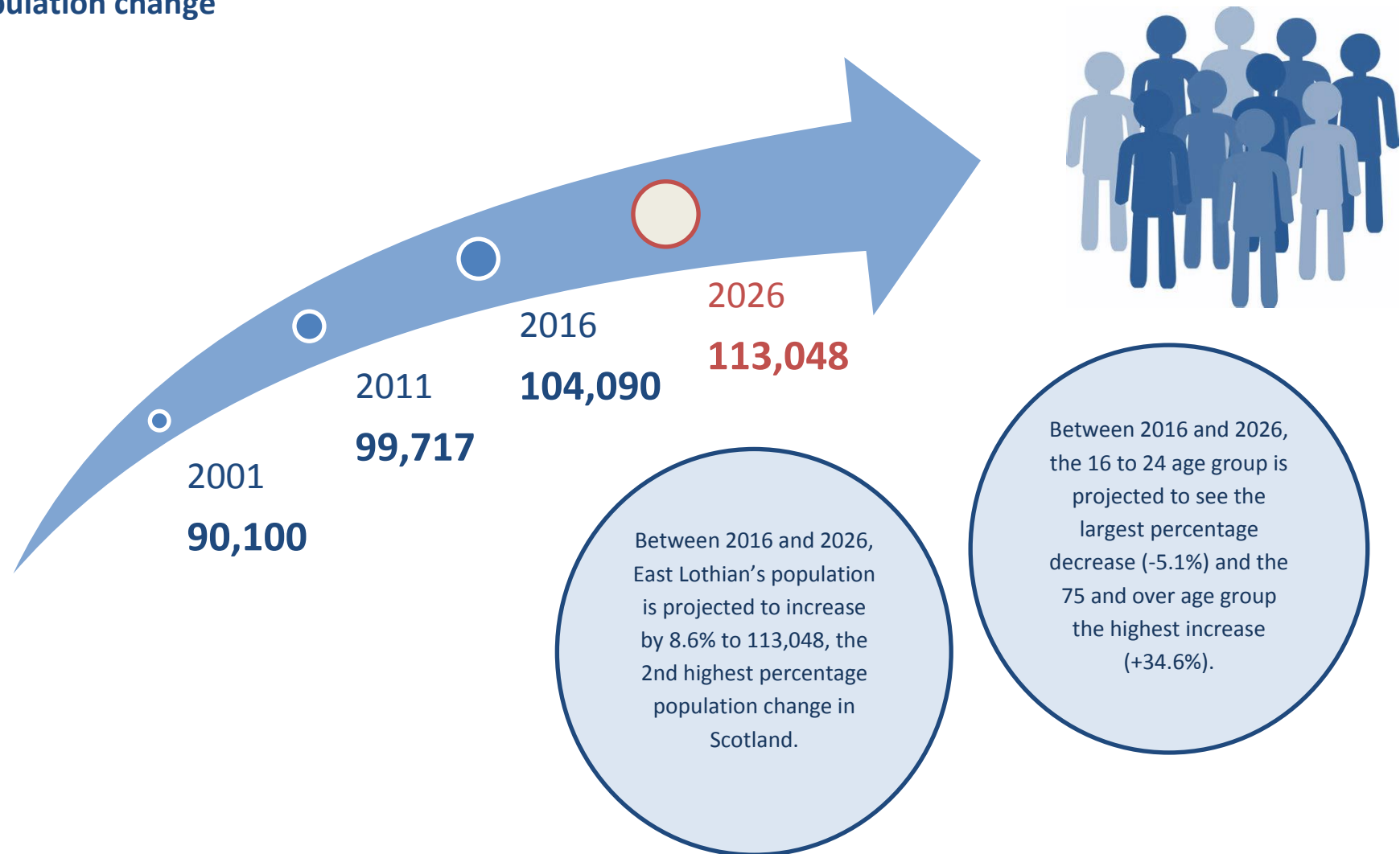


PLANNING PERFORMANCE FRAMEWORK ANNUAL REPORT 2018-2019
East Lothian Council Planning Service





Population change



PLANNING PERFORMANCE FRAMEWORK PART 1 Defining and measuring a high quality planning service

Quality of outcomes

The Council's Local Development Plan (LDP) design policies, adopted Design Standards for New Housing Developments (Design Standards) and development frameworks/design guidelines for individual sites complement national policy and guidance on masterplanning, site layouts and street design. Together these provide developers with clear expectations and guidance for place making and design quality, particularly around the relationship of buildings to spaces, reducing vehicle dominance and promoting active travel opportunities. Built heritage policies support adaptive re-use, enabling development where appropriate and the conservation and enhancement of Conservation Areas and Listed Buildings to ensure the essential character at the heart of East Lothian's towns and heritage is maintained and improved whilst high quality new development provides for homes and jobs for the existing and new people of East Lothian. The Developer Contributions Framework ensures that communities have the infrastructure improvements needed to support development and regeneration. Awards for the LDP and new development underpin the success of the Council's ambition for the place and its people. Permissions for some 2500 homes in the period reflect the commitment of the Council to delivering this growth agenda.

Case Study One – Built Heritage and Conservation *High Street/Winton Place, Tranent*

The Service continues to promote grant funding bids to Historic Environment Scotland, Heritage Lottery Fund and the Regeneration Capital Grant Fund to facilitate improvement of East Lothian heritage assets and continues a long record of regeneration and enhancement of conservation areas and town centres.

The Tranent Conservation Area Regeneration Scheme is in its final year of focus on supporting heritage, economic and community regeneration by encouraging and funding high quality physical interventions in the Conservation Area, with a particular focus on Tranent High Street at the core of the town's historic character. This has emphasised the street's wider importance to the Conservation Area, the need to enhance the detail of its historic form and to improve the management of change in the future in terms of both building appearance and fabric and in particular the significant impact of advertisements and how they detract from the character of shopfronts.

Over its time the Scheme has funded a number of projects on the High Street as illustrated in last year's PPF, with a particular priority given to high quality interventions to shop fronts, including reducing the negative impact of advertising and illumination. A key recent project at a prominent junction of the High Street with Winton Place sought to enhance and restore the elevations of the former Coop buildings to remedy the impacts of insensitive alterations made prior to the incorporation of the High Street into the Conservation Area. Significant input from planning and regeneration officers has helped shape a commercial venture into a sensitive regeneration of this important listed building to enhance an iconic landmark for the Conservation Area. In addition to the economic and employment benefits, community uses and heritage values have been enhanced and additional affordable housing has been provided by a project that has been well received by the local community and raised the bar for regeneration projects elsewhere in Tranent.



Before



After

Slorach Wood Architects, agent for the lead developer, commented:

'Initially, the Planning Approval permitted general works to the C-Listed section of the Building with limited improvements on the façade due to the Client's budget. Following funding provided by East Lothian Council's Conservation Area Regeneration Scheme, a Common Repair was arranged to restore the elevations to remedy the damage created by years of alterations.'

Thorough research and collaboration with the Regeneration Officers and Planners provided the opportunity to create a building as accurate to the original as possible. The stone corner of the building was reinstated and new oak shopfronts were installed with a stained glass design that echoed the original fenestration. The outcome is an impressive restoration of one of Tranent's most prominent buildings which would not have become so successful without the assistance of East Lothian Council.'

Key Markers *Early Collaboration-Corporate Working*

Key Areas of Work Design-*Conservation-Regeneration-Environment-Town Centres-Economic Development-Interdisciplinary Working-Collaborative Working-*

Community engagement-*Placemaking-Charette-Project Management*

Stakeholders *General Public-Local Developers-Key Agencies-Authority Planning Staff-Authority Other Staff-Local Businesses*

Also relevant *Quality of Service and Engagement-Governance*

Case Study Two – Infrastructure and Community Provision *Wallyford Primary School, St Clement's Wells, Wallyford*

The former mining village of Wallyford is a significant area for the Council's ambitious regeneration plans. Whilst stalled for several years due to the 2008 recession, the envisaged large scale mixed use development with some 2050 homes is now taking place around the village with new market and affordable homes being occupied. As part of the Council's Development Brief, a replacement Wallyford Primary School was required, the older school being close to the end of its life-cycle. The Brief required the school to be centrally located between the existing village and new development, and alongside a new commercial centre for the village so that regeneration objectives allowed for relationship building between existing and new people of the community. The inclusion of new quality community uses within the school, including a replacement library facility and public use of sports facilities, is an inherent part of this process.

Planning, Education, Customer Services and Strategic Asset Management officers worked collaboratively to ensure the design of the school met the needs of pupils and of the wider community as a major asset to a growing and regenerating settlement. Design discussions led to a building with a strong presence and character with a brick finish which recognises the brick manufacturing traditions which Wallyford was once also known for. In the course of the school design project issues arose with the acquisition of land for the school, which at later stages meant increased pressure on timescales for completion of key milestones, including approval of the detailed design. The service worked closely with all stakeholders to ensure determination timescales were met without compromising the quality of the project.





Key Markers *Project Management-Early Collaboration-Corporate Working-Stalled sites*

Key Areas of Work Design *-Collaborative Working-Placemaking-Project Management*

Stakeholders *- Local Developers-Authority Planning Staff-Authority Other Staff*

Also relevant *- Quality of Service and Engagement-Culture of Continuous Improvement*

Case Study Three – New Homes for Communities *LDP Housing Site, Aberlady West*

The adopted LDP focused on a compact development strategy to minimise travel need and distances with the majority of development in the west of East Lothian whilst also maximising use of existing infrastructure capacity. The LDP also allowed for sites elsewhere in East Lothian to ensure that a need for marketable sites of smaller scale is available, whilst also making use of school and other infrastructure capacity and underpinning the sustainability and vitality of smaller settlements. Aberlady, a conservation village in the more eastern, coastal area of East Lothian, demonstrated potential for growth with a suitable site for 97 homes at the eastern side of the village. Cruden Homes proposals for the site, responding to the approved Development Brief for the site, were mediated by the Service to ensure full compatibility with the brief, Designing Streets and the Council's Standards for Urban Design. This ensured a diverse mix of house types including one and one and a half storey homes, terraces and cottage flats as well as semidetached and detached homes. Tenure mix included for affordable and elderly amenity housing. The design approach within the pattern of buildings and spaces is a contemporary take on historical local styles and contributes to the variety and range available across the East Lothian housing market. The developer was pleased to be awarded the [Large Development of the Year](#) accolade at the [Scottish Home Awards](#) and this underpins the Service's work to improve the outcomes of commercial housebuilder development throughout small and large sites in East Lothian.





Key Markers *Project Management-Early Collaboration-Corporate Working-Stalled sites*

Key Areas of Work Design *-Collaborative Working-Placemaking-Project Management*

Stakeholders *- Local Developers-Authority Planning Staff*

Also relevant *- Quality of Service and Engagement-Culture of Continuous Improvement*

Case Study Four - Local Development Plan Supporting policy and guidance

The previous PPF included a case study based around the preparation of the LDP through Examination and the supporting information prepared to provide a context for the LDP. In September 2018 the [LDP](#) was adopted by the Council and following this the [Developer Contributions Framework](#) Supplementary Guidance was also adopted. Over the following year the Council has continued to work collaboratively across the Council and with wider stakeholders to develop additional guidance to assist those engaging with the planning process. The [Town Centre Strategies](#) Supplementary Guidance has been adopted as has [Supplementary Planning Guidance](#) on the Affordable Housing, Cultural Heritage and the Built Environment, Development Briefs, Farm Steading Guidance, Special Landscape Areas, Green Network and Sustainable Urban Design Solutions. At the time of writing the Coast and Countryside Supplementary Planning Guidance is out to public consultation and the Design in Housing Development Supplementary Planning Guidance is being prepared.

The collaborative approach and positive reception to the LDP1 was further highlighted through it receiving a [Commendation](#) at the 2019 RTPi Awards for Planning Excellence. The judges' highlighted elements of the LDP process in their reasoning behind granting the award to the Council. They stated of the process:

'This stood out as a superb local development plan with a strong planner led focus. The judges particularly liked the use of technology to engage effectively with the local community and other stakeholders. They were also impressed by the Skills Academy established to provide training to match new job opportunities created by the project'.

Going on from this, engagement with Elected Members on the timing and approach of LDP2 began in September 2018 with briefings and discussions with each of the political groups. This was based on the ongoing SDP2 process and further briefings on the context and timing of LDP2 will reflect the changed context following the Ministers' decision to reject SDP2.

Further member and community engagement will reflect discussions emerging around the SDP2 decision and of course in relation to the content of the Planning Bill and what it means in a South East Scotland and East Lothian context. Ongoing regional and local engagement and collaboration will be reflected in future PPF submissions. A meeting with statutory consultees as key stakeholders also discussed the potential options for the next LDP to understand initial feedback and concerns. After clarity on the basis for LDP2, pre-MIR consultation will also be taken to statutory consultees, landowners and housebuilders to further inform the options to continue providing for homes, jobs and regeneration.

With the Planning Bill being passed the Council is now looking to be a leading partner in the development of a Regional Spatial Strategy for the South East of Scotland. This will be developed in tandem with the City Deal programme and look to implement a strong climate change agenda through all policy and projects.

Key Markers Early Collaboration-Corporate Working-Continuous Improvements-Development Plan Scheme On Course-Elected Members Engaged Early-Cross Sector Stakeholders Engaged Early-Production of Relevant and Proportionate Policy Advice-Corporate Working-Sharing Good Practice-Developer Contributions

Key Areas of Work Local Development Plan -Affordable Housing-Economic Development-Interdisciplinary Working- Collaborative Working-Community Engagement-Placemaking-Project Management

Stakeholders General Public-Local Developers-Key Agencies-Authority Planning Staff-Authority Other Staff-Local Businesses

Also relevant Governance-Culture of Continuous Improvement

Quality of Service and Engagement

A highlight of the year was the adoption of the LDP by the Council in September 2018, after a successful process of community engagement, technical work, examination and Ministerial approval. Ministers made no directions in respect of the finalised plan, which was subject to only minor modifications after Examination and the outcomes of the process underpin the extent and value of the work carried out by the Service with the public, Members, statutory and other consultees and the DPEA. This has set a pattern for LDP2 which can be built on and enhanced to ensure that communities are a key part of the plan making process. Engagement on all of the [Supplementary Guidance](#) and [Supplementary Planning Guidance](#), including in particular the [Developer Contributions Framework](#) continued the process and has resulted in robust approved guidance on a number of policy areas, as noted below in this PPF. Ministerial approval of the Developer Contributions Framework was especially noted by Elected Members and developers in view of the problems encountered by other Council's approaches to upfront, comprehensive and clear guidance on the likely requirements for development, to allow for forward financial modelling and land negotiations whilst ensuring development comes with the required infrastructure. This is complemented strongly by revised [Affordable Housing Guidance](#) which gives an equally clear picture for developers of the level, type and mechanisms for provision on all sites. In both instances the Planning Obligations Officer post and the input of Housing allow for further discussion and clarity with developers as required.

Delivery of high quality development on the ground through both development plan and delivery action remains at the forefront of Service activity as noted in the above case studies. Key to this, internal consultees including Roads, Education, Environmental Health, Landscape, Countryside and Legal services continue to be available for fortnightly pre-application slots with developers, enabling round table discussions without significant work in managing diaries. Uptake of and feedback on these sessions illustrate a positive context for considering new developments at an early stage, particularly for major and complex application, to the benefit of all parties. The Transport Planners involved in these discussions and in assessing applications once submitted are also responsible for the Roads Construction Consents for the same proposals so as to ensure that RCCs and planning applications are subject to consistent processes and twin tracked. These round table pre-application discussions allow for better cross-service advice to developers on major applications, particularly housing applications.

“East Lothian Council has an effective pre-application service for major applications. The approach to co-ordinating internal consultees to attend fortnightly meetings arranged in advance, with the prospect of applicant presentations of new proposals, is very helpful from the prospective applicant's perspective. It allows a discussion of the scope and issues relating to an application early in the process, and avoids the problem experienced elsewhere of delays in co-ordinating the diaries of the various participants”. HolderPlanning

Part of this and other pre-application processes is to guide applicants to an understanding of the character of the place and an appropriate form of development, including through the Development Briefs Supplementary Planning Guidance and other guidance. This also helps ensure that the level of

information required for an application can be discussed and agreement reached on proportionate submissions for the type and scale of development envisioned. Advance understanding of this helps to smooth out the determination process.

For smaller scale proposals, the Service retains a duty planner system for enquiries and offers written responses to informal submission. These factors confirm the value of the service's approach to being open for enquiries from all prospective applicants.

The Service's long-term commitment to providing opportunities for pre-application discussions for developers, businesses, householders and others continues to encourage developers and individuals to engage with us, and consistently high approval rates for applications over the years reflect the availability and effectiveness of pre-application discussions on proposals and development opportunities.

The last year has seen further efforts to encourage developers to work with the Council on processing agreements over and above consistently offering them for major and complex applications through both the Council's website and pre-application discussions. Whilst many applicants are content to work with the Council in terms of application project management without formal agreements, the 21 applications subject to agreement represent a small step forward in the use of them and an example to other developers of the potential benefits of using this approach.

Governance

The Planning Service is part of the Development Division of the Council's Partnerships and Services for Communities Department, the Service Manager reporting directly to the Head of Development. As part of this structure two project manager posts within the Development Department work to assist with the delivery of strategic opportunities at Old Craighall, Blindwells and Cockenzie. As set out in previous PPF reports, work between Planning and Finance/Asset Management is managed through the Planning Obligations Officer, a key contact for developers in understanding the implications of their development in the context of the Developer Contributions Framework. The post's initial objectives of improving and streamlining the administrative processes for Finance are embedded and significant work is being carried out with the Developer Contributions Framework and developer negotiations to progress Section 75 agreements at pre-determination stage.

Building on the work towards establishing the potential for a significant expansion of the approved new Blindwells settlement as highlighted in last years PPF, the core negotiations with landowners have been backed by technical work on ground conditions, water environment, transport considerations and capacity modelling. The evidence to prove the concept and convert the safeguard of LDP1 into a project of national importance is growing and the extent of backing from government and its agencies has gathered significant momentum. This has been overseen by corporate governance arrangements, building on those developed in the LDP process, with a project manager and planning, economic development, transport, finance and legal officers all providing advice and input to develop the project and maintain key agency understanding of and involvement with the project. This strong project management has ensured that government grant funding and key agency commitments for ongoing technical work is available.

Enhanced fee income from enhanced major applications continues to be directed to additional staff recruitment and to a lesser extent supporting other services who play a key role in helping the Service to deliver the growth agenda of the LDP as part of the collaborative working arrangements. The Service remains benchmarked in the LGBF as one of the lowest cost per application but income, resources and workload are continuously monitored to ensure the growth agenda can be serviced and allow for improvements in application and policy performance.

Previous PPFs have referred to improvements in the Scheme of Delegation, legal agreement cut off points and Committee scheduling to enhance the ability to deal with applications through recess periods and maximise the opportunities for determining applications when all the required information is available. Delegated planning decisions are at a consistently high level, reflecting the governance set out in the Council's Standing Orders. Again no changes have been made to the Council's scheme of delegation in the past year, it continues to allow for officer decisions for all but major development proposals, though where there is public objection or if the application raises important planning issues the report is circulated to all Councillors through a weekly Scheme of Delegation List which allows Councillors to call in applications to Planning Committee if they consider this appropriate. 160 (15%) applications were decided this way rather than going to Committee (2017-18 16%, 2016-17 16%, 2015-16 17%, 2014-15 16%), a consistent trend. In this the service is performing effectively but

allows for further democratic scrutiny if required. Only 7 applications were called into committee from the weekly lists and of the 25 applications in total before committee only 4 were decided against officer recommendation. These figures demonstrates the strong level of trust and understanding built between officers and Members which allows for a high rate of delegated decision making and focus in planning committee on major and complex applications rather than day to day business.

The Service is working on scheduling briefings for Elected Members on key issues and stages for LDP2, regional planning post SDP2 rejection and Regional Spatial Strategies and other significant requirements of the Planning Bill as passed by Parliament.

Scrutiny of the Service comes through Council and Planning Committee meetings and decision and also through the [Audit and Governance Committee](#) (see section on Enforcement) and the [Policy and Performance Review Committee](#), (see report 07 and minute), whose respective reviews of reports on the operation of the Planning Service found no need for significant change and supported the approach of officers to managing and operating the service, again demonstrating a strong relationship of trust and understanding.

Key Markers *Corporate Working-Continuous Improvements-Production of Relevant and Proportionate Policy Advice*

Key Areas of Work *Local Development Plan and Supplementary Guidance-Housing Supply-Affordable Housing-Economic Development-Interdisciplinary Working- Collaborative Working-Community Engagement-Placemaking-Project Management*

Stakeholders *General Public-Local Developers-Key Agencies-Authority Planning Staff-Authority Other Staff-Local Businesses*

Also relevant *Culture of Continuous Improvement-Quality of Service and Engagement-Governance*

Culture of continuous improvement

Service and individual Development - The Service continues its participation in and learning from involvement in the HoPS benchmarking group and development planning and management groups and A+DS LAUDF forum, with a greater range of staff members involved and contributing . Knowledge Hub use continues to increase and planners collaborative work with archaeology and landscape specialists has increased with their integration into the Service. Discussion of issues arising from proposals is encouraged over less productive email exchanges. Review of service provision and quality is based on the Council's How Good is Our Council process (HGIOC), with individual development requirements based on this, the annual Service Plan objectives and the PPF.

Weekly team meetings are held to review ongoing work and new applications, allowing development on the job from review and discussion of new proposals. Reviews of LDP progress and EIA regulation change have been assisted by targeted training on HRA and Appropriate Assessment with specialist training bought inhosted by Service staff and this work will continue. The Council's Performance Review and Development process of annual assessment is used and remains an ongoing process. Training budgets and opportunities are maximised by use of the Improvement Service. Planners/technicians have attended training opportunities including the following:

[Local Authority Urban Design Forum](#) -Place Standard Use of Place Standard in planning for health - ELC Recruitment and Selection Course - [RTPI SES Chapter](#) Events on New Communities/Planning Scotland Bill - Ecology and HRA - Planning Law Update - [CIRIA](#) Online Webinar introduction to the SUDS Manual C768 - HoPS Benchmarking/Development Planning/Development Management - National Association of Planning Enforcement Conference - Scottish Government Planning Workshops

The work programme for LDP2 is under review in response to the decision on SDP2 and assessment of the implications of the Planning Bill and this will progress this year with further pre-MIR engagement with Members, key stakeholders and the public. The current draft discussion document, the Development Plan Scheme and LDP work programme (GANTT chart) will be modified in the light of this work.

Service Review 2 will be reconsidered in the light of financial year end 18/19 and budget for 19/20, where there are a number of issues to resolve with Finance and HR

Progress to 100% electronic handling of applications requires some further work with Unified Business Support (UBS - Administration) to finalise processes, guidance notes and handover from planning staff.

Planning officers held a stakeholder workshop in March this year with key consultees, which provided a positive forum for assessing where there are strong and constructive working relationships in place and where further improvements could be made. Stakeholders were overall complementary about both the relationships between the Service and their officers and the practices that the Service uses in assessing the relevant issues, as well as providing positive early input to MIR/LDP considerations. Planning and UBS staff will undertake further Agent/Developer workshops one to one and in groups to look at submission and application processing issues to build relationships and minimise problematic cases whilst maintaining registration speed and avoiding backlogs.

As with previous years the service priorities of the PPF will inform discussions going forward to enhance awareness and understanding and to improve input across the team to future PPFs. This also provides a forum for Service structure discussions, support needs for frontline staff and training and development needs so that the weekly team meetings can focus clearly on shorter term priorities

Key Markers -Corporate Working

Key Areas of Work Local Development Plan and Supplementary Guidance-Housing Supply-Affordable Housing-Economic Development-Interdisciplinary Working- Collaborative Working-Community Engagement-Placemaking-Project Management

Stakeholders General Public-Key Agencies-Authority Planning Staff-Authority Other Staff

Also relevant Quality of Service and Engagement-Governance

PLANNING PERFORMANCE FRAMEWORK PART 2 Supporting Evidence

- How Good is Our Council? Self-assessment of Planning, 2018
- [East Lothian Customer Service Charter](#)
- [East Lothian Feedback Team](#)
- [East Lothian Council Web Site: Planning Pages](#)
- Planning: Service Plan 2018/19
- [East Lothian Council Plan](#)
- [Local Outcome Improvement Plan](#)
- East Lothian Housing Land Audit 2018/19 (draft)
- [East Lothian Council Policy and Performance Review Committee report 07 and Minute](#)

Checklist for Part 2:

Case Study Topics	Issue covered in PPF7	Case Study Topics	Issue covered in PPF7
Design	y	Interdisciplinary Working	y
Conservation	y	Collaborative Working	y
Regeneration	y	Community Engagement	y
Environment	y	Placemaking	y
Greenspace	y	Charrettes	Y
Town Centres	y	Place Standard	
Masterplanning	y	Performance Monitoring	Y
LDP & Supplementary Guidance	y	Process Improvement	y
Housing Supply	y	Project Management	Y
Affordable Housing	y	Skills Sharing	y
Economic Development	y	Staff Training	Y
Enforcement	y	Online Systems	
Development Management Processes	y	Transport	y
Planning Applications	y	Active Travel	y
Other: please note			

PLANNING PERFORMANCE FRAMEWORK Part 3: Service improvements

In the coming year we will:

- *Review LDP1 Action Plan as part of evidence base for LDP2*
- *Recommence initial discussions with communities and members on next stages in LDP2 process within the context of the planning review and the revised strategic planning situation in South East Scotland.*
- *Further promote and enhance the use of processing agreements for planning applications to back up project management work*
- *The major workstream is to engage effectively with the Planning Bill, transitional arrangements, emerging government guidance and development of Regional Spatial Strategy and amendments to development management requirement*

Delivery of our service improvement actions in 2017-18:

Committed improvements and actions	Complete?
<ul style="list-style-type: none"> • <i>Adopt LDP1 and related statutory and non-statutory supplementary guidance - Service Manager and Team Manager Policy and Strategy responsibility</i> 	<i>Yes - LDP adopted September 2018 and all SG subsequently adopted. The design SPG remains in progress as its scope has been extended and further consultation is beneficial</i>
<ul style="list-style-type: none"> • <i>Continue internal officer and Member discussions on LDP2 in response to SDP2 to MIR stage</i> 	<i>Yes - briefings given to all political groups and to Council Management Team. Reviewed in light of SDP2 Ministerial decision and further briefings to be arranged</i>
<ul style="list-style-type: none"> • <i>Introduce a new framework for development management performance management</i> 	<i>Yes – practices amended for signing off of delegated reports and for processing agreements to ensure determination timescales improved</i>
<ul style="list-style-type: none"> • <i>Monitor planning fees monthly and pursue recruitment opportunities where authorised</i> 	<i>Yes, monthly review meetings with Finance diarised to tie in with Service planning meetings with Head of Service</i>

<ul style="list-style-type: none"> Finalise and implement service review 2 to further embed structure and process improvements to address performance priorities on major, business and householder applications – Service Manager responsibility 	<p>No – service review “ has budgetary and HR implications which remain under review with Head of Service/Finance/HR</p>
<ul style="list-style-type: none"> Complete progress to 100% default electronic handling of planning and related applications - Service Manager, Team Manager Planning Delivery, Management Systems and Administration Officer and Unified Business Support responsibility 	<p>Partly - delays with training and handover to Unified Business Support function re paper submissions</p>
<ul style="list-style-type: none"> Undertake further workshops with Agents engaged in the submission of planning applications and other statutory consents – Team Manager Planning Delivery, Planning Technician, Management Systems and Administration Officer and Unified Business Support responsibility 	<p>Partly - Individual meetings held with agents/developers on registration/validation issues joint meeting to be held in relation to new application protocols,</p>
<ul style="list-style-type: none"> Set performance targets for registration and updating invalid applications in conjunction with appointment to outstanding technician vacancy – Service Manager, Team Manager Planning Delivery, Planning Technician, Management Systems and Administration Officer and Unified Business Support responsibility 	<p>Yes - and additional technician recruited to meet business needs and achieve elimination of registration backlog</p>
<ul style="list-style-type: none"> Remove remaining legacy applications by withdrawal or determination, facilitated by part us of resource from additional planning fees – Service Manager and Planning Delivery Team Manager responsibility 	<p>Partly, 152 removed is a significant effort and will be followed up in coming year</p>

PLANNING PERFORMANCE FRAMEWORK PART 4 National Headline Indicators (NHI)

A: NHI Key outcomes - Development Planning:

Development Planning	2018-19	2017-18	2016-17
Local and Strategic Development Planning:			
Age of local/strategic development plan(s) at end of reporting period <i>Requirement: less than 5 years</i>	LDP 9 months SDP 6yr 2months	LP 9y 5 m SDP 5y 2m	8y 5 m SDP 4y 2m
Will the local/strategic development plan(s) be replaced by their 5 th anniversary according to the current development plan scheme? SDP to be resolved following Ministerial rejection and legislative change to strategic planning	LDP Yes. SDP No, see note	N	N
Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year?	N	N	Y-later
Were development plan scheme engagement/consultation commitments met during the year?	Y	Y	Y
Effective Land Supply and Delivery of Outputs NB based on draft 18/19 Housing Land Audit	April 2019 (est)	Apr 2018 (est)	April 2017
Established housing land supply	11818 units	12586 units	13,328 units
5-year effective housing land supply programming	6896 units	6720 units	6,653 units
5-year effective land supply total capacity	11657 units	12480 units	6,653 units
5-year housing supply target	5308 units	5,466 units	5,522 units
5-year effective housing land supply (to one decimal place)	6.61 years	6.07 years	6.17 years
Housing approvals	2475 units	2200 units	units
Housing completions over the last 5 years	3038	2404 units	1975 units
Marketable employment land supply	6.45 ha	6.9 ha	4.5 ha
Employment land take-up during reporting year	0.45 ha	0.15 ha	0.5 ha

Context and Commentary – Development Planning

The East Lothian Local Development Plan was adopted by the Council in October 2018. Various Supplementary Planning Guidance's and Supplementary Guidance's had already been progressed in parallel to the LDP and most of these have now been adopted by the Council. The Planning Obligations and Town Centre Supplementary Guidance were allowed to proceed by the Scottish Ministers and have been subsequently adopted by the Council.

Whilst the 2018 Housing Land Audit is in draft pending feedback, the year saw record numbers of housing completions at 939 demonstrating the level of delivery enabled by the housing land supply set out in the LDP. The previous record was some 730 in 2008, just prior to the recession. The provision of record numbers of homes and affordable homes underpins the value of a constructive, positive and well thought through LDP in enabling the housing industry to maximise delivery from its capacity, as does maintaining an effective housing land supply of over 6 years.

The LDP Action Programme is being updated. The Action Programme provides a detailed account of the actions that will be required to deliver the LDP, as well as those responsible for those actions and the timescales within which the actions should be delivered.

Previous Planning Performance Frameworks explained and evidenced the arrangements for extensive collaborative and corporate working which informed the preparation for and projected implementation phase of LDP1. These same established processes have been carried through the early development of LDP2. The initial discussion document for LDP2, prepared by Officers to set the context for the development of MIR2, and to allow early internal consideration of the issues and options for LDP2, is under review to facilitate further early member and community engagement pre MIR stage.

The Development Plan Scheme sets out the next stages for the LDP and its associated guidance. It also gives an indication on the current thinking on the strategic planning situation in the light of the changes coming through the new Planning Bill and the Ministers' decision to reject SDP2.

B: NHI Key outcomes – Development Management

Development Management:	2018-19	2017-18	2016-17
Project Planning			
Percentage and number of applications subject to pre-application advice	65.8%/706	71.5 %	71.7 %
Percentage and number of major applications subject to processing agreement	1.9%/21	0/0 %	0/0 %
Decision Making			
Application approval rate	96.1%	96.2 %	96.7 %
Delegation rate	98.0%	94.1 %	94.0 %
Validation	34%	35.7%	27 %
Decision-making Timescales			
Major Developments	47.1 weeks	60.9 weeks	32.6 weeks
Local developments (non-householder)	10.5 weeks	14.2weeks	10.4 weeks
Householder developments	7.6 weeks	8.0 weeks	8.4 weeks
Legacy Cases			
Number cleared during reporting period	152	164	19
Number remaining	137	289 (previous year calculated on pre-2009 applications)	181

Context and Commentary – Development Management

Following an increase in average decision timescales for major developments in last year's PPF it is encouraging to see a reduction of some 13 weeks on average this year, however, further work is required to maintain this momentum. This was for 12 applications rather than the previous year's 13 so was an outcome of a similar workload and illustrates solid progress and the increased proportion of AMSC rather than PPP applications (i.e. no legal agreement required) as the LDP generated workflow progresses through the relevant cycles. The impact of the Planning Obligations Officer and adopted Developer Contributions Framework on the process of major applications are factors at work here, with advance clarity assisting to reduce negotiation periods and agree/register Section 75 agreements. Further progress should follow from developing capacity to carry out some of the work on critical Section 75s in advance of determination as noted in the LDP case study above. Taking this with the improvements in local application average times, overall the

performance of the Service is satisfactory but requires further work to begin to rival the speed of decision making found in some authorities, though there remains a question as to whether the lack of engagement of those authorities with applicants represents a good service in the rounder sense and whether it is an example that should be followed.

The number of householder applications increased over the previous year (532 to 481), underlining the positive progress made in reducing the average time period to 7.6 whilst non-householder local developments were again at a high level (320) as last year (322) compared to previous year (267). In that context the improvement in timescales is again good progress, but benchmarking with other planning authorities will continue to learn what the context of their quicker delivery is. Whilst the proportion of applications subject to pre-application discussions is lower than previous years this it remains at a high level. One reason for this is likely the reduction in availability of the Duty Planner system to reduce demand on resources, however the uptake remains very high and has not affected the proportion of applications approved in any negative way.

As in previous years and as evidenced nationally in last years published Government comparisons, a significant workload issue is still poor submissions by agents/developers and reviewing invalid applications. The Council has for some time published clear print and online application guidance. The total of applications received was 1090 of which 66% were invalid on receipt, consistent with previous years other than 2015-16 though this is notable improvement from 73% in the previous year (2017-18 64%, 2015-16 73%, 2014-15 64.2%, 2013-14 69%, 2012-13 65%). Further workshops with agents will cover the key reasons: incorrect fees, insufficient drawings/statements, incorrect/inaccurate drawings, incorrectly scaled/annotated drawings. We will also continue to highlight that the Duty Planner service can be used to check through applications or discuss submission requirements.

Legacy cases have been targeted through key designated days of working on them. The removal of 152 cases is positive and there continues to be a balance of resources allocated to this whilst seeking to maintain and improve current application performance.

The level of planning fee income will continue to be reviewed regularly to assess the potential for additional staffing to improve performance further.

C: Enforcement activity

	2018-19	2017-18	2016-17
Time since enforcement charter published / reviewed	17 months since review/16 months since published	5 months since review/4 months since published	15 months since review/14 months since published
Complaints lodged and investigated	250	266	213
Breaches identified – no further action taken	175	186	70
Cases closed	229	196	196
Notices served	38	31	15
Direct Action	22	25	18
Reports to Procurator Fiscal	0	0	0
Prosecutions	0	0	0

Context and Commentary – Enforcement

Enforcement activity is on a par with the previous year in terms of overall number of cases, and this reflects the continued high levels of development, major and local, in the area from both approvals and also from increased permitted development rights for both householder and non-householder premises. In that context the increase in number of cases resolved is good performance. The enforcement function of the Service was subject to a review ([Report 02](#)) by the Council Internal Audit service, the report on which concluded that there were no concerns in terms of the Council meeting its statutory obligations in taking enforcement action, but that some of the recording of enforcement casework could be improved. The findings of the report forms a useful guide for further staff training and development and for UBS/Admin in maintaining enforcement records.

The [Enforcement Charter](#) is within its review period and in its current form is a clear and accessible document following the previous review.

The level of complaints received has been dealt with within the existing resource, with an increased number of resolved and closed cases. If this growth continues then consideration will be given to allocating additional resources to this function to ensure that cases continue to be dealt with effectively and that public confidence in enforcement responses continues to grow. The increase in resolution alongside the increase in cases is encouraging as this is one of the most difficult areas of action in terms of public and developer perceptions of the process and reflects a good balance of resources to the scale of the issue.

PLANNING PERFORMANCE FRAMEWORK PART 5: Scottish Government Official Statistics

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

Timescales	2018-19	2017-18	2016-17
Overall			
Major developments	12 (47.1 weeks)	60.9 weeks	32.6 weeks
Local developments (non-householder)	320 (10.5 weeks)	14.1 weeks	10.4 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	76.3% 23.8%		
Householder developments	532 (7.6 weeks)	8.0 weeks	8.4 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	90.4 % 9.6 %		
Housing Developments			
Major	6 (45.1 weeks)	71.1weeks	50.1 weeks
Local housing developments	80 (14.9 weeks)	22.8weeks	23 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	52.5% 47.5%		
Business and Industry			
Major	0	n/a	n/a
Local business and industry developments	29 (10.8 weeks)	10.7weeks	10.4 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	79.3% 20.7%		
EIA Developments	0	n/a	39.6 weeks
Other Consents			
<ul style="list-style-type: none"> As listed in the guidance(right) 	226 (7.7 weeks)	9.1 weeks	8.8 weeks
Planning/legal agreements			
<ul style="list-style-type: none"> Major: average time Local: average time 	8 (41.3 weeks) 4 (58.8 weeks)	85.6weeks 14 weeks	43.9 weeks 34.9 weeks

B: Decision-making: local reviews and appeals

Type	Original decision upheld						
	Total number of decisions	2018-19		2017-18		2016-2017	
	No.	No.	%	No.	%	No.	%
Local reviews	15	5	33%	7	58.3	8	61.5
Appeals to Scottish Ministers	4	1	25%	6	54.5	3	47.9

PLANNING PERFORMANCE FRAMEWORK PART 6: Workforce Information

Workforce information should be a snapshot of the authorities planning staff in position on the 31st of March. The information requested in this section is an integral part of providing the context for the information in parts 1-5. The template below allows the information to be recorded in a consistent format, additional guidance on what to include is within the template itself.

	Tier 1 <i>Chief Executive</i>	Tier 2 <i>Director</i>	Tier 3 <i>Head of Service</i>	Tier 4 <i>Manager</i>
Head of Planning Service				1

RTPI Qualified Staff	Headcount	FTE
Development Management	9	8.6
Development Planning	8	7.3
Enforcement	1	1
Specialists	0	0
Other (including staff not RTPI eligible) (Includes 2 non-RTPI development management planners, 10.1 FTE technicians, information systems, landscape and archaeology staff)	14	11.1

Staff Age Profile	Headcount
Under 30	5
30-39	12
40-49	12
50 and over	3

In addition to planning responsibilities (Development Management -Planning Delivery, Development Planning -Strategy and Policy), the Service delivers the Council's statutory responsibilities for Landscape and Tree Protection, Corporate Address Gazetteer and Archaeology/Heritage Management under the Service

Manager, Planning role. There are two Team Managers with responsibility for the two major business streams of the service, Planning Delivery and Strategy and Policy, delegating responsibility from the Service Manager to allow a clear line of responsibility and reporting for those workstreams. Landscape Officers, the Corporate Address Gazetteer, Archaeology Officers and the Management Systems and Administration Officer all report directly to the Service Manager. Planners' responsibilities are subject to generic job description with enhanced responsibilities to support the Senior and Principal Planners and Team Managers and allow for flexibility across the two main workstreams of the service. This service structure balances responsibilities and provides appropriate tiers of delegation to support the Service Manager.

PLANNING PERFORMANCE FRAMEWORK PART 7: Planning Committee Information

Committee & Site Visits	Number per year
Full council meetings	6 (LDP, SG/SPG and SESplan decisions, ratification of report on called in application)
Planning committees	10
Area committees	n/a
Committee site visits	55
Local Review Body	6
LRB site visits	15
Audit & Governance Committee	1
Policy & Performance Review Committee	1