Mausoleum and the construction of the Glen Tarkin Bridge – a key link in creating an off road path between St Fillans and Lochearnhead.
- Apply effective enforcement to unauthorised development and monitoring of approved development working to a process of voluntary resolution rather than service of statutory notices. Our enforcement charter was reviewed, adopted and published in March 2014 (in line with statutory requirements). The adopted <a href="Enforcement Charter">Enforcement Charter</a> follows the Scottish Government model and sets out our improved service standards and the criteria for High, Medium and Low Priority of enforcement investigations.
- A visible enforcement deterrent is so important in order to maintain public confidence in the planning system and to ensure long term high quality development is delivered. We have found that, in the majority of cases any breach is not deliberate and voluntary resolution is effective. We, nevertheless, take enforcement action where informal liaison is unsuccessful and where it is expedient in the public interest.
- Continue to use press releases to highlight the added value of the planning service to the National Park in specific high profile planning approvals
- There has been a range of new developments completed and under construction right across the Park. This includes a mixed use (residential and retail) development at Balloch riverside, 14 dwelling houses at the former Youth Hostel site in Killin, the Bridge of Lochay Hotel site for seven holiday chalets, an ever increasing number of hydro scheme developments. The development at the former garage site in Killin also finished and is now occupied providing 12 affordable housing units. Consents have recently been granted for affordable housing developments in Arrochar (Succoth 26units) and in Callander (Station Road 23 units).
- Small scale run-of-river hydro power continues to be a particular growth area within the Park. At the time of writing 5 schemes are under construction across the Park and are being monitored to ensure best practice in construction methods and environmental sensitivity. This work involves close collaboration with the landscape and ecology specialists in the Conservation team. The following highlights the National Park Authority's approach to hydro development.

#### **PROJECT FOCUS**

Approach to Hydro Development

#### **Policy Approach**

We have been very active in promoting run of the river hydro schemes over the last few years. It has developed ground breaking Supplementary Planning Guidance designed to encourage micro hydro, taking advantage of the area's significant water resources. This has allowed us to actively promote opportunities in the National Park –an area perhaps not expected to have many such opportunities



The SPG has mapped out all of the catchments in the National Park that could be viable for Micro-hydro schemes and provides a step by step guide on how to sensitively design schemes that are sympathetic to the areas' sensitive landscape and habitats. It provides best practice techniques and lists mitigation measures to enable developers to design their schemes to minimise environmental impact. It supports prompt, high quality, confident planning advice that at times relate to complex development proposals including EIA schemes.

Stank Glen Hydro Scheme

We have since attracted significant developer interest over the last three years. Approximately 32 run-of-river hydro applications have been approved, 16 of these were issued in 2013. The SPG has been shortlisted as a finalist in the UK RTPI Planning Awards.



Glen Douglas Hydro Scheme Pipeline

#### **Development Management for Hydro**

LLTNPA took a number of key measures during 2013 to resource plan for the anticipated unprecedented pressure to determine a significant number of applications for run of river hydro power schemes. OFGEM had set a deadline of 31st December 2013 for prospective developers to have a <u>planning consent in place</u> to be eligible to benefit from a higher rate 'feed in tariff'.

14 applications were 'live' across the National Park as of 1<sup>st</sup> October 2013. NPA officers met with all 5 agents involved to co-ordinate efficient information handling.LLTNPA amended its Scheme of Planning Delegation for EIA developments to reduce the number of hydro applications referred to Planning Committee.

Eight of the 10 hydro applications determined in the period were EIA development. Government Statistics on planning performance for quarter 3 of 2013/14 have subsequently revealed that the National Park determined 1/5 of all EIA applications in Scotland for this period.



Stronchullin Hydro Scheme Powerhouse

#### Certainty

We ensure consistency of advice, process and decision-making to applicants by:

- Maintaining an up to date Development Plan and Development Plan Scheme which sets out our programme to replace our Local Plan and how all parties can become engaged.
- Continuing our annual programme of development monitoring to ensure our policies are working. We published our Monitoring Statement in April in support of our Main Issues Report
- Continue to engage the services of West of Scotland Archaeology to provide advice on planning applications and the Main Issues Report.
- Operating our pre-application advice service (Refer 'Open for Business' section) with case logging to enable us to:
  - Achieve reliable cross referencing of advice issued for any specific site (through our mapped records database)
  - Ensure consistency of approach by officers adopting a template based response letter with attachments / links to relevant guidance notes as appropriate (i.e. bat surveys / working near trees).
  - Early awareness for applicants on legal agreement through leaflets and advice.
  - Ensure the officer allocated the pre-application case is, wherever possible, the same officer who determines the application.
- Concluding a protocol and standard heads of agreement with Stirling Council as one of our key underlying Housing Authorities. This addresses the efficient handling of legal agreements connected to developer contributions in the form of commuted sums toward Affordable Housing delivery. This secured the achievement of SI 14 (Service Improvement No. 14) as set out in our PPF2 report. The essence of the agreement secures that commuted sums generated by development within the Park will be returned to be spent on securing affordable housing within the National Park area. SI 14 for the year ahead remains to roll this approach out to another underlying housing authority partner (Argyll and Bute Council).
- In the infrastructure section of our Main Issue Report we have set out a proposed approach
  to developer contributions. There has been broad agreement to this through the
  consultation feedback. Our policy approach will be worked up through the emerging Plan.
- Continuing to engage proactively with Key Agencies primarily through informal and formal consultation as we prepared the Main Issues Report. This served to ensure we were clear where there may be showstoppers to new development.





Sloy Electricity Switching Station Before and After Removal of external switching station and building and replacement with single contained building

#### **PROJECT FOCUS**

**Working with Processing Agreements** 

Using **project management approach** and processing agreements as standard practice for dealing with our Major Applications. Only 1 major application was determined in the reporting period – the Ben Arthur Holiday Resort which was Case Studied in PPF2.



Our approach involves the planning officer supported by the authority's separate project management officers as necessary, setting out a project plan including budget management, communications plan, risk register, and a clear and realistic timetable for determining the application with key milestones.

We are continuing to use project management in both development management and development planning. We have progressed this forward in the last year by using a simplified template to secure a processing agreement on local development applications where we know the 2 month timescale will not be met due to circumstances outwith our control. Processing agreements were set up for 23 of our more significant applications in the period in this way.

	Jul		Aug		Sep		Oct		Nov		Dec		Jan		Feb	
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		consultation period										Committee Report			٠,	
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	10		14			NPA send letter regarding Planning Obligation	16		13		- 11		15		12	
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	l		١	Meeting regarding legal	12		17		١				١	published - assessment		
led hum	11		15	agreement	12		17		15		12		15	report with Recommendation	13	
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len	16	Public Holiday	20	Meeting regarding further information	17		22		19		17	determine Special Meeting and Site Visit Date in Jan	21		18	
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-	- "			Send Request for Further					20		- 12		- **		- 10	
Ved	18		22	Info Letter (Rag 24 letter)	19		24		21		19		23		20	
PUR.	19		23		20		25		22	Assessment Period Ends	20		24		21	
										Prepare 2nd committee						
W.	20		24		21	Public Holiday	26		23	report - Assessment	21		25		22	
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un	22		26		23		28		25		23		27		24	
														Committee Site Visit and Meeting -determination of		
April	23		27		24	Public Holiday	29		26		24		28	the application	25	
	17					Receipt of Further	"		_		Г		1	Finalisation of Planning Obligation (\$75 Agreement)		Legal agreement registered and all legal
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	-		-				31	Consumation for E5 ends	-			Public Holiday				Charking and Issuing
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		consultee.									ı					
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As one of the few Authorities embracing the processing agreement approach to this level, we recently we engaged on a project with the Planning Reform Branch (Planning and Architecture Division) within Scottish Government (Simon Pallant) to review service user feedback on a range of our processing agreement practice. The results are awaited with interest.

We are aware that the set targets have not been met in all cases. This was highlighted in the feedback on our PPF2 report and continues to be an issue. Consequently options to revise procedures in order to address this remains a Service Improvement. (Refer SI 17)

#### Communication, engagement and customer service

Our communications strategy involves:

Proactively encouraging applicants and agents to use e-Planning.

- We promote the use of e-Planning particularly in our pre-application responses. This is
  reflected in the high number of online applications made. We also have around 70% of
  representations submitted electronically using either the online comments facility on our
  Public Access System or e-mail.
- Issuing decision notices electronically via e-mail to applicants or agents, providing an instant direct link to their application on our public access site. This lets them obtain their additional decision documentation (for example plans) electronically. We now find that we only issue paper decision notices and drawings once or twice a year, significantly reducing our environmental impact, costs and delays for applicants/agents.

#### Having an up-to-date user friendly website.

- Provides information on our service and the planning process using our Advice leaflets.
   Providing direct contact details for our Planning Information Manager to assist with any queries. In February 2014 we increased our suite of advice notes by including <u>A guide to planning obligations</u> and <u>A guide to modifying, varying or discharging a planning obligation</u>.
- Consideration of options for broadening social media engagement more widely across the planning service; drawing from the experience of our Main Issues Report. (Refer SI 1)
- Provision of various methods for payment of applications and advert fees. As well as the
  online payment facility through OAA, we also provide a telephone card payment facility and
  we continue to accept cheques and cash payments. 2014/2015 will see the introduction of
  Paypal becoming an available method for payments on our web-site. (Refer SI 12)
- The use of our **Public Access** site has increased significantly since last year with 102,710 searches conducted in 2013/2014 compared with 58,148 for the previous year. This positive trend confirms our dedication to providing an easy to use and accessible site.

Our commitment to providing the highest possible standard of service.

- Meeting our service standards set in our <u>Planning Service Charter</u> is a key priority in our procedures and processes. We have had feedback for amendments to our standards, from within our own team and engagement with our Members from our Planning and Access Committee. Progress on a full charter review has been delayed for the time being to focus on other priorities this will be programmed for 2015/2016.
- Having a Planning Information Manager who is the first point of contact for telephone
  calls and public reception enquiries. This post ensures cover for our dedicated Planning
  Telephone line and we endeavour to respond to messages left by the end of the working
  day or first thing the next day. Feedback shows that members of the public are grateful to
  speak with someone in the team rather than leaving voice messages.
- Our pre-app service together with our 'Making a valid planning application' advice leaflet has continued to secure a high level of applications valid on receipt with numbers for 2013/2014 at 77%.
- Making progress toward developing the most effective options for capturing customer feedback was a SI in 2013/14. Some progress was made through the identification of a member of the DM team to champion and lead the project and working in association with our relatively new resource of our Corporate Services 'campaigns manager' to identify the most effective options. This Commitment (SI 8) will be continued into 2014/2015.

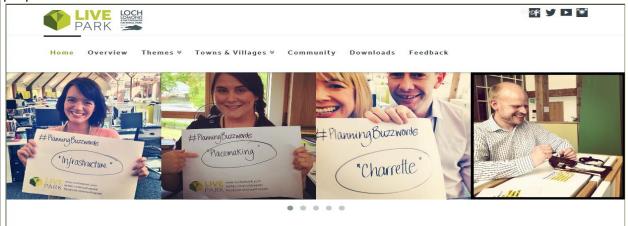
#### **PROJECT FOCUS**





#### **LIVE Park**

Consultation on our Main Issues Report this year represented a significant new approach in how we engage and communicate with communities, businesses, partners and visitors. It involved a multi-media approach to promote the questions and proposals for the future development in the National Park over the next 20. This included social media, short videos, local newspapers, national TV and Radio. The Main Issues Report itself was written and presented in a highly visual manner to be as accessible as possible to a wide range of people.



LIVE Park is your chance to really understand the future potential of where you live, work, play and invest. It sets out how planning can help improve Loch Lomond & The Trossachs National Park – from housing to jobs, and everything in between, so get involved.

The consultation was informed by extensive engagement with many of our communities to help shape the Main Issues Report, as outlined in last years' report in the form of various charrette workshops.

The investment of significant time and resources in early engagement to help inform the preparation and content of the Main Issues Report, through our programme of charrette events and workshops, has delivered several demonstrable benefits, most notably fewer responses when compared to the past Local Plan consultation and a smaller number of contentious issues or sites. Positive feedback was also received on the preparation of the Main Issues Report in an external Gateway project review (commissioned as part of a Scottish Government pilot) that included interviews with community, landowner, Council and government agency representatives.

A wide range of opportunities were provided for people to engage in the consultation, with a particular focus on young people and working age families – as these are traditionally the groups we have seen less participation from in the past - while maintaining communication through established means and forums. It is considered that this has been very successful, with an excellent take up of the opportunities provided.







#### **Efficient and Effective Decision-Making**

We ensure our structures and processes are proportionate by having:

- An effective Scheme of Delegation enabling simplification and prioritisation of more complex casework to committee and clarity for Members. Delegated decisions involve electronic signing of reports of handling and final decision notices checked by officers to reduce delays. This year only 5% of all applications were decided at committee which reduces delays. We reviewed our scheme of delegation in November 2013 to specifically exclude EIA development as an automatic trigger to Committee in the interests of efficient handling of the proportionately large number of such applications processed by the National Park. A future review is required in 2013/2014 to update the Scheme of Delegation in light of legislation changes to ensure it is fit for purpose. (*Refer SI13*)
- Regular monthly scheduled committee meetings with flexible additional meetings as and when required for high pressure periods.
- We provide comprehensive training to members of our planning committee to facilitate
  understanding of planning policy and enable quality decision making at Committee. We
  also provide induction training for all new members.
- A close working relationship with partners (SEPA, SNH). With our growing experience in processing applications for 'run of river' hydro schemes we have encouraged applicant's to apply for their water use licence (CAR licence) and Planning Permission in parallel so that any obstacles can be overcome simultaneously. Our new SPG on renewables reinforces this approach by actively encouraging developers to submit applications for CARS and planning Permission together, as does our pre-application advice. A series of meetings between our Head of Planning and SEPA representatives were ongoing through the review period toward developing better integrated working between planning consent work and SEPA CAR licensing.
- Service agreements and protocols with SNH and SEPA, 2 of our statutory consultees. It is our intention for the year ahead to prepare a protocol with the underlying Local Authority flood advisors acknowledging changes in responsibilities as a consequence of the Water Framework Directive. (Refer SI 15)
- A working agreement with our own <u>internal</u> specialist advisors to better prioritise consultation responses and to clarify, simplify and streamline the exchange of information. *SI commitment 9* in PPF2 proposed to establish this, a good start was made on this project and momentum has increased with the establishment of a project team and a project plan. The work focuses on three areas: process, procedure and instructions. The project remains a SI commitment for the year ahead. (*Refer SI 7*)

#### **PROJECT FOCUS**

#### **Processing Legal Agreements**

Planning Performance Framework 2 2012/2013 included Service Improvement commitments relating to **tackling stalled cases** and **speeding up processing of Legal Agreements**. It was realised that these areas were intertwined as it was invariably at the legal agreement negotiation stage that applications could become bogged down.

Often it seems this can be attributed to negotiation difficulties between applicant and landowner when these are not one and the same – and there have been particular challenges through the economic downturn when there has been reduced incentive, or lack of finance, to make a start on site.

A number of improvements have been secured in this area over the reporting period:

- We continue to minimise the use of legal agreements wherever possible in line with advice in Circular 3/2012
- Our monthly 'clinic' with our 'on-call' Legal advisors which includes a review of the status of all Planning Obligations currently outstanding remains a highly effective prioritisation tool.
- Preparation of procedures, processes and template letters drawn up with our 'on call' legal advisors providing a consistency of approach from case to case as well as a clear audit trail of which point in the process that the agreement has reached (due to be finalised in 2014). and the preparation of advice leaflets (published Feb 2014).
- Improved transparency on the process involving an early heads up notification letter for applicants. Informing them that a planning obligation will be required, clarifying the process with reference to guidance notes (published Feb 2014), an indication of anticipated costs and fee recovery Refer Financial Management. New process is due to be implemented in 2014. Refer SI 17

Planning Advice Note

A Guide to Modifying, Varying Discharging a Planning Obligations (Section 75 Legal Agreements)

In the course of determining applications to proceed the process of the course of determining applications to proceed the process of the process planning authority we use planning department new may decide to grant planning authority we use planning department new may decide to grant planning authority we use planning department on the process of the process of the process of the process of the planning department of the planning dep

Setting a deadline for concluding applications – it was agreed at Planning Committee in March 2014 that a six month time period would be set for the conclusion of legal agreements after which period they would be returned to Planning Committee (or the Delegated Officer as appropriate) for reconsideration. For 'live' applications this would be intimated in the 'minded to approve' letter. For ongoing 'stalled' applications an update letter has been issued.

#### **Effective Management Structures**

We ensure we have management structures that are fit for purpose by:

- Working within a clearly defined corporate management structure with an overarching Operational Plan.
- Preparing and taking leadership of the National Park Partnership Plan which ensures
  joint objectives with all the other public sector partners\* operating in the National Park
  Area
- Having a strong collaborative relationship with our colleagues in the National Park
  conservation team who regularly give advice and support on biodiversity, landscape, trees
  and built heritage. Monthly prioritisation meetings are held and teams within the
  headquarters building have been relocated to help develop a 'one team' dynamic and
  improve communication. Service Improvement 7 remains to fully develop a service
  agreement to ensure improved priority planning and simplify and streamline the exchange
  of information between the teams. (Refer Efficient and Effective Decision Making above)
- Having strong connections with our Cairngorms National Park colleagues. With the
  shared resource of the LLTNP GIS team we have consistently provided Cairngorms DM
  with our procedures, processes and templates to assist with their development of their
  application processes and system set-up. Staff from Cairngorms have visited our offices
  on many occasions and have met with members of our Development Management staff to
  discuss different issues and receive mentoring on the IDOX DMS and Uniform system
  operations and attend joint training events. There have been a number of secondments of
  staff across both National Parks.
- Having regular team meetings within Development Management and Forward Planning held together by Rural Development managers meetings where projects and service priorities are discussed and agreed. Also, resources are regularly reviewed to ensure delivery of agreed service plan and corporate priorities.
- Increasingly applying a flexible approach to staffing in DM in response to workload –
  notably an agency planner was employed in the latter part of 2013 to assist cope with the
  exceptional demands placed upon the service by run of river hydro applications.
- We provide staff opportunities to move between Development Management and Local Plan team and enforcement is given support when required. This ensures workload pressures are met either to deal with a local plan deadline or large volumes of planning applications. This fluid/ flexible approach means we are best positioned to react to demand pressures not just within our own teams but across the department as a whole.
- Ensuring we have staff with a range of skills and expertise who are capable of working
  on a variety of projects and picking out appropriate training opportunities within our limited
  training budget to ensure we build the skills to meet future needs. Notably NP Planning
  staff were in attendance (and hosted a workshop) at the Scottish Governments EIA forum
  in October 2013.

\*Key Public Sector Partners include – West Dunbartonshire Council, Argyll and Bute Council, Stirling Council, Perth & Kinross Council, Forestry Commission, SNH, Police, Transport Scotland, Sport Scotland, Scotland, Scotland, Scotland.

#### Financial Management and Local Governance

#### Our planning service:

- Operates within strictly defined levels of financial delegated authority for signing off the purchase of goods and services within a **robust procurement strategy**.
- Has staff training in place to ensure a high level of understanding and access to the finance system (at the appropriate level) to monitor expenditure.
- Sits on project working groups to monitor resources.
- Uses regular financial and business planning reports to ensure effective management checks are in place and these are provided to staff, management, the Board and Scottish Government.
- Uses a balanced scorecard approach within the business plan to facilitate risk
  management and highlight whether resources have been effectively allocated to the
  delivery of projects and services to agreed deadlines and action is taken where
  necessary.
- Follows internal policies, processes and procedures to ensure best practice and statutory guidelines are considered and followed.
- Aims to recover legal fees in association with the preparation, modification or discharge of planning obligations. (Refer – Project Focus: Processing Legal Agreements)
- An all-staff workforce survey was undertaken in September 2013 (actioned by Business Services) to support our Corporate Plan outcome to have 'engaged, high performing and empowered staff'. Following analysis of the results, a range of measures have been rolled out covering leadership, personal growth, well-being and team building. In particular within Planning, we now have regular and more robust team meetings, a consistent approach to one-to-ones and a better structured staff training programme. The preparation of 'team plans' has been extremely useful for the Planning Service in clarifying the range of service improvement tasks with better defined responsibility for actions and timescales. The survey is to be repeated in September 2014.

#### **Culture of Continuous Improvement**

- The National Park has consistently engaged in planning service improvement delivery despite not having a dedicated staff resource to this area. All initiatives are actioned by
  professional and support staff under the direction of the planning managers. Engagement
  across organisation is secured wherever possible including the Communication Team
  (refer Project Focus on LIVE PARK) and specialist advisors.
- Our Development Management Procedure Manual covers everything from planning applications, to non-material amendments, EIAs and pre-applications. The team work hard to ensure processes and procedures are efficient and effective, all suggestions for changes or concerns from customers and colleagues are assessed and appropriate action is taken to streamline the process. It was programmed as a SI commitment in PPF2 to commence a review of the manual. Good progress has been made toward a new format and structure for the manual but it remains a substantial task prioritising across a wide range of activities whilst also seeking to provide more of a policy context for the way we operate. Continual review of the procedure manual remains ongoing and references to specific project work/service improvement commitments for new or improved procedures and policy can be found throughout this report (for example Processing Planning Obligations).
- As a current example of ongoing work on advice notes, we have now published our guides
  to Planning Obligations. We believe our **Advice Leaflets** are an invaluable resource for our
  applicants/agents when preparing their proposals, and we frequently provide them as
  supplements to our Pre-application Advice. It is our intention to maintain our dedication to
  the provision of clear and informative guidance on all aspects of our service and will
  continue to have a positive impact on the quality of applications received.
- Our attention to delivering and refining Online Planning Information and streamlined electronic procedures is a key efficiency process - resulting in fewer telephone calls, saving time and money across all processes - from consultations to writing reports.
- Our ongoing programme of Member training and development continues to improve
  Members' knowledge of key planning issues and results in better informed decision
  making. During 2013 our programme included a training session on Landscape and Visual
  Impact Assessment and a study tour focused upon the Scottish Government initiative on
  'Scenic Routes' which was piloted in the National Park over the review period. We
  conducted a Members Feedback Survey the results of which have informed a wider action
  plan. As a result of this a refresher on LRB practice and procedures is programmed for the
  year ahead for those Members who sit on the review body. Refer SI 16.
- It is recognised that there is scope for improved efficiencies and clarity in the preparation of reports of handling and Committee reports. Consequently SI 13 proposes work to refine report templates and improve our document quality. An in house training session has been programmed for November 2014 engaging a top practitioner with wide experience across a range of local authorities. This training will be delivered in conjunction with two of our underlying local Authorities Argyll and Bute Council and West Dunbartonshire Council.

#### Part 3 - Supporting Evidence

In order to compile Part 2 above we have drawn on the following documents:

#### Planning Service Charter

http://www.lochlomond-

trossachs.org/images/stories/Planning/PDF/Planning%20\_Service\_Charter\_Jan2012.pdf

#### **Enforcement Charter**

http://www.lochlomond-

 $\underline{trossachs.org/images/stories/Planning/PDF/Advice\%20notes/Enforcement\%20Charter\%202014.}\\ \underline{pdf}$ 

#### A Guide to Planning Obligations

(Section 75 Agreements)

http://www.lochlomond-

trossachs.org/images/stories/Planning/PDF/Advice%20notes/A%20Guide%20to%20Planning%2 0Obligations.pdf

### A Guide to Modifying, Varying or Discharging a Planning Obligation

(Section 50 or Section 75 Legal Agreement)

http://www.lochlomond-

trossachs.org/images/stories/Planning/PDF/Advice%20notes/Planning%20Advice%20Note%20%20Modify%20or%20Discharge%20Planning%20Obligations%20-%20Final.pdf

#### LIVE Park on our Website

http://www.ourlivepark.com/

#### LIVE Park on Facebook

https://www.facebook.com/ourLIVEpark

#### LIVE Park on Twitter

https://twitter.com/ourlivepark

#### Built Heritage Repait Grant Scheme on web-site

http://www.lochlomond-trossachs.org/looking-after/built-heritage-repair-grant/menu-id-963.html

## Part 4 – Service Improvements

In the coming year we will:

SI 1	Consider options to improve awareness, understanding and engagement in planning – including through social media – by drawing on experience of our Main Issues Report consultation.
SI 2	Continue to improve the understanding and participation within hard to reach groups, particularly young people and working age families. This will include an ongoing programme with secondary schools as well as opportunities for work placements by students or graduates.
SI 3	Continue the Rural Housing Enabler project to maintain support for our communities and landowners to increase the range of affordable housing. This project provides viability advice to landowners, advice on access to funding sources for meeting affordable housing requirements as well as assisting planning staff ensure there is a housing land supply over the medium to longer term.
SI 4	Continue the Built Heritage Repair Grant Scheme - providing grant support for the repair and restoration of traditional buildings across the Park.
SI 5	Publish Conservation Area Management Plans for Killin and Callander Conservation Areas to ensure that these areas are properly protected by providing guidance in the determination of planning and listed building applications affecting the conservation areas
SI 6	Review our Scheme of Delegation
SI 7	Prepare and implement a service agreement with our internal specialist advisors.
SI 8	Devise an approach to obtain customer service feedback
SI 9	Develop a mechanism to monitor the quality of developments recording the added value with a focus on conservation gains
SI 10	Finalisation and implementation of new EIA Screening & Scoping Process and procedures.
SI 11	Implement new procedure and process for dealing with Planning Obligations
SI 12	Facilitate additional online payment option on web-site
SI 13	Refine templates for Delegated and Committee reports
SI 14	Progress affordable housing commuted sums protocol with Argyll & Bute Council
SI 15	Develop working relationships with Local Authority Flooding Advisors with a view to preparing a service agreement
SI 16	Implement LRB training for members following the survey and agreed action plan
SI 17	Review procedures for processing agreements to reduce targets not being met

Our delivery of service improvement actions from previous year

		Completed
SI 1	Explore new and innovative methods to support appropriate development on key sites. For example, build on the first two phases of the Rural Housing Enabler project which is seeking to unlock opportunities for affordable housing	Yes

A successful year for the Enabler with growing momentum on three development sites. Agreement in place for 4 homes in Luss and 8 flats in Kilmun. Funding in place from Stirling Strategic Housing Investment Programme for 10 homes in Balmaha to be started in 2015/16.

Work with public sector partners where there are opportunities to develop public land, in partnership with the private sector, that supports community and National Park objectives

Options on FCS land potential have been explored, examples:

- Housing at Balmaha
- Tourism development at Braeval
- Business land at Aberfoyle.
- Seek to use the consultation on the Main Issues Report as a means to raise the profile of the range of development opportunities

  Yes

Very successful consultation that has helped prompt developer interest in the National Park. 15 additional sites were submitted during the consultation.

SI 4 Implement a dedicated programme of engagement with young people through the Main Issues report

Successful engagement delivered in collaboration with Planning Aid Scotland which included most secondary schools that serve the Park's area. The final report can be viewed here: <a href="http://www.ourlivepark.com/wp-content/uploads/2014/09/20140829-PAS-LLTNP-report-V01\_ps2.pdf">http://www.ourlivepark.com/wp-content/uploads/2014/09/20140829-PAS-LLTNP-report-V01\_ps2.pdf</a>. This included two Visioning events for Young People — with 55 participants — and six Primary Schools that participated in Lego workshops.

SI 5 Deliver a Built Heritage Repair Grant for repair and restoration of traditional buildings across the Park on main routes and its settlements

Our first Built Heritage Repair Grant Scheme delivered support for a range of works with successful projects located across the Park in Kilmun, Gartmore, Callander, Killin, Glen Dochart, Tarbet and Balquhidder and included six listed buildings. The £20k Built Heritage Repair Grant fund for 2013/14 delivered projects to a value of £67k.

SI 6	Implement the Advertisement Project to de-clutter the park of unauthorised signage	No		
realisati media - right pla the spec foundati (and un Authorit at a futu	postponed. The resource required to take the project beyond the bounds of enforcement on that it needs to link to alternative ways of <b>promoting</b> business (other than signage) so was not available. Nevertheless the founding of the proposal on the premise that good so can enliven built up areas and provide vital information – with the careful balance of so cial qualities of the National Park for the enjoyment of all – remains sound. Furthermore, ions were laid for a strong <b>collaborative working</b> element to this project linking with neighbor derlying) authorities – Argyll and Bute Council and Stirling Council both as Roads and Play – and also with Transport Scotland in the Trunk Road context. It is hoped that it can be street date. Internal work to develop policy and guidance continues; however it is not a SIP coming year.	uch as <b>social</b> signage in the afeguarding the ghbouring anning re-launched		
SI 7	Devise an approach to obtain customer service feedback	No		
	er remains a revised priority SIP commitment for next year. Allocated Planning Officer has with our Communication Team to develop ideas and strategies.	s scheduled		
SI 8	Review planning service charter and enforcement charter	Part		
	ment Charter has been revised and is now published. charter review de-prioritised for the time being			
SI 9	Prepare a service agreement with internal specialist advisers	In progress		
In progr	ess. A project Plan prepared and work developing on three areas			
SI 10	Preparation work toward revised DM Procedure Manual	In progress		
Creation	n of new procedure manual has been started. Projects to review our processes underwa	y.		
SI 11	Action the conclusion of stalled cases including those subject to legal agreements	Part		
New procedure to conclude stalled cases subject to legal agreements has been agreed at committee (March 2014)  Project work undertaken to implement a new procedure for new Legal Agreements – delivering efficiencies and transparency – near completion – see SI 15.				

Develop our use of informal processing agreements – reducing default rate

An officer has been allocated to champion revised procedure and 'early flag' systems

SI 12

Part

SI 13	Refine development management delegated and committee reports	No
	tory work undertaken. vriting training organised.	

SI 14	Conclude protocol / standard legal agreement with Stirling Council to manage affordable housing commuted sums	Yes
Agreem	ent concluded.	

SI 15	Implementation of improved processes for planning applications with legal agreements	Part					
Project work undertaken to implement a new procedure for new Legal Agreements – near completion.							

SI 16	To develop a mechanism to monitor the quality of developments approved. Recording the added value and using our sustainability checklist as a measure of design quality	No
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Staff Resource did not allow. However remains as a commitment for next year with renewed emphasis to help record conservation gains for the National Park delivered through Planning. Joint work with our internal Conservation team advisors.

SI 17	To make progress towards the launch of a design award by the end of March 2014	No
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Commitment reviewed in light of resource implications and a positive decision taken to not pursue our own in house award scheme at this time. Instead it is our intention to review opportunities to profile National Park achievements through engagement or possibly partnership with established award schemes. This is considered a more resource efficient approach but continues to secure the opportunity to recognise and celebrate high quality development within the Park. Some success was achieved through 2013/14 in Scottish Quality in Planning Awards as well as UK RTPI awards for National Park Sustainable Design and Renewable Energy Guidance respectively.

## **Appendix I - Official Statistics**

#### Loch Lomond 2013/2014

	Pos	st-3rd Augus	t 2009 application	าร		
MAJOR DEVELOPMENTS	Total number of	Average time			Total number of	Aver tim

MAJOR DEVELOPMENTS	Total number of decisions	Average time (weeks)
Without Legal		
Agreement	1	26.3
With Legal		
Agreement	0	-

MAJOR DEVELOPMENTS	Total number of decisions	Average time (weeks)
All Major	4	20.2
Developments	1	26.3
Minerals	0	-
Housing	0	-
Business and		
Industry	0	-
Waste Management	0	-
Electricity		
Generation	0	-
Freshwater Fish		
Farming	0	-
MarineFinfish		
Farming	0	-
Marine Shellfish		
Farming	0	-
Other Developments	1	26.3

LOCAL DEVELOPMENTS	Total number of decisions	Average time (weeks)
Without Legal		
Agreement	197	10.3
With Legal		
Agreement	4	93.6

Total number of decisions	Average time (weeks)
1	26.3
0	

All applications

Total number of decisions	Average time (weeks)
1	26.3
0	-
0	-
0	
0	-
0	1
0	-
0	-
0	-
1	26.3

Total number of decisions	Average time (weeks)
198	10.4
5	81.0

Post-3rd August 2009 applications

LOCAL DEVELOPMENTS	Total number of decisions	Average time (weeks)	Proportion of Decisions
All Local			
Developments	201	12.0	
Local: Less than 2 months	128	7.5	63.7%
Local: More than 2 months	73	19.8	36.3%
Local Developments (non-householder)	135	13.8	
Local: Less than 2	100	10.0	
months	77	7.5	57.0%
Local: More than 2			0.10,0
months	58	22.2	43.0%
Householder Developments	66	8.2	
Local: Less than 2 months	51	7.5	77.3%
Local: More than 2 months	15	10.8	22.7%
Housing	38	19.9	
Local: Less than 2 months	21	7.6	55.3%
Local: More than 2 months	17	35.1	44.7%
Business & Industry	9	11.4	
Local: Less than 2 months	3	7.1	33.3%
Local: More than 2 months	6	13.5	66.7%

			l
LOCAL DEVELOPMENTS	Total number of decisions	Average time (weeks)	% Under 2 months
Minerals	1	12.6	0.0%
Waste Management	0		-
Electricity Generation	7	17.0	28.6%
Freshwater Fish Farming	0	-	_
Marine Finfish Farming	0	-	-
Marine Shellfish Farming	0	1	-
Other Developments	78	11.0	64.1%
Telecommunications	2	7.6	50.0%
AMSCs (under 2 months)	0	-	-

Total number of decisions	Average time (weeks)	Proportion of Decisions
203	12.1	
128	7.5	63.1%
75	20.1	36.9%
137	14.0	
77	7.5	56.2%
60	22.4	43.8%
66	8.2	
51	7.5	77.3%
15	10.8	22.7%
40	20.4	
21	7.6	52.5%
19	34.6	47.5%
9	11.4	
3	7.1	33.3%
6	13.5	66.7%

Total number of	Average time	% Under
decisions	(weeks)	2 months
1	12.6	0.0%
0	-	-
7	17.0	28.6%
0		-
0	-	-
0		-
78	11.0	64.1%
2	7.6	50.0%
0	-	-

Post-3rd August 2009 applications

All a	pplication	ons
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OTHER CONSENTS	Total number of decisions	Average time (weeks)	
Listed bldg.+con.area consents	28	13.8	
Advertisements	1	11.4	
Hazardous substances consents	0	-	
Other consents and certificates	16	6.8	

ENVIRONMENTAL IMPACT ASSESSMENTS	Total number of decisions	Average time (weeks)	
Local Developments Subject To EIA	7	18.4	
AMSCs (Subject to EIA)	0	-	

APPLICATIONS SUBJECT TO	Total number of decisions	Average time (weeks)
Planning/Legal Agreement	5	80.6
Local Review	0	-

Total number of decisions	Average time (weeks)
28	13.8
1	11.4
0	-
16	6.8

Total number of decisions	Average time (weeks)
7	18.4
0	-

Total number of decisions	Average time (weeks)			
6	72.3			
0	-			

All applications

PROCESSING AGREEMENTS	Total number of decisions	% within agreed timescales	
All Processing Agreements	23	52.2%	
Major applications	0	•	
Local Applications	21	47.6%	
EIA developments	0	-	
Other consents	2	100.0%	

APPLICATIONS APPROVED / DELEGATED	Percentage
Percentage of Applications	
Approved	96.6%
Percentage of	
Applications	
Delegated	95.3%

LOCAL REVIEWS and APPEALS	Total number of decisions	Original decision upheld (%)	
Local Review	0	-	
Appeals to Scottish Ministers	3	33.3%	

All applications

ENFORCEMENT ACTIVITY	Number
Cases Taken Up	31
Notices Served	1
Reports to Procurator Fiscal	0
Prosecutions	0
Number of breaches resolved	20

Time has been removed from the decision time for 27 applications where delays were outwith the control of the local authority.

## **Appendix II - Workforce and Financial Information**

This is a snapshot of staffing at 31 March 2014.

	Tier				
Head of	1	2	3	4	
Planning	1	1	1	2	
Service (1)	Chief	Director of	Head of	Team	
	Executive	Operations	Service	Managers	

	Mana	gers (2)	Main Grade Posts		Technician Posts		Office support/ Clerical		
	No. Posts	Vacant	No. Posts	Vacant	No. Posts	Vacant	No. Posts	Vacant	Totals
Development Management	1		3.6		2.8		2.6		10
Development Planning	1		2.6		1		1		5.6
Enforcement Staff			1		1				2
Cross Service/Other Planning			3						3

Staffing profile	Number	
Under 30	2	
30-39	5	
40-49	7	
50 and Over	7	

Committees & site visits (3)	No. per year	
Full Council committees	0	
Planning Committees	10	
Area Committees (where relevant)	N/A	
Committee site visits	3	
LRB (4)	2	
LRB site visits	0	

Actual Costs	Actual Costs	Costs		Income (7)
Planning Service		Direct (5)	Indirect (6)	Income (7)
Development Management & Enforcement Team		Staff £349,854	Unable to compile this information at this time	£292,261
Development Planning Team		Staff £126,845		,

#### **Notes on Workforce and Financial Information**

- 1. In relation to service structure, 1st tier post holders are Chief Executives, 2nd tier are Directors, 3rd tier are Heads of service and 4th tier are managers.
- 2. Managers are those people who are responsible for the operational management of a team/division. They are not necessarily line managers.
- 3. References to committees also include National Park Boards. Number of site visits are those cases where were visits carried out by committees/boards.
- 4. This related to the number of meetings of the LRB, application numbers going to LRB are reported elsewhere.
- 5. Direct staff costs covers gross pay, including overtime, national insurance and the superannuation contribution. The appropriate proportion of the direct cost of any staff member within the planning authority concerned 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 costs spending less than 30% of their time on planning.
- Indirect costs include all other costs attributable to determining planning applications. Examples (not exhaustive) are:
  - o Accommodation
  - Computing Costs
  - Stationery
  - o Office machinery/Equipment
  - Telephone charges
  - o Print
  - Advertising
  - o T&S
  - o Committees
  - Elected Members' expenses
  - The relevant apportionment of Support Service costs
- 7. Income include planning fees for applications and deemed applications. (exclude income from property and planning searches)

