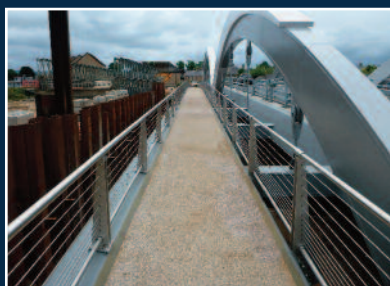




## PLANNING AND DEVELOPMENT SERVICES

# Planning Performance Framework 2013/14





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## PLANNING MANAGEMENT TEAM

**Jim Grant** Head of Development Services

**Beverly Smith** Development Management Manager

**Gordon Sutherland** Planning & Economic Development Manager

## Introduction

The past year has seen some significant approvals for development in Moray associated with the Whisky industry and renewables. The continued investment in Forres Enterprise Park to attract new businesses who value the availability of a skilled and stable workforce and the opening of the new Moray Life Science Centre at the Moray College UHI Campus demonstrate Moray's commitment to growing and diversifying the economy. Moray will be one of the first areas in Scotland to have 90% high speed broadband coverage by the end of 2014 and we have recently welcomed the announcement that Moray could be a possible site for the UK's first spaceport.

The third planning performance framework provides an evaluation and recognition of the improved performance levels and commitment to continuous improvement which is essential to welcome business and economic growth in Moray and deliver high quality development.

Whilst performance targets are an essential part of demonstrating efficiency and providing certainty to developers, of equal importance is ensuring that the Moray Council's approach is one that welcomes business, seeks to enable appropriate development, supports business and the community to identify solutions and builds on partnership working to deliver development in Moray. It is good to see these efforts recognised by local developers and we are encouraged by their willingness to engage in early discussions and the master planning process.

The improvements that have been made within the service were highlighted in PPF2 with a specific emphasis being placed on the removal of a high number of legacy cases that had been stalled within the system. PPF3 provides the opportunity to demonstrate how these successes have been built upon through delivering service improvements along with a new focus and importance being placed on reducing timescales for dealing with local applications as well as improving the quality of development on the ground through better place making and master planning.

The use of processing agreements as a management tool for major planning applications has been incorporated into the service to give increased certainty to developers and help deliver projects within agreed timescales creating a positive environment for businesses looking to invest within the area.

The regeneration of the town centre and promoting high quality design through a variety of mechanisms is one area planning is looking to make a difference in 2014/15 through the implementation of new initiatives coupled with promoting new regeneration projects and protocols supporting the town centre first principle.

Moray is also set to benefit from taking part in the SOLACE benchmarking groups formed earlier this year by sharing knowledge and service improvements with similar local planning authorities to assist in our learning from others and delivering further service improvements for all customers and generating positive outcomes for Moray as a whole.

# 1 National Headline Indicators

## NATIONAL HEADLINE INDICATORS (NHIS)

KEY OUTCOMES	2013-2014	2012-2013
<b>Development Planning:</b> <ul style="list-style-type: none"> <li>age of local/strategic development plan(s) (full years) Requirement: less than 5 years</li> <li>development plan scheme: on track? (Y/N)</li> </ul>	5 years (local)  Yes	4 years (local)  No
<b>Effective Land Supply and Delivery of Outputs</b> <ul style="list-style-type: none"> <li>effective housing land: years supply</li> <li>effective housing land supply</li> <li>housing approvals</li> <li>effective employment land supply</li> <li>employment land take up</li> </ul>	7 years 2,630 units 309 units 80.82 ha 1.83 ha	6.2 years 2,129 units 762 units 80.02 ha Not measured
<b>Development Management</b> <b>Project Planning</b> <ul style="list-style-type: none"> <li>percentage of applications subject to pre-application advice</li> <li>number of major applications subject to processing agreement or other project plan</li> <li>percentage planned timescales met</li> </ul>	27% 1  100%	7.5% 1  100%
<b>Decision-making</b> <ul style="list-style-type: none"> <li>application approval rate</li> <li>delegation rate</li> </ul>	94.1% 94.0%	91.7% 95.1%
<b>Decision-making timescales</b> Average number of weeks to decision: <ul style="list-style-type: none"> <li>major developments</li> <li>local developments (non-householder)</li> <li>householder developments</li> </ul>	49.4 11.6 7.1	55.7 16.8 10.1
<b>Enforcement</b> <ul style="list-style-type: none"> <li>time since enforcement charter published / reviewed (months) Requirement: review every 2 years</li> <li>number of cases identified / resolved</li> </ul>	6 months  199/236	26 months  164/233



## EXPLANATORY NOTES

The Moray Local Development Plan was approved in December 2008, due to the downturn in the economy completion rates have been lower than forecast. However, a number of large affordable housing projects and investment at the Enterprise Park, Forres have supported growth in the housing and business sectors. The gradual recovery of the housing market has been evidenced by the need for the Council to release housing land designated as LONG under Policy H2 of the Local Plan to ensure a 5 year effective land supply is maintained.

The Development Plan Scheme was revised in January 2014 to take account of delays in handling responses to the Main Issues Report and because of a further delay arising as a result of conflicting decisions between two of the Councils Committees regarding the proposed Elgin Western Link Road. The Updated Scheme proposes that responses to the Proposed Plan are reported to the Council's Planning and Regulatory Services Committee in October and then the Plan be submitted for examination in November. However, the Planning and Development Section has presented a report on representations to the Proposed Plan to Committee on 11 September and will be submitting for examination by the end of September.



## Performance Markers Report 2013/14

NO.	PERFORMANCE MARKER	EVIDENCE/COMMENTS
1	<b>Decision-making:</b> continuous reduction of average timescales for all development categories (Q1 – Q4)	Official stats and NNI's in the PPF. There have been significant improvements in decision making timescales for both householder developments and local developments in particular which was highlighted in the previous markers report. Major timescales has also reduced but due to legacy cases being cleared significant improvement will be demonstrated in the next report.
2	<b>Procession agreements (PPA):</b> <ul style="list-style-type: none"> <li>Offer to all prospective applicants for major development planning application; and</li> <li>Availability publicised on website</li> </ul>	These are now offered for all major applications and so far two have been signed. The web site provides links to the processing agreement guidance and template. Case studies highlighted are Macallan Distillery and Glenlivet Distillery in the Cairngorms National Park.
3	<b>Early Collaboration</b> with applicants and consultees <ul style="list-style-type: none"> <li>Availability and promotion of pre-application discussion for all prospective application; and</li> <li>Clear and proportionate requests for supporting information</li> </ul>	<p>Pre-application advice is recorded in the uniform system and also application forms are checked for preliminary advice every quarter. The figures show that 27% of applications were subject to pre-application advice. Major pre-application advice offered, link on web site to form, guidance and calendar of meeting dates. Three Major Pre-applications meetings were held in 2013/14. Local Developments – link to web site for new form and guidance note. Response form under review.</p> <p>Regular engagement with developers has been established before the pre-application stage.</p>
4	<b>Legal agreements:</b> conclude (or reconsider) applications after resolving to grant permission <ul style="list-style-type: none"> <li>Reducing number of live applications more than 6 months after resolution to grant (from last reporting period)</li> </ul>	Official Statistics. Improvements in timescales for applications with legal agreements can be demonstrated. All legacy cases with legal agreements have now been cleared.



NO.	PERFORMANCE MARKER	EVIDENCE/COMMENTS
5	<b>Enforcement Charter</b> updated/re-published within last 2 years	Link to web site to revised enforcement charter which was revised in March 2014 and is now 6 months old.
6	<b>Continuous improvement:</b> <ul style="list-style-type: none"> <li>Progress/improvement in relation to PPF National Headline Indicators; and</li> <li>Progress ambitious and relevant service improvement commitments identified through PPF report</li> </ul>	<p>There has been continuous improvement in reducing average timescale. A Customer Charter has been produced to demonstrate the commitment to improve customer service levels generally and monitoring of service targets has commenced. Link to customer charter.</p> <p>Service Plan identifies commitments to further improvements along with opportunities that rise from the benching family group and liaison meetings with the five Park authorities for 2014/15.</p>
7	<b>Local development</b> plan less than 5 years since adoption	A strict development plan timetable has been agreed and is now ahead of the revised schedule. See link in evidence section.
8	<b>Development plan scheme</b> – next LDP: <ul style="list-style-type: none"> <li>on course for adoption within 5 years of current plans(s) adoption; and</li> <li>project planned and expected to be delivered to planned timescale</li> </ul>	<p>The Council has an agreed Development Plan Scheme approved in January 2014.</p> <p>Links to minutes and report on development plan scheme.</p>
9	<b>Elected members engaged early</b> (pre-MIR) in development plan preparation – if plan has been at pre-MIR stage during reporting year	Not relevant during 2013/14.
10	<b>Cross sector stakeholders* engaged early</b> (pre-MIR) in development plan preparation – if plans has been at pre-MIR stage during reporting year *including industry, agencies and Scottish Government	Not relevant during 2013/14.

NO.	PERFORMANCE MARKER	EVIDENCE/COMMENTS
11	<b>Regular and proportionate policy advice</b> produced on: <ul style="list-style-type: none"> <li>Information required to support application; and</li> <li>Expected developer contributions</li> </ul>	<p>Pre-application guidance and forms for both major and local developments available – link to web site. Open for business section demonstrating major proposals moving forward.</p> <p>FAQ's produced for developer contributions (on web site) and link to report for timetable for reviewing developer contributions.</p>
12	<b>Corporate working across services</b> to improve outputs and services for customer benefit (for example; protocols;) joined-up services; single contact arrangements; joint pre-application advice)	<p>Development Consent Hub – web page. Close working relationship with Highlands and Islands Enterprise &amp; Community Planning partnerships. CNP – Glenlivet Distillery application. Planning &amp; Transportation liaison meetings established along with Planning attending a Council House new Build Project Board.</p>
13	<b>Sharing good practice, skills and knowledge between authorities</b>	<p>Attended first SOLACE benchmarking group 2 meeting with further ones planned for 2014/15. To use as a mechanism for future service improvements. Regular liaison meetings with 5 Park LPA's. Regular attendance at HOPS DM Sub-Committee, North of Scotland Development Plans forum and HOPS representative on SPSO Working Party.</p>
14	<b>Stalled sites/legacy cases:</b> conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	<p>All legacy cases (over 12 months old) cleared with the exception of 1 scheduled for November 2014.</p>
15	<b>Developer contributions:</b> clear and proportionate expectations <ul style="list-style-type: none"> <li>set out in development plan (and/or emerging plan); and</li> <li>in pre-application discussions</li> </ul>	<p>Link to FAQ's on web site and link to report setting out timetable for supplementary guidance to be prepared.</p>

## 2 Defining and Measuring a high-quality planning service

### OPEN FOR BUSINESS

An engagement programme with house builders in March 2014 was very worthwhile in building relationships and has highlighted a number of sites where further collaborative working is now starting to be progressed along with early discussion on future master plans.

In terms of strategic projects, Planning and Development has commissioned and completed a mini charette for Lossie Green which was attended by over 40 representatives of the local business community. A report on the mini charrette has been published and it is hoped to build upon this and commission a full charrette in early 2015 which will inform a master plan in the longer term. An application to bid into the Scottish Government's 'Town Centre Mainstreaming Programme' to part fund a public charrette will be progressed as a means of engaging with the wider community to inform the preparation of a Master plan and Development Brief, which would be used to market the development opportunity.

Progress on other significant projects in support of the Moray Economic Strategy has included;

- **Potential '3G' Football facility, Elgin** - Presentation of Options Appraisal of three potential sites being held in abeyance, pending clarification of funding sources. In meantime, detailed briefing report has been circulated to Members.
- **Bogton Road** - Culverwell Property Consultants have been appointed by the Council to assist in fully assessing the risks, opportunities and necessary consultations associated with the proposal put forward by the developer, Redco. The Council's retained lawyers, Morton Fraser, will provide legal advice, to be integrated into the report to be provided by Culverwell. It is anticipated that the commission will run for eight to 10 weeks, with a report being presented to the Council by the end of this year. Should The Council decide that it wishes to proceed to the next stage, this would involve further detailed negotiations, prior to public consultation, and appropriate legal procedures.
- **Buckie Harbour** - Early work has started on commissioning the preparation of a master plan for Buckie Harbour. This will explore the creation of a strategic framework on the feasibility of accommodating O&M, existing business expansion and attracting additional inward investment to create a significant harbour expansion. Officers have also manned stands at the All Energy (Aberdeen) and Global Offshore Wind (Glasgow) promotional exhibitions to highlight development opportunities at the harbour.



Buckie Harbour

Over the last 12 months a number of significant and major projects have been through the regulatory side of the planning process which with the assistance of processing agreement has secured Moray's reputation as a place the place to do business. These schemes include the following sites:

- **Carron** – Chivas Brothers, which is owned by Pernod Ricard, has secured planning permission for a new distillery on the banks of the River Spey near Carron which is due to open this year. (Consent granted within 4 months.)



New distillery at Carron

- **Speyburn** – Owner Inver House Distillers is investing £4 million in doubling capacity at the distillery near Rothes. (Refurbishment and extension approved in 2013.)
- **Glenfiddich** – William Grant and Sons is to build a green energy plant on a site next to the Dufftown distillery to produce biogas from spent malted barley and pot ale to provide heat and steam for the distillery. (Planning issued 2013).

- **Mortlach** – Diageo is investing £30 million in additional production on Speyside, including a new stillhouse which will lead to a substantial increase in capacity at the Mortlach distillery at Dufftown. (Consent issued within 4 months).
- **Macallan Distillery** – New distillery with visitor centre – in planning and pending determination with a processing agreement (first one signed by Moray) to give certainty to delivering the decision with an agreed timescale and dealt with at a special meeting within a four month period.
- **Springfield Properties** – Various affordable housing schemes across Moray.



Affordable Housing, Buckie

- **Forres Enterprise Park, Forres** – Roads infrastructure, cycle path and landscaping implemented along with further master planning for the remaining phases of the Park has commenced. Work has been completed on two new manufacturing buildings with tenants secured.



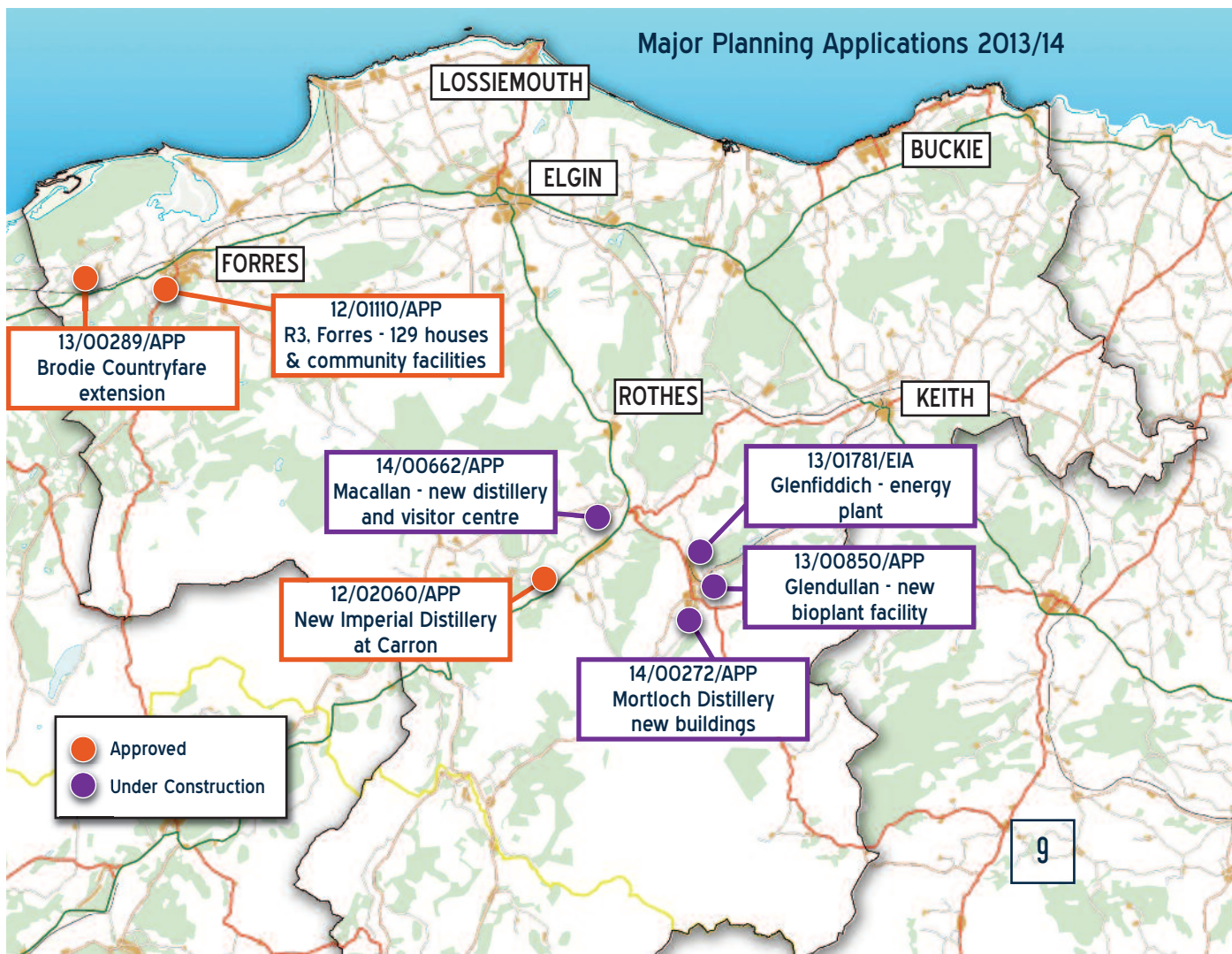


Proposed Plan Public Consultation

Officers from the Planning & Development Sections are building and maintaining communication with collaborative working with Highlands and Islands Enterprise to advise and support business with growth plans and to facilitate development.

The work of the Planning and Development section is focussed upon the preparation and implementation of the Local Development Plan and strategic projects in support of the Moray Economic Strategy. In terms of the Local Development Plan, the Proposed Plan was made

available for public consultation between the 7 March and 2 May, with an extension granted for community councils until the 23 May. As part of the consultation, officers held 8 drop in exhibitions which were attended by roughly double the number of people normally attending such events, which we attribute to neighbour notification. Officers are now progressing with the Schedule 4 papers which will be reported to Committee on the 11 September. The Proposed Plan contains Supplementary Guidance on 7 topics and an eighth topic of Developer Obligations is currently being prepared and will be completed by early 2015.



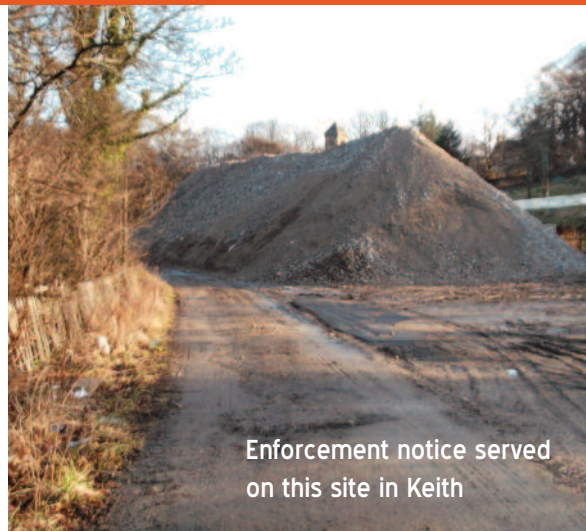
## HIGH QUALITY DEVELOPMENT ON THE GROUND

Planning & Development Officers have lead master plan projects, working proactively with Altyre and Pitgaveny Estates on their respective master plans. A programme of master plans and briefs has been reported to the Planning & Regulatory Services Committee – June 2014.

In addition to progressing the Plan, officers have made Place Making a priority action, with further training on master planning provided through Architecture and Design Scotland (A&DS) for officers from Planning and Development, Development Management and Transportation as well as representatives from Altyre and Pitgaveny estates. Workshops and A&DS Design panel reviews have been held with Pitgaveny and Altyre Estates on their respective emerging master plans. Internal reviews and discussion sessions have been held looking to learn lessons from completed developments.



A & DS Masterplan training



Enforcement notice served on this site in Keith

Ensuring that high quality development is delivered on the ground once approved is an important part of the planning service and requires that effective monitoring to ensure that consents granted are implemented in accordance with the approved plans and that planning conditions imposed are complied with.

Without an effective enforcement team in place key parts of development requirements that have been secured by planning conditions that are an essential part of bringing together a high quality development on the ground may never be realised. The Planning Enforcement Charter was revised in March 2014 and is now up to date with a more proactive emphasis to enforcement than the first one produced. The number of notices served and the cases resolved demonstrate that having an effective enforcement team can help secure high quality development to be delivered on the ground. An annual report on enforcement is now presented to the Planning & Regulatory Services Committee providing a summary on what activity has been carried out over the year. Moray is also a better place to live by using the enforcement powers available. One example is where an enforcement notice was served on a prominent central site in the centre of Keith. The site was cleared and restored ensuring that regeneration work that had been carried out on an adjoining station was not impacted upon.







After site was cleared following compliance of the enforcement notice

The work at Knockando Woolmill has been ongoing for a number of years and has been supported by both officers from the Economic Development Section and the Planning and Listed Building Officer. This year the project has been recognised by receiving the coveted Project of the Year Award at the RICS Scotland Awards 2014. In 2012-13 the Council sponsored the Inverness Architectural Association Awards. The awards seek to recognise and celebrate projects that express and enhance the identity and culture of the Highlands and Islands with the intention of promoting public interest and involvement in design throughout and beyond the region. A number of approved schemes have been substantially implemented all of which have been delivered quickly through the regulatory process helping create special places for the people of Moray to live, work, be cared for and protected.

Examples of these are:

- **Forres Health Centre**, Granttown Road, Forres
- **Imperial Distillery**, Carron
- **Moray Life Science Centre** the Moray College UHI Campus, Elgin
- **Moray Affordable Housing Development**, Granttown Road, Forres
- **Business Units, Forres Enterprise Park**, Forres
- **Flood Alleviation Schemes** for Elgin and Forres Findhorn & Pilmuir



Forres Health Centre



Moray Life Science Centre



Flood Alleviation Scheme, Elgin

## CERTAINTY

Major pre-application advice is offered to developers and provides a project managed approach to dealing with major applications. Meeting dates are booked six months in advance and are displayed on the Council's website. Approximately 8 meetings have been held over the last 12 months, some with more than one proposal being dealt with at the same meeting. All internal and external consultees attend these meetings. Major planning applications are processed primarily by Principal Planning Officers covering the east and west of Moray. These Officers are supported by Planning Officers as and when workloads demand and work as a team to deliver decisions within agreed timescales. All prospective applicants are offered to sign a processing agreement which has been an effective tool to ensure that a project managed approach is taken to these important schemes which have economic implications for the whole of Moray.

Processing Agreement Guidance and a Moray Council template have been produced and are available on the website linked to pre-application advice for major planning applications. The benefits of processing agreements are being offered to all developers/applicants submitting major applications or larger local applications of local economic importance. The first processing agreement entered into by Moray Council has been for a major application for a new distillery with visitor centre for Macallan Distillers. This application went through the major pre-application process and the processing agreement followed on from this meeting to give the developers the certainty of determination dates. This application

was presented to a special meeting on 5 August and was determined within the 4 month target period set for major applications. This demonstrates that the advice given at the pre-application stage was clear and proportionate as the timescales set were able to be met. Other developers are being encouraged to sign processing agreement and with the success of the first one this can will be used to promote and encourage other ones to be entered into.

The Moray Council area covers part of the Cairngorm National Park (CNP) and through shared working and the use of the agreed protocol has helped to deliver more certainty on the ground for developers. A recent example where shared working with the Park has been effective by the holding of a joint pre-application meeting for a new distillery project was at the Glenlivet Distillery. Through the pre-application process a processing agreement was signed by both Moray Council and Cairngorms National Park (CNP) to give the developer certainty over how the application will be delivered together to an agreed timescale. This is the first processing agreement that the CNP has signed. The CNP and Moray Council work together through the approved Protocol and benefit from the attendance of regular liaison meetings which is attended by all park authorities and provides an additional opportunity for benchmarking and service improvement outside the established SOLACE family groupings.

The guidance for pre-application advice for local development has been reviewed and a new form produced to allow prospective developers to seek guidance before submitting an application. The responses given are also to be standardised to improve the quality and consistency of the advice given as part of the service improvements for 2014/15. Following the review of pre-application advice one agent had the following to say of the service provided:

“We would, as a design company dealing with quite a few local authorities, like to commend Moray Council in the way in which our pre-application enquiries have been dealt with in the past.

The service provided to date, from The Moray Council, is far more advanced than all others we deal with. We are also sure that this change will add further improvement and efficiency. Credit where credit is due.”



Buckie Harbour



## COMMUNICATIONS, ENGAGEMENT AND CUSTOMER SERVICE

The Head of Service, Manager for Development Management and Buildings Standards Manager have met with a number of major developers/agents to discuss current issues and to obtain feedback on what we are doing well/bad and how we can make further improvements. The table below details the agents that were met last year along with some of the positive comments received.

DEVELOPER	DATE OF MEETING	FEEDBACK COMMENTS
Springfield Properties	7 February 2014	Found improvements have been within Development Management and Building Standards is making a difference. "The proactive, project managing stance taken by Moray Council Planners is an example to the rest of Scotland". Sandy Adams
Smiths Gore	January 2014	Found Development Management very responsive and very good dialogue, applications dealt with very fast.
Grant & Geoghegan	7 January 2014	Concern rose over consistency between preliminary enquiry and application. Would like to see more continuity of officers on major applications between pre-application and application.
CM Design	18 February 2014	Has seen improvement in performance. Looking for closer working relationship on issues affecting the High Street and happy to work together to find solutions. Welcomes the change in approach to speed up the process associated with planning and finding acceptable solutions.
Tullochs of Cummingston	13 March 2014	Has seen improvement in service and efficiency in the last two years in both Planning and Building Standards. Would like to see more consistency in transportation responses.
Strathdee Properties	18 March 2014	General recognition that there has been improved speed and efficiency in dealing with planning applications and building warrants.

Planning and Development Officers have also met with the main local house builders (Springfield, Robertson's and Scotia Homes) within Moray regarding proposals for housing land allocations in relation to the proposed plan in April 2014.

A Customer Charter has been prepared by Development Management officers setting out the levels of service customers can expect when dealing with preliminary enquiries, informal determinations and planning applications. These service standards are being monitored and will be used as a tool to ensure that the correct amount of resources are devoted to front loading the planning service which in turn will further enhance and offer performance improvements.

Officers from Planning & Development and Development Management organised an informative and successful informative training for Community Councils on wind turbine policy issues held in March 2014 to assist with their responses to planning applications. Feedback was given from the Community Councils with the desire to have a follow up session and found it helpful.

During Local Development Plan drop in exhibitions feedback forms have been used for the first time to gather information on the events held with a view to informing how in future such events can if needed be improved.

The availability of pre-application advice for SMEs has been advertised in the Chamber of Commerce annual magazine MPower. The Council and the Chamber are members of the Moray Economic Partnership which links the Council with

businesses and provides a forum for continuous engagement. The Partnership has a communications service which provided a media release to publicise the improvements that have been made to the performance of the planning service. An article was published in Moray's weekly paper the Northern Scot.

## EFFICIENT AND EFFECTIVE DECISION-MAKING

Decision making in Moray is devolved between the Planning & Regulatory Services Committee who meet every two months and determine all planning applications and the Economic Development & Infrastructure Services Committee for economic related projects and funding. Additional meetings are arranged to hold hearings or special meetings to meet the applicant's timescales/ those set out in a processing agreement.

The scheme of delegation has been reviewed and it is projected that the level of delegation to officers will increase marginally mainly due to Council interest applications being dealt with by the Appointed Officer.

The performance figures for this year reflect the hard work to reduce average timescales specifically for local applications which is evidenced in the Part 1 of the National Headline Indicators (NHIs). There has also been a continued drive to remove legacy cases from the system (including those subject to S.75 agreements that have been left unsigned). An internal Development Management target was set last year to clear the remaining 10 by the end of 2013/14.

At the time of submitting this report all legacy cases (those over 12 months old) have been cleared from the system with the exception of one which is scheduled to be determined by the end of 2014.

Legal Services have carried out a review of their internal procedures for dealing with S.75 agreements and with the re-prioritising of this work this has resulted in all applications pending the signing of S.75 agreements being cleared from the system. One application is currently pending the signing of a S.75 agreement and if not signed within 6 months it will be reported back to the Planning and Regulatory Services Committee. Average timescales have fallen but as all legacy cases have now been cleared it will not be until 2014/15 that a significant reduction in average timescales will be demonstrated.

The guidance on developer contributions has been updated and has been packaged into a set of Frequently Asked Questions which is available on the website. This clearly sets out who deals with developer obligations, the circumstances when they are sought, the relevant legislation/ guidance and contact details for officers to be contacted prior to an application being submitted. The Planning Obligations Officer is invited to attend all Major Pre-application meetings and any requirements are highlighted at an early stage and incorporated into the formal response to a pre-application request. A timetable for production and consultation of the proposed Supplementary Guidance on Developer Obligations has been agreed along with timescales working towards an adoption date of February 2015.

The Planning & Building Standards web page has been updated to include a Development Consent Hub to assist prospective applicants with the range of possible consents that may be required before the development commences on the grounds covering Building Warrants, Roads Construction Consent, Licensing, etc.

## EFFECTIVE MANAGEMENT STRUCTURES

The Moray Council has over the last 12 months undergone a Council wide management restructuring in Development Services, the temporary structures that were in place have now been consolidated into permanent positions.

The post of Manager guiding the regulatory side of Planning (Development Management) has a specific focus and drive to reduce average timescale for determination of all planning applications. The Principal Planning Officers in this team play a pivotal role in handling the majority of major/more complex applications.

The Service Plan provides the base for each team to have its own team plan which is then reflected in individual work plans.





Closer working between the teams is starting to develop through the production of master plans and design training. A proposed planning management team meeting is proposed to be held by the Managers and Principal Officers to improve communication and ensure outcomes are achieved by supporting colleagues with shared interests, having a dedicated planning management team will develop its own agenda promoting planning in Moray as a more cohesive joined up team.

All teams work collaboratively with other Council services and Community Planning Partners to deliver Moray 2023 “The Ten Year Plan, The Moray Economic Strategy and Local Development Plan. The Planning and Economic Development Manager is part of the Governance Structure for the Moray Economic Partnership which is responsible to the Community Planning Board for delivery of the economic outcomes contained in Moray 2023. The economic partnership members are Moray Council, Highlands and Islands Enterprise (HIE), Moray College UHI, Skills Development Scotland (SDS), Moray Chamber of Commerce (MCC), NHS Grampian (joined July 2012), Highlands and Islands Transportation Partnership (Hitrans, joined October 2012), Moray Strategic Business Forum (joined April 2013), Cairngorms National park Authority (joined December 2013) and Third Sector Interface (tsi Moray, joined May 2014).

Quarterly status updates are provided for implementation of the programmes which make up the delivery of the Moray Economic Strategy, which encompasses development as an economic development activity.

## FINANCIAL MANAGEMENT AND LOCAL GOVERNANCE

The Community Planning Partnership’s ten year strategic plan has been agreed and sets the basis for the Development Services Plan which has been approved for 2014/15. The Ten Year Plan has a specific target for Development Management for local planning applications. Chart 05 – How long it takes to process planning applications – the initial measure included was to reduce from 23.1 weeks to 12.2 weeks in 2013-14. 861 decisions were made with an average time of 11.6 weeks (Published by SG on 24th July 2014). As the service is already meeting this target, the challenge is to keep performance at this level and the target for 2016-17 is 10.4 weeks. Performance is closely monitored by the Manager for Development Management to ensure that application process and resources are appropriate to maintain performance as fluctuating workloads, changes in staff personnel or significant increases in major applications can all impact on performance.

The Development Services Plan for 2014/15 has been approved and this places increased emphasis on contributions planning can make to outcomes associated with sustainable economic development.

The increase in planning fees has not resulted in an increase in budget and for 2013/14 the level of income has fallen due to a reduction in major planning applications and a number of householder developments now being Permitted Development. As a result the additional Planning Officer post for Development Management has remained vacant.

The Planning Assistant post has now been made permanent as the creation of this post has assisted in contributing to service improvements by allowing Planning Officers more time to concentrate on major/local applications.

Regular budget and performance monitoring takes place and is reported to the Planning and Regulatory Services Committee on a quarterly basis. Performance targets for Development Management are managed with monitoring being closely examined monthly.

There is scope for the Development Management team plan and individual work plans to be promoted and prepared on a shared basis rather than the individual managers taking ownership for service wide improvements. This will be progressed in 2014/15.

## CULTURE OF CONTINUOUS IMPROVEMENT

Development Services has Employee Review Development Process (ERDP). Individual reviews are normally carried out annually. Individual training needs are identified which are pulled together to form a team training plan. Shared training opportunities will be taken are being discussed to cover rural housing design and further wind farm training.

During 2013-14 the service identified improvements through the Public Sector Improvement Framework. These have been incorporated as team improvements during 2014/15.

Article from Northern Scot 18/7/14

Training workshops on design have been attended by both Development Management Officers and Development Plans Staff with the objective of being in a stronger position to negotiate design improvements for residential developments.

Local Development Plan exhibitions in 2013-14 included customer feedback forms.

The Duty Planning Officer Service (offered between 2pm and 4pm) has a dedicated customer survey for visitors to complete following the advice they have to measure customer satisfaction.

The information gathered through the SOLACE family benchmarking groups along with attendance at HOPS committees provides more than sufficient opportunity to review and share good practice which has been incorporated into service improvements for 2014/15.

Section 5 details the service improvements that have been made over 2013/14 and the commitment to improve the service as well as all sections working closer together as a team to deliver shared objectives.

## Council praised for speedy work

BUSINESS leaders have applauded Moray Council on the performance of its planners, saying it is helping encourage new businesses to set up in Moray, providing jobs and boosting economic prosperity.

The council has halved the length of time it takes to process planning applications, allowing development to happen quicker. The planning performance has improved in the last two years from an average of 25 weeks to just 12.5 weeks.

James Johnston, who chairs the Moray Strategic Business Forum, representing the private sector in the Moray Economic Partnership, said: "The Economic and Planning Development Department has chosen to aggressively review their processes and the way in which they do business, and in particular supporting business. They have developed a more effective

way in which the whole planning process can be executed.

"Consequently, businesses are finding both their engagement and interactions with the Planning Department to be more consistent and delivering timely results. There is now a transparency that should give everyone a real sense of confidence in what is a great example of best practice.

"Demonstrating such an open, proactive and joined up approach encourages existing companies to consider expansion - a great example being the recent announcement by Macallan Distillery to significantly expand - as well as providing a strong attraction for inward investment in Moray-Speyside.

"This all contributes to creating jobs, expanding the regional economy, and building resilience into our future."

Sandy Adam, chairman of Springfield

Properties, Elgin, said: "It is hugely encouraging for us to have such a positive dialogue and quicker decision making from Moray Council. This has meant that we can get our developments up and going quicker and employ more people.

"The proactive, project managing stance taken by Moray Council planners is an example to the rest of Scotland as to what can be done."

Annual performance has improved from 16.7 weeks to 13.5 weeks, with the last quarter of 2013/14 reducing further to 11.5 weeks. In terms of major planning applications the average number of weeks in 2011/12 was 60.3 weeks, falling to 55.7 weeks in 2012/13.

The more recent major applications quoted have been processed and issued in just over 16 weeks.

Councillor Douglas Ross, chairman of planning and regulatory services at Moray Council, said: "Moray Council is keen to show we have a 'can do' attitude to encouraging economic development and business growth in our area, and the best way to show that is to deliver an efficient planning service for all."

**"The proactive, project managing stance taken by Moray Council planners is an example to the rest of Scotland."**

Sandy Adam, Springfield Properties

## 3 Supporting Evidence

Part 2 of this report was compiled, drawing on evidence from the following sources (Please click on links below):

[Moray 2023 - A Plan for the Future](#)  
[Development Services Service Plan 2014/15](#)  
[Place Making & Master Planning](#)  
[A & DS Report on Masterplanning Event](#)  
[Lossie Green Mini Charette](#)  
[Scheme of Delegation](#)  
[Customer Satisfaction Survey](#)  
[Moray Economic Strategy Update](#)  
[RICS SCotland Awards 2014](#)  
[Inverness Architectural Association Awards 2013](#)  
[MPower 2013-14](#)

[Development Management Service Charter](#)  
[Pre-application Advice for Local Developments](#)  
[Major Pre-application Advice & Processing Agreements](#)  
[Review of Enforcement Charter & Annual Update](#)  
[Planning Enforcement Charter](#)  
[Development Plan Scheme](#)  
[Development Plan Timetable](#)  
[Development Consent Hub](#)  
[Review of Developer Obligations](#)  
[Developer Obligations FAQ's](#)



## 4 Service Improvements

### DELIVERING OF OUR SERVICE IMPROVEMENTS IN 2013/14

- 1 Commitment: Customer Feedback**  
Review methods of customer feedback and develop an improvement plan.

#### Progress

In addition to the online survey that has continued, a customer satisfaction survey feedback sheet is handed out during desk duty enquiries. The results of this is gathered, reviewed and fed back to staff at team meetings.

Specific comments received from the online survey are gathered together and the manager reports these to staff at team meetings.

Following meeting with developers the comments received are gathered together and feed back to staff to form part of future service improvements.

**COMPLETE – YES**

- 2 Commitment: Review format of committee reports**  
The format of planning committee reports is under review in terms of layout.

#### Progress

Work on this has commenced but has been held in abeyance to incorporate recent data protection guidelines published. This will be completed by the end of 2014/15.

**COMPLETE - IN PROGRESS**

- 3 Commitment: Review Model Planning Conditions**

Development Managements standard planning conditions require review to ensure they meet the circular tests.

#### Progress

Work had started but stalled to avoid duplication of work as Heads of Planning were also working on a similar project. Wind farm conditions have now been standardised with work to commence on Transport conditions in September. The remaining ones will be complete by end of 2014/15.

**COMPLETE – IN PART**

- 4/5 Commitment: Publish and consult on proposed Development Plan & prepare Action plan**

This work has been carried out but has been reviewed as a service improvement as it should have been covered under a separate heading.

**COMPLETE – YES**

- 6 Commitment: Undertake training in LDP examinations and completion of Schedule 4**

Training has been undertaken for all Development Plan officers and transportation officers by the Scottish Government in a one day workshop.

**COMPLETE – YES**

**7 Commitment: Provide training for councillors and officer for wind turbine proposals**

**Progress**

A training workshop has been held for councillors and officers who comprised of a mixture of onsite visits and techniques in landscape assessment.

**COMPLETE - YES**

**8 Commitment: Implementation of the Economic Strategy and putting in infrastructure**

**Progress**

Work has now been complete by HIE at the Forres Enterprise Park in relation to completion of roads infrastructure and structural planning. This has assisted in further individual sites for employment purposes being released.

Work on Barmuckity Business Park has not yet started but it is anticipated that work on the infrastructure will commence at the end of 2014.

**COMPLETE – IN PART**

## SERVICE IMPROVEMENTS FOR 2014/15

In addition to those commitments from 2013/14 some of which are still in progress, in 2014/15 we will:-

- Review and improve the timescales for providing preliminary advice on local developments as well as providing a revised and clearer response.
- Produce an improvements schedule gathered from benchmarking meetings to inform future service improvements.
- Facilitate town centre investment and local area regeneration through a full Charette for Lossie Green, Regeneration projects and preparation of a town centre protocol.
- A database of landowner and developers will be established along with a programme of engagement developed to increase knowledge of landowner and developer future plans.
- Investigate merits of a Moray Design Panel to raise the profile of design and shared lessons.
- Investigate opportunities for local design awards.
- Use of feedback forms to be used by Development Plan Officers to evaluate all future events.
- Section 75 monitoring to be setup through the uniform system.
- Supplementary guidance will be prepared to improve quality of proposals in Conservation Areas i.e. shop front and signs to assist with implementation of CARS scheme in Elgin and Keith.
- Complete Supplementary Guidance and implement revised developer contributions to improve certainty.

## 5 Official Statistics

### A: DECISION-MAKING TIMESCALES

CATEGORY	TOTAL NUMBER OF DECISIONS 2013-14	AVERAGE TIMESCALE (WEEKS)	
		2013-14	2012-13
<b>Major developments</b>	7	49.4	55.7
<b>Local developments (non-householder)</b> ● Local: less than 2 months ● Local: more than 2 months	597 (overall)	7.2 26.0	17.3 (overall)
<b>Householder developments</b> ● Local: less than 2 months ● Local: more than 2 months	259 (overall)	6.7 19.3	10.1 (overall)
<b>Major Housing developments</b>	3	82.8	103.6 (overall)
<b>Local housing developments</b> ● Local: less than 2 months ● Local: more than 2 months	357 (overall)	7.2 34.3	18.8 (overall)
<b>Major Business and industry</b>	3	16.3	21.4
<b>Local business and industry</b> ● Local: less than 2 months ● Local: more than 2 months	151 (overall)	7.1 17.5	39.0
<b>EIA developments</b>	0	0	55.1
<b>Other consents*</b>	2	3.8	6.2
<b>Planning/legal agreements**</b> (major applications) (local applications)	4	82.5	98.3
<b>Local reviews</b>	22	7.0	12.1

\* 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 & 7 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			
		2013-14		2012-13	
		NO.	%	NO.	%
Local reviews	22	11	50%	12	42.9
Appeals to Scottish Ministers	13	4	30.8%	7	63.6

**C: ENFORCEMENT ACTIVITY**

	2013-14	2012-13
Cases taken up	199	164
Breaches identified	94	87
Cases resolved	236	233
Notices served***	6	6
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.

## 6 Workforce and Financial Information

The information requested in this section is an integral part of providing the context for the information in part 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	1	2

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

		DM	DP	ENFORCEMENT	OTHER
Managers	No. Posts	1	1	Covered by DM Manager	0
	Vacant				
Main grade posts	No. Posts	10.2	7	1	0
	Vacant	1			
Technician	No. Posts	1	2	1 (part time assistant)	0
	Vacant				
Office Support/Clerical	No. Posts	3	0	Covered by DM support	0
	Vacant				
<b>TOTAL</b>	<b>27.5</b>	<b>16.2</b>	<b>10</b>	<b>1.3</b>	<b>0</b>

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

STAFF AGE PROFILE	NUMBER	COMMITTEE & SITE VISITS*	NUMBER PER YEAR
Under 30	3	Full council meetings	5
30-39	9	Planning committees	15
40-49	7.3	Area committees (where relevant)	Not applicable
50 and over	10	Committee site visits	8
		LRB**	11
		LRB site visits	11

## Notes:

\* References to committees also include National Park Authority boards. Number of site visit is those cases where visits were carried out by committees/boards.

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

	TOTAL BUDGET	COSTS DIRECT*	INDIRECT**	INCOME***
Development management	£408,839	£601,644	£295,191	-£487,996
Development planning	£648,763	£458,511	£198,372	-£8,121
Enforcement	£61,803	£61,803		
Other				
<b>TOTAL</b>	<b>£1,119,405</b>	<b>£1,121,958</b>	<b>£493,463</b>	<b>£-496,117</b>

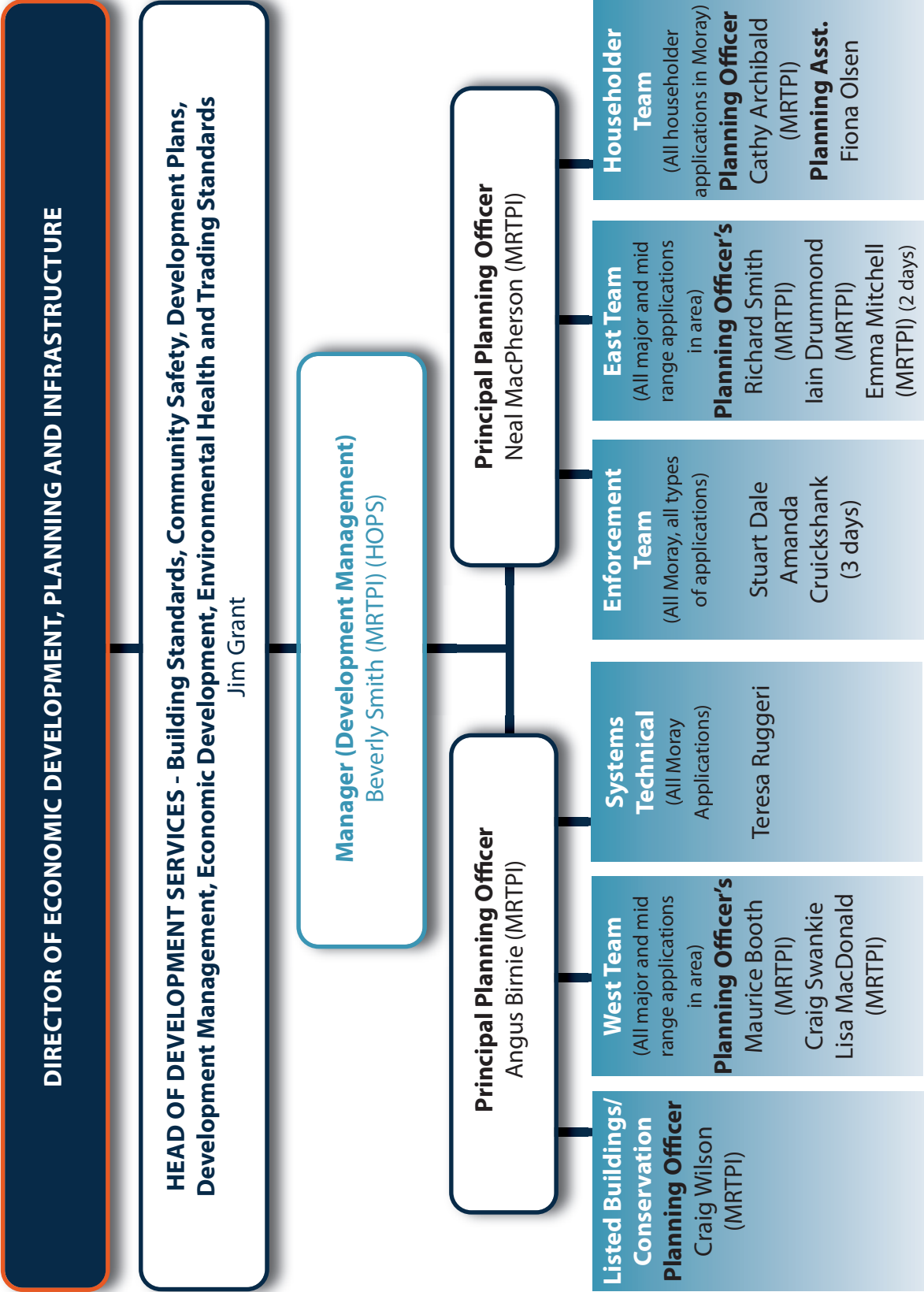
## Notes:

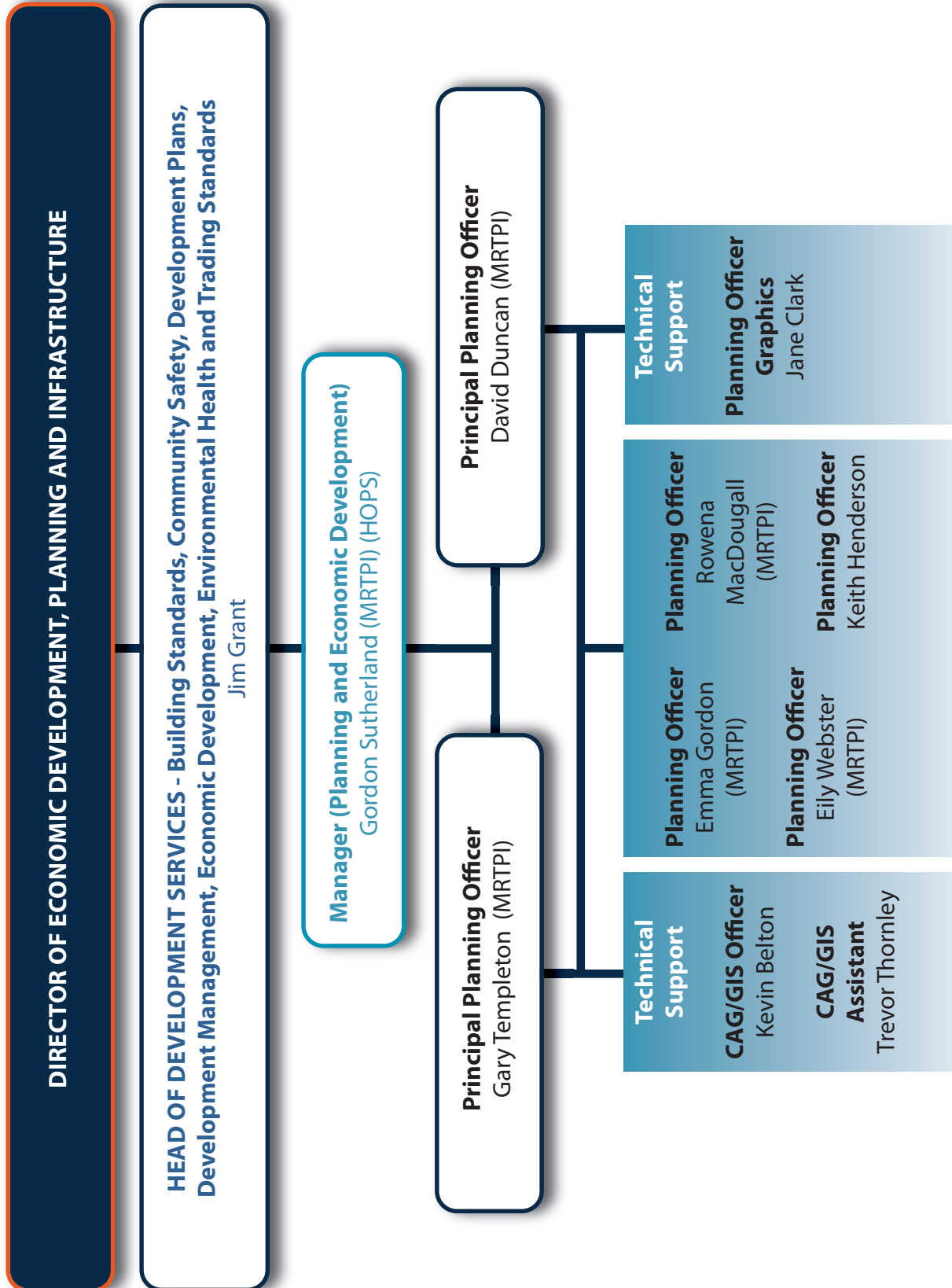
\* Direct staff costs covers gross pay (including overtime, national insurance and superannuation contribution). The appropriate proportion of the direct cost of any staff member within the planning authority spending 30% of more of their time on planning should be included in costs, irrespective of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

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

# 7 Team Structures







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