



SCOTTISH BORDERS COUNCIL PLANNING PERFORMANCE FRAMEWORK Annual Report 2012/13

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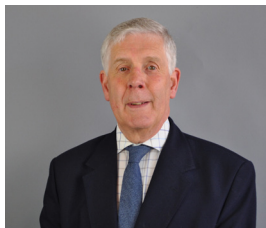
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Front Cover: West Linton Primary School

Foreword



As the Chairman of the Planning & Building Standards Committee I am pleased to be able to submit the Council's second Planning Performance Framework. The document reflects on the service's performance in the past year and sets out a clear programme of continuing improvement in service delivery.

The Planning Performance Framework is a comprehensive and co-ordinated approach to assessing the performance of the Council's Planning Service. Whilst speed of decision making is still an important performance indicator, the Planning Performance Framework acknowledges that success is measured in a number of different ways.

The Framework highlights the work being undertaken to improve the quality of development being built in the Borders, and how we are preserving and enhancing the environment. It demonstrates how Scottish Borders is delivering

sustainable economic growth and meeting the Scottish Government's wider targets and objectives for planning and the environment.

Councillor Ron Smith

“The planning service aims to maintain and improve the quality of the built environment and natural heritage whilst facilitating desirable change which meets the economic and social needs of the Scottish Borders.”

1. Introduction

- 1.1 Planning services in the Scottish Borders are delivered by a range of staff in the Planning & Regulatory Services division of the Environment & Infrastructure Department. The division has undergone structural re-organisation in recent years and now benefits from the skills and knowledge of a wide range of specialist staff. This year the Built and Natural Heritage Team have been incorporated into the division and this has already had a positive impact contributing to a more collaborative and co-ordinated approach to service delivery and improving our ability to respond to work pressures, such as renewable development.
- 1.2 The planning service aims to maintain and improve the quality of the built environment and natural heritage whilst facilitating desirable change which meets the economic and social needs of the Scottish Borders. We believe that the achievements outlined in our Planning Performance Framework show very clearly the positive and proactive approach adopted by the service to delivering these objectives. The success of the planning service does not just relate to how quickly it processes planning applications or produces development plans but how it demonstrates commitment to continuous improvement and how effective it is in meeting its defined

objectives and delivering quality outcomes on the ground.

2. National Headline Indicators

- 2.1 The following table sets out Scottish Borders Council's performance against national headline indicators. As this is the second time data has been collected in this manner it allows a direct comparison to be made in terms of performance improvement.

Key outcomes	2012-2013	2011-2012
Development Planning: <ul style="list-style-type: none"> age of local/strategic development plan(s) Requirement less than 5 Years development plan scheme: on track? (Y/N) 	<ul style="list-style-type: none"> SESplan (Approved 2013) 3 months old Scottish Borders Consolidated Local Plan (Adopted 2011) 2 years old Yes, The Development Plan Scheme was updated in April 2013 and the Local Development Plan remains on track. The proposed Plan was presented to the Council in Sept 2013 	<ul style="list-style-type: none"> Scottish Borders Consolidated Structure Plan (Approved 2009) 3 years old Scottish Borders Consolidated Local Plan (Adopted 2011) 1 year old Yes. Updated in June 2012 and Main Issues Report for Local Development Plan published 2nd April 2012 with consultation to 25 June 2012
Effective Land Supply and Delivery of Outputs <ul style="list-style-type: none"> effective housing land: years supply (Requirement 5 years) effective housing land supply housing approvals effective employment land supply employment land take-up effective commercial floor space supply commercial floor space delivered 	<ul style="list-style-type: none"> Scottish Borders Finalised Housing Land Audit 2011 (March 2013) 7.6 or 6.3 years * 3,816 units 214 units Scottish Borders Council Employment Land Audit 2012 37.3ha (Immediately available) 1.8ha N/A N/A 	<ul style="list-style-type: none"> Scottish Borders Finalised Housing Land Audit 2011 (April 2012) 5.9 or 6.9 years* 4,108 units 296 units Scottish Borders Council Employment Land Audit 2011 19.7 ha (Immediately available) 0.69 ha N/A N/A
Development Management Project Planning <ul style="list-style-type: none"> percentage of applications subject to pre-application advice number of major applications subject to processing agreement or other project plan percentage planned timescales met Decision-making <ul style="list-style-type: none"> application approval rate delegation rate 	<ul style="list-style-type: none"> 77 % 3 Applications to be determined 93% 93% 	<ul style="list-style-type: none"> 49 % 0 n/a 93.4% 94%
Decision-making timescales Average number of weeks to decision: <ul style="list-style-type: none"> major developments local developments (non-householder) householder developments 	<ul style="list-style-type: none"> 61.0 25.3 10.0 	<ul style="list-style-type: none"> 79.1 26.0 9.1
Enforcement <ul style="list-style-type: none"> time since enforcement charter published / reviewed (months) Requirement: review every 2 years number of breaches identified / resolved 	<ul style="list-style-type: none"> 44 133/103 	<ul style="list-style-type: none"> 32 228/52

* See paragraph 2.2 overleaf

2.2 The table illustrates that the service has an up to date Development Plan to guide and facilitate development and that we continue to review and refine this policy framework. We also have sufficient effective housing and employment land identified to provide for the region's needs. The Housing Land Audit confirms that we have in excess of the required 5 year effective land supply. There are two land supply figures identified in the audit that reflect calculations based on the number of completions (7.6 years) and the other using the SESplan Housing Need and Demand Assessment (6.3 years). While there has been a marginal reduction in effective land supply based on the SESplan figures, the reduction in the number of houses being built in the Borders has led to an increase in land supply when calculated against completion rates. Completions have reduced from 659 in 2008 to 266 in 2011/12. In terms of Development Management, there continues to be steady progress in processing times of applications when calculated against the statutory two and four month determination periods (see Appendix 1 - Official Statistics). The Planning Performance Framework now calculates performance on the basis of average timescale figures for determining applications. The average number of weeks taken to determine applications for both major and local (non householder) has improved to 61 and 25.3 weeks respectively this year. It is acknowledged that average

decision making speed has declined for householder applications in the same period, albeit more applications are being processed in less than two months.

2.3 The service has committed significant resources to engaging in pre-application discussions with prospective applicants. This had implications on the service's ability to make more significant improvement to processing times for applications but this is balanced by the ability of officers to influence the quality in submissions for planning permission. Actions to accelerate improvement in performance in Development Management will be referred to elsewhere in this report. The Enforcement Team has also directed resources to clearing up outstanding cases and this has seen a significant rise in the number of cases resolved last year.

3. Defining and Measuring a High-Quality Planning Service

Open for Business

3.1 The Council's adopted scheme of delegation results in 93% of applications being delegated to officers for determination. It is anticipated that recent regulatory changes, relating to Council interest applications,

will increase further the level of delegation in the coming year. The improvements in processing of applications within the two and four month statutory time limits, reported in last year's PPF, have continued this year. Performance has improved particularly on householder applications rising from 77% to 82%, and we have also seen 2% increases in performance of both non-householder development and in all applications categories to 55 % and 64% respectively. As indicated in 2.2 above, progress in performance has also been experienced when calculated against the average number of weeks taken to process an application.

3.2 A major influence on the performance figures for non householder applications continues to be the number of legal agreements that are required to secure financial contributions for infrastructure requirements such as educational facilities, affordable housing and reinstatement of the Waverley line. The Council's development contributions policy means that, along with the City of Edinburgh Council, Scottish Borders enters into the highest number of legal agreements of any Scottish local authority. We are currently undertaking a review into the legal agreement process and are investigating best practice carried out by other local authorities. Changes that we are looking to introduce through 2013/14 involve:

- drafting of Heads of Agreement earlier in the application process. This will help minimise the time taken to release permission once the authority has indicated it is minded to approve the development;
- introducing model legal agreements;
- more effective tracking and monitoring of agreements; and
- introducing a deadline for conclusion of agreements following a minded to approve decision.

3.3 In response to submissions by local developers, who have been experiencing real difficulties in the current economic climate, we are undertaking a re-assessment of our development contributions policy. In particular, we are examining the thresholds that trigger application of the policy and the implications of modifying them. It is anticipated that this work will be completed soon and a report presented to the Council before the end of 2013.

3.4 A number of key changes to the operation of the Development Management Team were outlined in last year's PPF that enabled the service to respond to the current economic and development pressures through the re-allocation of officers and the project management of major applications. In addition, the Council was successful in obtaining funding from Scottish Government that financed the employment, for a 6 month period, of an additional planning officer,

as well as providing additional landscape resource and specialist noise consultant support. The planning officer was seconded from the Built and Natural Heritage team to process small scale wind turbines proposals. For the individual and his original team, this had the dual benefit of increasing the officer's own skills and experience and enabling transferrable skills and planning experience to be fed back to the Built and Natural Heritage team. For the Development Management service, the additional resource enabled the team to meet the project targets of delivering more efficient planning decisions, increasing capacity, enhancing knowledge and removing the outstanding backlog of pre-application enquiries and planning applications. In addition to providing assistance in the consideration of applications, the noise consultant is being used as a training resource for Environmental Health Staff. This will provide the added benefit of an enhanced skills base to the authority going forward.

3.5 The Council continues to have a positive and pro-active approach to pre-application enquiries and handled 1014 written provisional enquiries last year. Overall, this means that 77% of the applications received last year have been subject to formal written provisional enquiries. This is a significant increase on the 49% reported last year.

In the coming year, we will examine the most efficient way to manage and prioritise provisional enquiries.

High Quality Development on the Ground

3.6 The Council is committed to ensuring high quality development is delivered on the ground and it continues to up date its suite of policies, supplementary planning guidance and planning briefs to guide the determination of planning applications. A total of five new guidance notes were published in 2012/13 including:

- ◆ Landscape and Visual Guidance on Single and Small Groups of Wind Turbines in Berwickshire,
- ◆ Development Contributions,
- ◆ Local Landscape Designations,
- ◆ Replacement Windows and
- ◆ Interim review of the Scottish Borders Woodland Strategy.

We have also identified an extensive list of Supplementary Guidance that will be included in the Local Development Plan within an identified programme for review and updating.

3.7 The Council has developed a strong monitoring system including regular reports and specific audits covering housing, employment land, vacant land, town centres, and rural communities. This is essential to maintain an up to date Development Plan, and also provides the backdrop to the Council duties related to Strategic Environmental Assessment. The technical support to the service functions has been further strengthened by the adoption of a departmental approach to the provision of a GIS service. This has been taken forward as part of a defined action plan aimed at

promoting GIS across the department. This approach will be further embedded into corporate activities over the coming year. In addition, with recent changes to the service's structure we have better access to cultural and heritage specialists, landscape architects and urban design skills to promote the creation of good quality development and well designed places.

3.8 The Council is one of two local authorities to be chosen by Scottish Government to undertake regional pilots for the National



Easter Langlee, Galashiels

Land use Strategy. The pilot will apply the National Land Use objectives at a regional scale, with the aim of delivering a more integrated approach to land management and achieving multiple benefits. The project which was announced in February 2013 will be completed by March 2015. The project outcomes will feed into the review of national strategy in 2016.

3.9 The publication of the Council's Supplementary Planning Guidance on Placemaking & Design, along with the Government's design guidance series, was seen as a major step change in driving the quality agenda forward. One of the key work streams identified in this year's service improvement plan is to assess the success and influence of this guidance and the value it has added to the Development



Management process. This will involve a thorough examination of projects as they are developing on the ground. One of the main case studies will be the development by Persimmon Homes at Easter Langlee, which was subject to a major master planning exercise last year. It is also intended to examine developments at Abbotsford House and Heriot -Watt University student residences. The lessons learned from this process will be disseminated to all relevant staff through training sessions co-ordinated by the Peer Review Group. The Peer Review Group is a group of senior managers in the service who review all new applications to identify key policy and resource issues that will arise in considering such applications



Gala Water riparian works

The Council's SPG was commended in a recent audit by the Scottish Government on the implementation of Designing Streets.

3.10 As demonstrated by the number of provisional enquires the service deals with, we continue to engage proactively with developers. This has involved design workshops, masterplanning and collaborative working with responsive developers on a number of development sites and in particular engagement with the renewables industry.

3.11 The Council's Renewable and Biodiversity offset scheme, which received a commendation from the Scottish Awards for Quality in Planning last year, has been



Infill site design solution, Horsemarket, Kelso

acknowledged further in the joint RSPB / RTPI publication "Planning Naturally". The scheme has been used as a case study illustrating the principles of good spatial planning in the categories considering "Alternative options that are less damaging to the environment, which contribute to sustainable development" and "Delivering enhancement to the natural environment". Our pioneering approach to biodiversity offsets is also profiled in "2020 Challenge for Scotland's Biodiversity" recently launched by Environment Minister Paul Wheelhouse. The mechanism has led to positive outcomes on the ground with offset biodiversity works completed in the Gala Water catchment and in association with the Selkirk Flood Prevention Scheme. Riparian works and habitat enhancement planting are now underway on the Eddleston Water.



Refurbishment, Kelso Square

3.12 The Kelso Townscape Heritage Initiative (THI) led by the Council is now in Year 4 of its programme. All of the key milestones have been met with 37 restoration projects completed or on site and a further range of projects committed and being assessed. The first phase of major public realm work is now complete. at a cost of £1.9m. A contract for £700,000 has been let by the Council for a new business and transport hub. This will remove an ugly gap site and enhance the streetscape, whilst providing modern flexible business space and integration with public transport. The Council has secured a further conservation led regeneration scheme for Selkirk.

3.13 In terms of preserving our built heritage, the Council has taken positive action to secure the future of the Category A listed



New bridge over River Tweed

building Sunnybrae Lodge in Walkerburn. We are pursuing a CPO and have allocated £152,000 in the capital programme to undertake the external restoration of the building. This is one of a number of proactive measures within our prioritised Building at Risk Register and we are playing our part in meeting the Historic Scotland National Indicator of reducing the percentage of Category A listed buildings at risk. This year, also saw the completion of the remodelling of Market Square in Galashiels as part of the Council's commitment to Spaces for Life.



Peebles - Innerleithen Shared Access Route

3.14 The Peebles - Innerleithen Shared Access Route is a six mile off-road path that follows the line of a former railway, providing good quality sustainable access between the two towns and the village of Cardrona. The

project provides a surfaced path that links the communities together and also provides safe off-road access to two world class mountain bike centres at Glentress and Innerleithen. The project was developed over a six year period with funding provided from a number of different sources including Europe (SRDP), Sustrans, Scottish Government and Scottish Borders Council. The route is very well used and it is hoped that it will attract people to the area and encourage more people to become active. The Scottish Government's Environment Minister, Paul Wheelhouse officially opened the route in August 2012.

Certainty

3.15 The Council has an up to date Development Plan and has produced a range of topic based Supplementary Planning Guidance, as well as site specific planning briefs. The Council has an up to date, clear and robust policy framework for the determination of planning applications and information and guidance available to applicants and interested parties alike. All of these documents are available on the Council's web site. The Council is delivering on the Development Plan Action Plan and reported the Proposed Local Development Plan to Council in September 2013.

SESplan, the Strategic Development Plan for south east Scotland was approved in June 2013 and this along with the current adopted Consolidated Local Plan, is the Development Plan for the Borders.

- 3.16 Following its meeting on 26 January 2012, the Council agreed the Main Issues Report of the Local Development Plan as a basis for public consultation for a period of 12 weeks. The consultation also covered the Environmental Report on the content of the Main Issues Report. As part of the consultation there were a series of 9 drop-in exhibitions held across the Borders. Some 278 representations were received covering around 1000 issues. The Environmental Report received positive responses from the three consulting authorities (SNH, SEPA, Historic Scotland). The Council considered a report on the responses to the Main Issues Report of the Local Development Plan at its meeting on 25 October 2012. A further report was presented to the Council on 25 September 2013 to complete consideration of the representations and to consider the Proposed Local Development Plan.

- 3.17 The service has maintained its high rate of success at Local Review with 73.7% of the appointed officer's decisions being upheld

in 2012/13. There has been a drop in the number of appeals to the Directorate of Planning & Environmental Appeals and also a reduction in the Council's success rate to only 33.3% of its decisions being upheld. This reduction is accentuated by the fact that only 6 appeals were determined during the reporting period. This is in contrast to previous years where the Council had been in the upper quartile of success at appeal. The Council continues to seek consistency in its decision making that is based on an up to date Development Plan and planning guidance. The service's willingness to engage in pre-application consultation also helps reduce uncertainty and stimulate confidence in the planning process.



Affordable housing, Dovecot Court, Peebles

- 3.18 The planning service continues to maintain and develop its collaborative working with

external agencies through the Community Planning Partnership and involvement with SESPlan. In addition, the service has strong links with the local housing network and all of the Social Registered Landlords in the Borders through involvement in the New Borders Alliance and internally there are strong links with Housing Strategy Colleagues in the Housing and Planning Liaison Group. A tripartite forum has also been set up with Scottish Water and Scottish Environment Protection Agency to discuss on-going development and infrastructure issues and to enable input into the development planning process.

Communications, Engagement and Customer Service

- 3.19 The Planning Service took part in the BBC2 documentary "The Planners", and was featured in three of the episodes. Filming took place over a period of 6 months during which the documentary makers had access to staff and councillors through all stages of the decision making process. The cases included in the programmes related to the development of a poultry shed at Lamancha and housing developments at Carolside, Earlston and in Foulden village. The programmes featured the

work of planning officers, the Planning and Building Standards Committee and the Local Review Body, as well as applicants, their agents and members of the public. The programmes showcasing the Borders were balanced and illustrated how the planning service assesses applications and deliberates on the various issues in coming to a decision. The service's contribution to the programmes was positively received and reflected well on the openness, professionalism and integrity of the planning service in the Borders.

3.20 The Council's Public Access portal continues to be well used and appreciated by customers. We have continued to promote the uptake of electronic submission of applications with agents and developers and the yearly average of applications now received on-line stands at 35.75%, with a peak of 44.2% in the third quarter of the year.

3.21 As a result of last year's major upgrade of the Council's web site, many of the areas for improvement outlined in the 2011 Pendleton review of Scottish planning authorities' web sites have been addressed. In addition, the web site gained three out of four stars in SOCITM's (the Society of IT Managers) survey, narrowly missing out on

a four star rating. SiteMorse.com listed our web site as the best local authority website in Scotland and also ranked it third in the whole of the UK. Their survey examined the usability, accessibility, reliability and performance of all council sites. Only three years ago, the same study ranked the Council's previous website as 148th in the UK. The planning service continues to maintain a range of information on the planning pages including the On-Line Development Plan, supplementary planning guidance, windfarm data bases and plans. A number of on-line forms for general planning contacts, planning enforcement and pre-application enquiries are also available on the web site.

3.22 The Council has a formal complaints procedure and has the facility for customers to complain using an on-line form. In terms of complaints reporting, there were a total of 32 complaints about the wider planning service, of which seven were justified in full or in part. The justified complaints related to the delay in providing service, with the exception of one case where the complaint related to an employee's attitude. The Department has responded to the findings of these investigations by identifying staff training needs and service improvements

in business plans and the Planning Performance Framework.

3.23 The Council has completed a consultation on its new combined Planning and Building Standards Enforcement Charter. The charter sets out the standards of service we will provide, and shows what happens at each stage in the process. It is anticipated that this will be formally adopted in December 2013. A Development Management Charter is also in preparation with an anticipated publication date early in 2014.

3.24 The Council has held an annual stakeholder forum since 2001. The format of the stakeholder forum has altered following feedback from stakeholders and we now run a number of topic based forums throughout the year, when required. In 2013, the annual stakeholder forum was a joint event with agents, developers and Community Councils providing an update on:

- ◆ recent organisational changes,
- ◆ the Local Development Plan ,
- ◆ proposed changes to Building Standards
- ◆ the launch of the bi-annual design competition and
- ◆ consultation on the new enforcement charter.

In addition, a series of training sessions were held last year in local communities outlining Council policy on renewables and how communities should engage with both developers and the Council on planning applications.

- 3.25 The Council developed customer satisfaction survey and customer feedback forms on the web site last year. It also carried out a Household Survey that went to all households in the Borders. In view of this corporate initiative, it was decided to defer the development of our own customer questionnaire in Planning & Regulatory Services, so that we could analyse whether sufficient useful data was available from the corporate project.

Efficient and Effective Decision-Making

- 3.26 The Council has adopted a scheme of delegation that provides a high level of officer delegation with only 7% of applications being referred to the Planning & Building Standards Committee. The service benefits from a small but enthusiastic Development Management Team based at Council HQ to process the applications. The Planning & Building Standards Committee is held on a monthly

basis sitting on the first Monday of each month during the day. A streamlined process is in place for planning application reports whereby they are not subject to the normal lead in times and consultation periods required for other forms of Committee report. This avoids unnecessary delays in their determination. The Local Review Body also meets on a monthly basis but has had to sit on several occasions in a particular month due to workload or the implications of further procedure. A review into both decision making bodies in terms of their composition and operation has been undertaken and its findings were reported to the Council in October 2013. A number of changes were identified to secure the efficient and effective operation of the Committee and LRB and to ensure that all Members who serve on these bodies are suitably trained

- 3.27 A key element of ensuring effective decision making is the provision of Member training. This is undertaken before any Members of the Planning Committee or Local Review Body can sit on these bodies and refresher training is provided as and when requested or required. There is an ongoing programme of training and seminars to ensure that members are fully equipped to consider the planning applications presented to them.

- 3.28 There is a dedicated Forward Planning team tasked with the delivery of Development Plans and Supplementary Guidance. All Development Plan documents are considered by full Council, and this process is assisted by the Development Plan Working Group consisting of key members and officers.

Effective Management Structure

- 3.29 The key elements of the restructuring of the Environment & Infrastructure Department were concluded last year. However, further modifications have followed with the Built and Natural Heritage team now under the Head of Planning & Regulatory Services. This has allowed further integration within the new service on all aspects of development proposals. This has ensured quick and effective responses to development proposals, greater consistency of decision making and a wider understanding of the cross linkages and relationships required to deliver planning objectives.
- 3.30 The ability to second officers within the service has been utilised to address work pressures and response to key projects. In addition to making 'virtual' contribution to SESplan, the Forward Planning team

includes strategic transportation, research and information and GIS staff to support the process.

Financial Management and Local Governance

- 3.31 There are significant budget pressures facing the planning service due to wider Council funding efficiencies and the continuing low levels of planning fee income have exacerbated this position. A stringent budget monitoring process has been put in place to monitor and report on budget pressures on a monthly basis. A close working relationship between budget holders and finance staff has also been developed to address these issues while still delivering on the Council's planning aspirations.
- 3.32 There are regular meetings of senior management across the Environment & Infrastructure Department to consider budget and efficiency measures to enable services to be provided cost effectively.
- 3.33 There has been significant effort by officers to secure additional funding from external sources and to engage with various agencies or bodies to deliver projects and regeneration on the ground. This has involved officers working in a facilitatory role or in partnership with these groups. The most significant example

of this approach is the Kelso THI. The award winning offset biodiversity programme has resulted in implementation agreements with Tweed Forum; Borders Forest Trust; Southern Upland Partnership and the Game Conservancy Council. Several key Buildings at Risk projects have been completed by external parties through financial partnership in the last year, most notably The Haining stableblock (Category A) and Fatlips Castle (scheduled ancient monument).

- 3.36 In terms of the Council's programme direct action under enforcement legislation, the Council has put in place a robust procedure to recover costs incurred.
- 3.37 The Council now has a highly developed and effective development contributions collection and spend systems in place. This is administered by the Development Negotiator and finance staff, and feeds into the delivery of key service infrastructure, such as schools facilities, the Borders railway line and affordable housing.

Culture of continuous improvement

- 3.38 The planning service continues to ensure that there is sufficient budget for staff training. A rationalisation and reorganisation

of the departmental budget and training programme has been completed this year. This will ensure that we assist officers in meeting their Continuing Professional Development obligations, through attendance at courses and conferences. There are also opportunities for staff to undertake longer term study which is funded in full, or in part, by the Council. Staff training has also been supplemented by in house training sessions. A programme of lunch time seminars has been organised where speakers provide an in sight into their area of expertise or to a particular project.

- 3.39 Training continues to be provided in advance of any Member sitting on the Planning & Building Committee and the Local Review Body. This has been supplemented by refresher sessions for more experienced Members and presentations have also been made to Members on particular topics such as development contributions, natural and built heritage and affordable housing.
- 3.40 The Council's own staff appraisal process has been reviewed and rolled out recently and this has enabled managers to reinforce the performance culture at all levels of the department. Using this process, staff have been given goals and projects to assist not only in the delivery of the aims set out in this Planning Performance Framework, but also wider departmental and corporate objectives.

4.0 SUPPORTING EVIDENCE

4.1 This report was compiled drawing on evidence from the following sources:

- ◆ Scottish Borders Council Planning Performance Framework 2012/13
- ◆ Scottish Borders Housing Land Audit.
- ◆ Scottish Borders Retail Audit and Footfall Survey.
- ◆ Scottish Borders Employment Land Audit.
- ◆ Scottish Borders Rural Facilities Audit.
- ◆ Scottish Borders Vacant Land Audit.
- ◆ E&I GIS Review.
- ◆ Business Plans for service teams within Environment & Infrastructure Department.
- ◆ Environment and Infrastructure Department budget
- ◆ Uniform data management system.
- ◆ Development Management Workload and Performance Briefing Notes. Monthly bulletin for Members.
- ◆ Scottish Borders Council Web Site planning information pages & Public Access.

4.2 The documents and information mentioned above are available on line or by approach to Planning & Regulatory Services.

5.0 SERVICE IMPROVEMENTS 2013-14

5.1 The Planning Service has identified a number of key service and performance improvement measures for 2012/13 and these are set out below:

- A. Deliver on Development Management Improvement Plan work streams:
 - 1. undertake study into the management and prioritisation of provisional enquiries and implement findings,
 - 2. conclude study on the management of the legal agreement process and implement findings,
 - 3. promote the greater use of processing agreements in major developments,
 - 4. carry out performance workshop with staff,
 - 5. undertake design review of completed development and carry out evaluation of Placemaking and Design Guidance. Disseminated lessons learned to all relevant staff through training sessions, and
 - 6. review and update web page content.
- B. Complete study on stakeholder engagement and implement findings.
- C. Complete review into Developer Contribution thresholds and implement findings.
- D. Adopt and implement joint Enforcement and Building Standards Charter. Complete work on a Development Management Charter.
- E. Deliver programme of new and up dated SPG's .

6.0 DELIVERY OF IMPROVEMENT ACTIONS

- 6.1 There are a number of areas for service improvement identified in the first PPF that involve on-going actions, whose implementation will be subject to continuous monitoring and assessment. The specific commitments made in the PPF last year, along with the actions taken and progress made, are set out below:

Committed improvements and actions	Complete
1. Deliver the Local Development Plan. The Proposed Local Development Plan was presented to full Council in September 2013. The timescales set out in the Development Plan Scheme have been met. The final adoption of the Plan will be influenced by progress on the Supplementary Planning Guidance on Housing required by SESPlan.	On-going
2. Promote the continued regeneration of built heritage in the Scottish Borders through the delivery of a Townscape Heritage Initiative for Selkirk. The bid has been successful for a Conservation Area Regeneration Scheme (CARS) and £795,000 secured from Historic Scotland towards a Common Fund of £1,010,000 plus capital monies of £350,000 from SBC. A project manager has been appointed and the scheme will run from October 2013 to March 2018.	Yes
3. Produce a third iteration of the Development Management Improvement Plan to drive forward performance and design quality. Work has commenced and has been on-going throughout the year in terms of protocols, linked to work on legal agreements processes and identification of various work streams and projects relating to design quality review, pre-application enquiries, web site development and the development of processing agreements	Partially/ On-going
4. Widen the role of the Peer Review Group of senior officers to introduce a review process to analyse completed developments and roll out of design training for staff The Peer Group continues to act as a vehicle for design assessment and feedback to officers. The Group draws in officers from various specialist areas when required. It will be the forum to take forward the various works streams identified in the Development Management Improvement Plan.	On-going
5. Improve the processing of major applications through better project management and the further develop in-house Project Teams and the use of processing agreements. Investigate options for the more efficient conclusion of legal agreements. As part of the ongoing work streams linked to the Development Management Improvement Plan we are examining how to best use processing agreements. Although no agreements have been reported in this year's figures we have been in discussions with a number of developers and a number of agreements have been entered into outwith the reporting period for this PPF.	On-going
6. Continue to run Stakeholder Forum based on a number of topic or audience specific forums throughout the year. We will introduce customer questionnaires to obtain further feedback on service provision. A well attended Stakeholder Forum with agents/developers and Community Council was held this year, which addressed changes to the service giving information on its expanded remit and services, information on Building Standard changes and the launch of the consultation on the Joint Planning Building Standards Enforcement Charter and the bi-annual design awards. In addition, sessions were held with community groups on engaging in the planning process.	Yes
7. Publish a Development Management Charter and updated Enforcement Charter to set out clearly how the Service will manage the planning process and investigate and resolve planning breaches. The draft Enforcement Charter has been produced and formal consultation carried out following its discussion at the Stakeholder Forum. It is anticipated that it will be presented for approval by the Planning & Building Standards Committee in December 2013. A Development Management Charter is also in preparation with an anticipated publication date early 2014.	Partially/ On-going
8. Continue to produce new and up dated a range of topic based and site specific Supplementary Planning Guidance. A total of five new guidance notes were published in 2012/13 including Landscape and Visual Guidance on Single and Small Groups of Wind Turbines in Berwickshire, Development Contributions, Local Landscape Designations, Replacement Windows and Scottish Borders Woodland Strategy.	On-going

APPENDIX I - PLANNING PERFORMANCE FRAMEWORK - OFFICIAL STATISTICS

Decision-making timescales

Category	Total number of decisions 2012-2013	Average timescale (weeks)	
		2012-2013	2011-2012
Major developments	10	60.8	79.1
Local developments (non-householder)	557	25.3	26.0
◆ Local: less than 2 months	48.8 (%)	7.3	7.4
◆ Local: more than 2 months	51.2 (%)	42.4	42.5
Householder developments	414	10.1	9.1
◆ Local: less than 2 months	81.6 (%)	7.3	7.1
◆ Local: more than 2 months	18.4 (%)	22.2	15.4
Housing developments			
Major	2	59.4	71.4
Local housing developments	190	51.0	49.1
◆ Local: less than 2 months	24.7 (%)	7.9	7.5
◆ Local: more than 2 months	75.3 (%)	65.2	61.7
Business and industry			
Major	0	n/a	4.7
Local business and industry	50	8.8	14.5
◆ Local: less than 2 months	70.0 (%)	6.9	7.1
◆ Local: more than 2 months	30.0 (%)	13.2	29.7
EIA developments			
Major	6	65.8	-
Local	0	-	-
Other consents*	256	9.8	11.9
Planning/legal agreements**	86	99.0	100.2
Local Reviews	19	8.4	13.4

* Consents and certificates: Listed buildings and Conservation area consents, Control of Advertisement consents, Hazardous Substances consents, Established Use Certificates, certificates of lawfulness of existing use or development, notification on overhead electricity lines, notifications and directions under GPDO Parts 6 & 8 relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 & 62 of the GPDO.

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

Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld	
		2011-2012 No. %	2012-2013 No. %
Local reviews	19	30 63	14 73.7
Appeals to Scottish Ministers	6	10 71	2 33.3

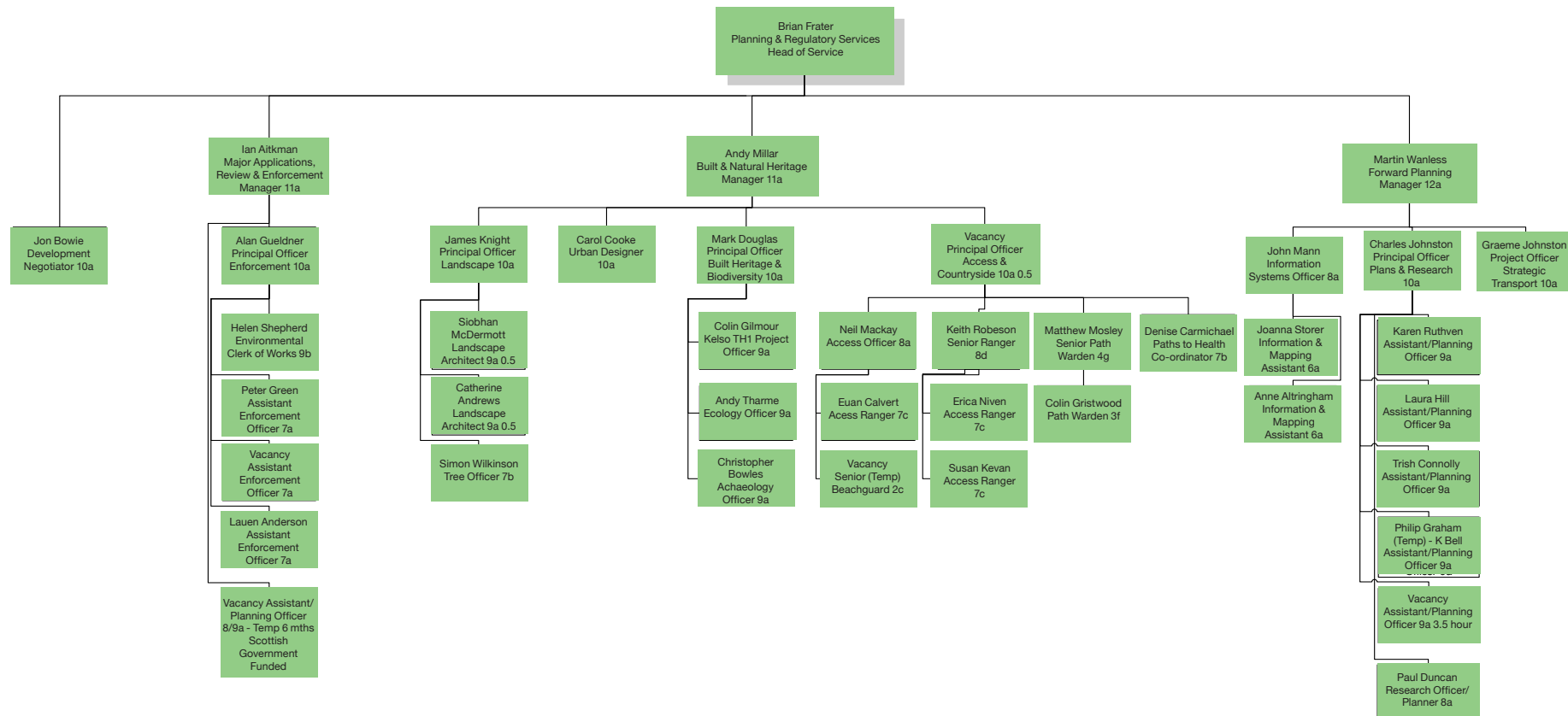
Enforcement activity	2011-2012	2012-2013
Cases taken up	240	173
Breaches identified	228	133
Cases resolved	52	103
Notices served***	5	1
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

*** Enforcement notices; breach of condition notices; planning contravention notices; stop notices; temporary stop notices; fixed penalty notices, and Section 33 notices to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 & 62 of the GPDO.

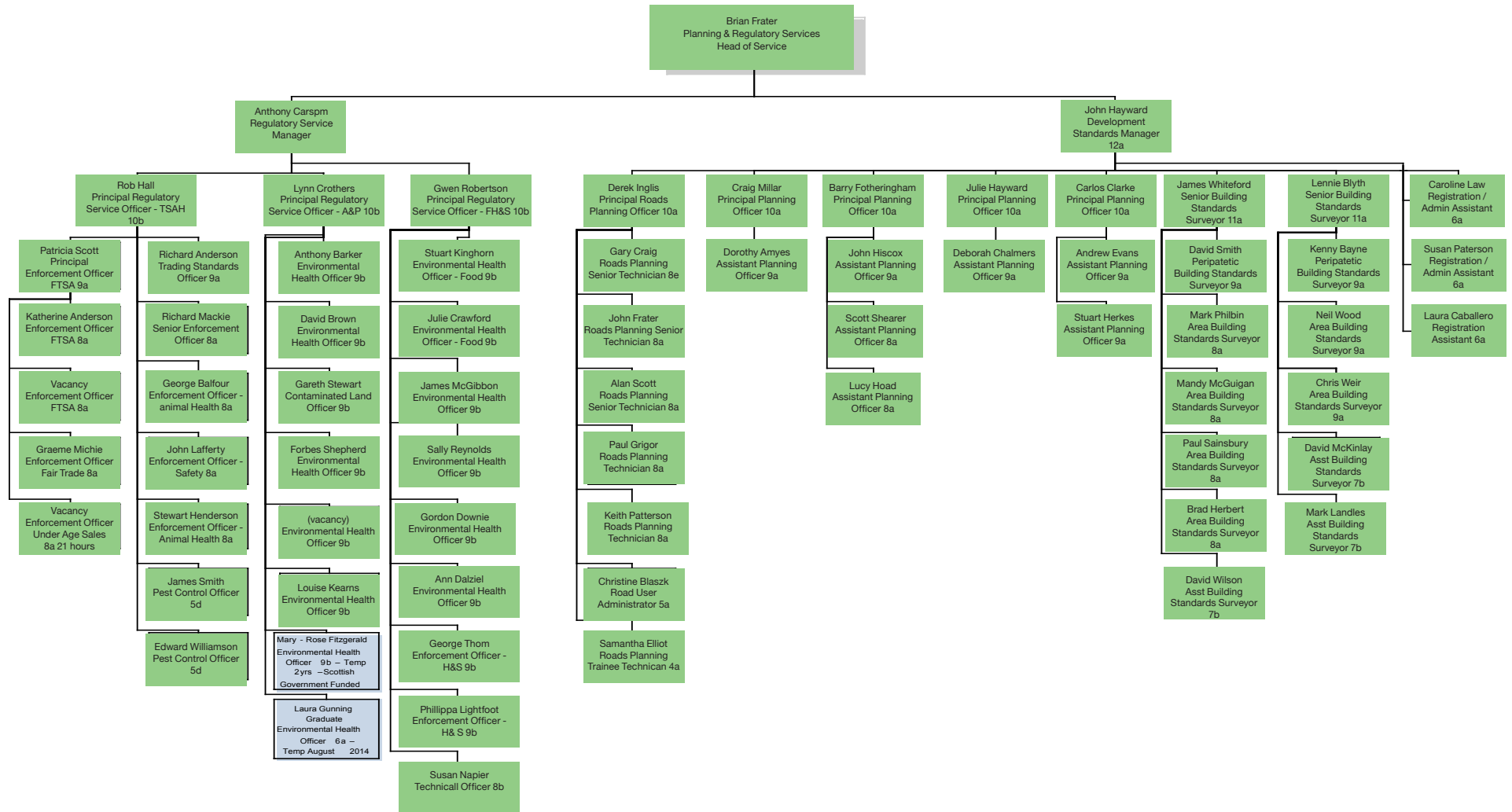
APPENDIX II - WORKFORCE AND FINANCIAL INFORMATION

Planning & Regulatory Services is part of the Environment & Infrastructure Department of Scottish Borders Council. The Planning & Regulatory Service consists of five business teams each led by a business manager who report to the Head of Service, Mr Brian Frater. The business teams are Forward Planning, Development Standards, Regulatory Services, Built and Natural Heritage and Major Applications, Review & Enforcement. The structure for the service is set out in the following diagram.

Environment & Infrastructure Planning & Regulatory Services Structure



Environment & Infrastructure Planning & Regulatory Services Structure



Planning & Regulatory Services has responsibility for more than just planning matters. The elements that are more directly aligned to the Planning Service consist of Development Management, Forward Planning and Major Applications, Review and Enforcement services have a professional staff compliment of ... The individual teams below their managers consist of:

- **Development Management:** 11 professional planning officers. 10 of the officers work in 4 area teams with each Team led by a Principal Officer. The remaining professional planning officer focuses on processing commercial renewable energy development throughout the Scottish Borders.
- **Forward Planning:** 2 principals, 1 research planner, 4 professional planners and 3 GIS specialists. In addition, to the development planning function there is a responsibility for transport strategy and departmental GIS.
- **Major Applications, Review & Enforcement:** 5 professional officers dealing with planning and building enforcement and providing an Ecological Clerk of Works for the Waverley railway project. The manager project manages major planning applications in a matrix management arrangement with Development Management staff and is the planning advisor to the Local Review Body.
- **Built and Natural Heritage:** 19 professional officers across a range of environmental fields. Whilst the relatively large access team feeds into the forward planning and development management processes, the main inputs of up to 50% of time, come from landscape (2FTE's) and a number of single FTE's, to cover built heritage and design; urban design ; trees; archaeology and ecology
- **Regulatory Services:** 3 Principal Officers, 13 professional environmental health officers plus 2 officers dealing with health and safety and a contaminated land officer. In addition, the Trading Standards services has a total of 13 professional officers dealing with fair trade, safety, animal health and enforcement.

The total Planning Services budget for 2012/132 (excluding Trading Standards and Environmental Health) is:

	Base Budget 2012/13	Actuals 2012/13
Development Management - Income	-867,624	-701,817
Development Management - Expenditure	628,271	644,576
Forward Planning	617,545	609,586
Enforcement (Staff Costs)	188,463	185,876
Total Expenditure	566,655	738,221

These figures do not include the costs for administrative support staff, which is shared across the wider Environment & Infrastructure Department. Only partial figures for the costs incurred by the enforcement service are set out as they are funded through a joint provision in the Building Standards budget. The costs incurred for developing Transport Strategy and interaction with Heritage and Design projects are also excluded from the figures.

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