



Comhairle nan Eilean Siar

Planning Performance Framework

ANNUAL REPORT 2020-2021



10th Planning Performance Framework Report 2020-2021

COMHAIRLE NAN EILEAN SIAR

Contents

Outer Hebrides Planning Context.....	2
Part 1: Qualitative Narrative and Case Studies.....	3
1. Quality of Outcomes	18
High quality development on the ground.....	18
2. Quality of Service and Engagement	19
a) Open for business	19
b) Certainty.....	20
c) Communications, engagement, and customer service.....	24
3. Governance	26
4. Culture of Continuous Improvement	28
Part 2: Supporting Evidence	30
Checklist for Part 2: Qualitative Narrative and Case Studies.....	31
Part 3: Service Improvements	32
Part 4: National Headline Indicators (NHI)	34
A: NHI Key outcomes - Development Planning:.....	34
B: NHI Key outcomes – Development Management:	36
C: Enforcement activity.....	37
D: NHI Key outcomes – Commentary	38
Part 5: Scottish Government Official Statistics.....	40
A: Decision-making timescales (based on ‘all applications’ timescales).....	40
B: Decision-making: local reviews and appeals	41
C: Context.....	41
Part 6: Workforce Information.....	42
Part 7: Planning Committee Information	43
Performance Markers and Evidence Base	44

Outer Hebrides Planning Context

Comhairle nan Eilean Siar is pleased to present its tenth Planning Performance Framework (PPF) Report covering the reporting period 1 April 2020 to 31 March 2021. The service has continued to achieve good outcomes with targets met and delivered against increasing economic cutbacks; recruitment challenges; diminishing staff resources; and the Coronavirus pandemic.

Delivering development in the Outer Hebrides is distinct from that in other areas, with unique challenges and opportunities: an extensive geography and coastline; dispersed settlements; and high scenic value and natural heritage reflected in high levels of environmental designation. Transportation and logistics contribute to significantly higher on-costs for construction, materials etc. throughout the islands. There is a distinct private sector economy, with a high incidence of self-build and limited volume house building other than public sector-led development.

In the 20/21 reporting period, the Planning Service continued to perform well despite ongoing resource pressures (our most experienced member of staff retiring in August and difficulty in recruiting a replacement; a new member of staff joining us only two weeks before lockdown to replace another experienced officer who retired in May 2020). Increased demand for Planning advice from July 2020 onwards, some large-scale EIA cases to bring together for determination and the need to respond to work emanating from the Planning Act (Short Term Lets, NPF Position Statement, Indicative Regional Spatial Strategies etc.) all at a time when staff were facing the personal challenges of working from home; some with connectivity issues relating to rurality; managing young children and elderly dependents; home-schooling primary and secondary age children; others working alongside undergraduates sitting exams on-line; and individual staff who contracted Covid.

The Planning Service successfully adapted to home and hybrid working, deploying interactive communications technology to continue to work collaboratively with each other and other sections of our own Authority; indeed, with help from our IT Department, Comhairle nan Eilean Siar was one of the first authorities to be up and running from hundreds of makeshift home offices in kitchens, living rooms, spare bedrooms, and sheds throughout the Island chain. Teams showed their flexibility, resilience and reliability continuing to work with external partners and to engage with the development community on a range of plans, programmes, and projects.

The principle of island proofing enshrined in the Islands (Scotland) Act 2018 is to remove disadvantage and officers are cognisant of this imperative in their responses to national consultations. The Planning Service continues to hold Government and other stakeholders to account in any engagement it participates in or contributes to, including work emanating from the Planning Act, specifically Island Community Impact Assessments.

Part 1: Qualitative Narrative and Case Studies

The following Case Studies illustrate how the Planning Service has achieved its performance standards, as tested through the Performance Markers.

Case Study 1: Goathill Care Centre and Housing
Location and Dates:
OHLDP Proposal Site Goathill Farm West, Lewis (April 2020 – March 2021)
Elements of a High Quality Planning Service this study relates to:
<ul style="list-style-type: none"> • Quality of Service and Engagement • Governance
Meeting Key Markers:
<p><i>Key Marker 2: offering processing agreements; Key Marker 3: early collaboration with applicants and consultees on planning applications: availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information; Key Marker 12: corporate working across services to improve outputs and services for customer benefit (e.g. protocols; joined-up services; single contact; joint pre-application advice), Key Marker 15: Developer contributions: clear expectations: set out in development plan (and/or emerging plan,) and in pre-application discussions.</i></p>
Key Areas of Work:
<ul style="list-style-type: none"> • Project Management • Community Engagement
Stakeholders Involved
<ul style="list-style-type: none"> • Western Isles Health and Social Care Partnership (NHS Western Isles and Comhairle nan Eilean Siar); • Hebridean Housing Partnership; • Scottish Government • Social care clients
Overview:
<p>The £36M Goathill flagship project aims to develop intergenerational housing within an eight-hectare site, partially within a Local Development Plan proposal site allocation. It will deliver a mixed development of 74 affordable houses, a 52-bed care unit and 50 housing with extra care units, and associated access, services, landscaping, and recreation provision. The project is being delivered by a unique partnership between the Comhairle, the local Integrated Joint Board (including the NHS Western Isles), and Hebridean Housing Partnership (HHP) the only registered social landlord (RSL) and volume house builder in the Outer Hebrides.</p>

Work started on the site in July 2019, and despite delays due to unprecedented rainfall, the lost time had been made up by March 2020 before work stopped on the site due to Covid-19. The scheme was due to be completed by autumn 2022 but this date will be subject to review.

Goals:

This project will deliver a multi-generational partnership project on an LDP Plan allocation site. It aims to address the affordable housing need in and around Stornoway and help deliver the Strategic Housing Investment Plan (SHIP) and Strategic Local Programme (SLP), in relation to elderly housing need and supported living, and general housing need.

Outcomes:

After receiving planning consent in December 2018 construction started on the site in summer 2019 with the turf cutting ceremony attended by Kevin Stewart MSP Minister for Local Government, Housing and Planning, taking place on the 18 July 2019. Weather conditions caused delay in the construction work as the Outer Hebrides experienced exceptional levels of rainfall during the autumn and winter of 2019. However, by March 2020 the lost time had been made up by the contractor undertaking the Phase 1, enabling works package. However as with many major construction projects 2020-21 has been significantly impacted by the Covid pandemic.

The project consists of three distinct construction phases: One – preliminary civil engineering works across the entire site, this involves the enabling work, site servicing and the layout and construction of the roads. This work will continue throughout the development of the site. Construction phases two and three have been running concurrently and these comprise the construction of the care home, extra care housing and the 74 houses by different contractors and programmes. Work on construction phases two and three commenced in Autumn/Winter 2019. This involved advanced discussions to ensure the multi-contractor, overlapping phases of the development could work together within the site – this has been achieved and operation has been successful. Thus far protocols and working practices have ensured an effective site and project delivery, before Covid lockdown.

During 2020-21, the year of Covid, both the contractors, multi-agency clients, programme agents and project leaders, and the Comhairle as planning authority (and client) have had to make adjustments and adaptations to bring this complex project back on track.

Works were initially suspended in March 2020, as the project was not classed as 'essential', and this continued to be the case with further announcements in early May, a staggered work programme only recommencing in Summer 2020. The protracted start and need for Covid compliance were further compounded by the fact that many construction workers on the site were not locally based and had been commuting into the island to work on the

project. Island travel restrictions and a fortunate lack of Covid cases locally created a serious concern locally about work restarting, and the potential importation of Covid.

As compliant work restarted the planning service was, in line with national planning dispensations, asked to amend the operational hours of the site to permit staggered shifts and material deliveries. This was reasonable in the circumstances and was approved and helped get the project back on programme.

As with many other construction projects, materials supplies were disrupted by both Covid, and the logistical issues that created, and with Brexit. Most recently the potential completion of the first 24 homes for occupation was impacted by the supply of domestic heat pumps.



November 2020, Foundation stages for Housing with Extra Care Unit, with affordable housing to rear of image.

Inevitably in a project of this scale and complexity some elements may need to be redesigned or adapted. An example of this has been the design of the SUDs basin serving the site. Planners, Building Standards officers, contract leads, and Scottish Water had to enter into a protracted discussion on this feature. This had originally been designed to be incorporated as part of open amenity space within the site, however Scottish Water insisted on a fenced detention pond, with a boundary walkway. This was a grudging concession by the Planners in terms of Placemaking, as the whole area was intended as open amenity space originally. Other non-material variations were made throughout the year. Previously agreed finished such as roof tiles and rock for stone and cladding features have been sampled *in situ* for Planners' final agreement.

Once work had fully re-established onsite and social distancing measures relaxed the community aspects of the project recommenced. This has included support of direct and indirect apprenticeships in both construction and project delivery, and in health and social care. Given recruitment and skills issues in both these sectors, locally and nationally, this was a long held legacy objective for this transformational project.

Another community benefit of the project and pre-occupancy condition is the refurbishment of a neighbouring play park. Planners continue to work with contractors, councillors, and the local community to discharge this condition, with the contractors in fact exceed the refurbishment brief and providing additional new equipment and enhanced finishes.


An unforeseen involvement of the Planning Service in the ongoing project has been in a project sub-group charged with assessing applications for some of the 40,000 tonnes of excavated topsoil from this former farmland. In collaboration with SEPA, who regulate movement of topsoil, a quasi-SEPA application form hosted by the Comhairle has enabled community groups, individual householders, and some commercial business to legitimately apply for batches of the topsoil, whilst still complying with SEPA regulations.

As the project moves into its third year, occupancy of some homes is anticipated from early July 2021, and construction work continues on the rest of the site. This will involve arrangements to permit residential occupancy adjacent to an active construction site. Further, as work on the interior of the care and extra care provision progresses the Health and Social Care Partnership have advised of the potential need for post-Covid adaptations of accommodation and space. This may have implications for both consented Planning and Warrant applications, in due course.

Post consent planning staff remain in contact with project agents and contractors regularly on this major development and an officer sits on the project delivery board: this has proved to be an effective approach with the officer ensuring that problems and opportunities are addressed on an ongoing basis. We will continue to report further progress in next year's annual report.

Key Officers

Helen MacDonald (DM) and Mairi Maciver (DP & MP)

Case Study 2: Lady Matheson's Seminary – Finalist in the RTPI Awards for Planning Excellence	
Location and Dates:	
Stornoway Conservation Area, Isle of Lewis (April 2020 to April 2021)	
Elements of a High Quality Planning Service this study relates to	
<ul style="list-style-type: none"> • Quality of outcomes • Quality of service and engagement 	
Meeting Key Markers:	
<p>Key Marker 3: early collaboration with applicants and consultees on planning applications: availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information; Key Marker 11: Production of regular and proportionate policy advice, for example through supplementary guidance, on information required to support applications.</p>	
Key Areas of Work	
<ul style="list-style-type: none"> • Conservation 	<ul style="list-style-type: none"> • Affordable housing
Stakeholders Involved	
<ul style="list-style-type: none"> • Authority Planning Staff • Historic Environment Scotland (HES) • Hebridean Housing Partnership (HHP) • Local Developers (Lewis Builders Ltd) 	
Overview:	
<p>This Category B listed building, a former 19th-century Industrial Female School, subject of a Case Study in last year's PPF Report, was short-listed in the final of the RTPI Awards for Planning Excellence 2021.</p> <p>Planners successfully worked in partnership with the Developer, Hebridean Housing Partnership and Historic Environment Scotland to facilitate the restoration of this vacant and neglected building, creating much needed affordable accommodation in the Centre of Stornoway. The ultimate scheme included complete removal and replacement of interior fittings to meet modern housing standards, including a new stair and entrance enclosure in the rear courtyard. Salvageable interior features such as doors, architraves, paneling, children's graffiti, window bay paneling and flagstones were retained and re-used where possible.</p> <p>Nominated in the Excellence in Planning for Heritage and Culture category alongside 5 other finalists including Liverpool's Liver Building, the development, whilst not ultimately winner of the category, has created 6 affordable homes for rent and brought a key historic building back into use. Whilst the Seminary was originally built by Sir James and Lady Matheson in 1848 for the sum of £2000, giving a boost the local economy and trades then, similarly the latest renovation costing just over £1m, funded by the Scottish Government, Hebridean Housing Partnership and the Comhairle, has</p>	

deployed contemporary and traditional building skills. The development of this 'difficult to treat' building with planning intervention and support has created one and two-bedroom homes in the town centre.



Lady Matheson's Seminary (Former Industrial Female School) before restoration

Goals:

To rescue and rehabilitate a key historic building in the Stornoway Conservation Area from dereliction, removing it from the Buildings at Risk Register for Scotland and to provide high quality inclusive affordable housing in Stornoway town Centre.

Outcomes:

Following consideration of a Condition report, members of staff from the Planning Service and Historic Environment Scotland carried out on-site inspections of the building condition and fully engaged with the developer at pre-app stage to ensure that any salvageable architectural features were retained within the new development and that the external fabric would be largely rebuilt and restored to retain its original appearance using similar or equal materials, thus ensuring that the structure continues to be a prominent architectural feature in the Conservation Area.

In line with the new Built Heritage Policy NBH4 and included as part of the application submission and information required for the proposal, a Heritage Impact Statement was provided by the developer which outlined the history of the building; historic and architectural significance; planning history; detailed proposal and development impact, this provided sufficient scope and detail for assessment of the development by consultees and by planning officers.

As well as providing much needed social housing in the historic Town Centre, this project has saved a prominent and iconic landmark for Stornoway. The building which was in a serious state of disrepair has been rescued from further degradation of original fabric and collapse.

The project aligns strongly with the four of twelve opportunities set out to achieve 'Our Future Places' within the National Planning Framework 4 - Position Statement (November 2020) i.e., 20-minute neighbourhoods, a stronger preference for reusing existing buildings before new development, actively enabling the redevelopment of vacant and derelict land and strengthening support for development in town centres. The renovation is imminently due for completion and inspection by Building Standards colleagues.

"Kenny John Macleod Chair of the Housing and Communities Committee praised the planning officer involved and the collaborative approach."

Stornoway Gazette June 17, 2021

In response to the Award nomination, the developer commented:

"...Thanks Susan, something uplifting during the challenging times we are all experiencing."

Dan Maclellan, Director, Lewis Builders Ltd



Lady Matheson's Seminary after restoration

Key Officers

Morag Ferguson and Anne Napier (DM) and Susan Rabé (DP & MP)

Case Study 3: Planning for temporary recreational accommodation (glamping pods)

A policy response to the growth in demand for temporary structures for recreational use in the Outer Hebrides via revised Supplementary Guidance.

Location and Dates:

Period 2020-2021: Outer Hebrides

Elements of a High-Quality Planning Service this study relates to (please select all that apply):

- Quality of outcomes
- Culture of continuous improvement

Key Markers:

Key Marker 11: *Regular and Proportionate Policy Advice*

Key Areas of Work

- | | |
|---|--|
| <ul style="list-style-type: none"> • Local Develop Plan & Supplementary Guidance • Economic Development | <ul style="list-style-type: none"> • Interdisciplinary Working • Placemaking |
|---|--|

Stakeholders Involved:

- | | |
|--|--|
| <ul style="list-style-type: none"> • General Public / Community Trusts • Local Developers • Key Agencies • Tourism Organisations/Operators | <ul style="list-style-type: none"> • Authority Planning Staff (DM) • Authority Other Staff (Environmental Health, Roads, Economic Development) |
|--|--|

Overview:

Policy review is a crucial part of ensuring an effective policy framework is in place. Ongoing Plan monitoring and consultation highlighted the need for the Supplementary Guidance on 'Caravans Huts and Temporary Buildings' to be revised to take consideration of development trends and updated national guidance. A key issue identified was in relation to Holiday Caravans (inc. pods, cabins etc) as outlined below.



Development Context - Holiday Caravans in the Outer Hebrides

Over the past decade, glamping and touring holidays have gone from a niche market to a mainstream recreational accommodation trend. A trend for 'staycation' holidays and 'the accessible wild' is also driving tourism into the more remote fringes of Scotland, including the Highlands and Islands. While the COVID-19 pandemic temporarily shut down the travel industry, this sector is rebounding quickly as travellers look for ways to social distance. The number of applications for pods, caravans and self-catering accommodation

has more than doubled in the Outer Hebrides in the last ten years and 2020-21 has received the highest to date.

Tourism is a key growth sector in the Outer Hebrides accounting for around 10% of the local economy. Income from the sector has grown from £53 million in 2014 to £65 million in 2017 and was on track to reach £74 million by 2020 prior to the onset of COVID-19. A key advantage of caravans for tourism accommodation is that they typically do not remove existing properties from the local housing market. Additionally, they can be a viable form of croft diversification which allow locals to stay in our more remote villages and spread tourism spend. However, economic growth must be sustainable, and the outdated legislation and policy guidance used to assess this kind of development has often been inadequate in addressing some of the ambiguities that have arisen for Planning in the evolution of the holiday caravan market.

A combination of outdated legislation and new structures which are not 'caravans' in the traditional sense, has created a grey area of development for Planning. The primary legislation relating to caravans has not been updated since the 1960s and was written in relation to the traditional plywood caravans. The caravan sector has subsequently innovated, with central heating, double glazed windows, and more durable external cladding now commonplace. The definition makes no distinction on the form and design of a caravan other than maximum dimensions but provides a minimum requirement that the structure must retain the element of mobility both pre- and post-installation. Many types of units, such as pods, static caravans, shepherd's hut, chalet and mobile homes can technically meet the legal definition* of a 'caravan' (and consequently be exempted from building regulations). This definition has been used indiscriminately to gain permission for developments that would not subsequently pass the test of a caravan. However, it is often difficult to contend eligibility at application stage and even more so for a small Planning team to have oversight of installation or take enforcement if a breach is identified. Applications for caravans are typically treated as a 'change of use of land' and the design of the caravans may not be assessed as it may not be presented at determination.

Monitoring also identified that there are inherent difficulties in assessing and mitigating the design of holiday caravans as well as conditioning future development on the site. The standard design, materials, and finishes of traditional caravans often limit their potential for integration into our open island landscapes. Due to the climate and exposure in the islands they typically deteriorate faster than their lifespan and this can detract from public and neighbour amenity leading to adverse landscape and visual impacts and to environmental dereliction. Pods meanwhile come in a wide variety of forms and styles, and this brings its own challenges. On one hand, high quality and vernacular pod design offers an opportunity to be visually recessive or respectful of the local landscape character. On the other hand, many of the more popular off-the-shelf pods have been designed and

built for the climate and closed landscapes of England and their materials and form can often appear incongruous on our open landscapes. It was an action of the review to strengthen the policy around the design of holiday caravans and address the need for stronger policy direction on the siting of holiday caravans.

Monitoring also highlighted the need for stronger and more detailed policy on waste-water disposal, where the location of development should enable the responsible disposal of waste and water and waste-water connections need to be confirmed with Scottish Water prior to applying for planning application.

Legislation concerning holiday caravans is complex, particularly around the definitions of the development type and permitted development rights. Monitoring highlighted that the comprehension and readability of the document could be improved in this regard.

Goals:

To be effective plans need to be kept up-to-date and review and revision is a crucial part of an effective policy framework. A key aim of the planning service is to ensure our Local Development Plan reflects current national guidance and development trends. It is also a legal obligation for us to monitor the Development Plan to track changes and trends which may develop over time and check whether policies and plans are effective and achieving their aims. Some of our most effective tools in doing this are: assessing the outcomes of planning applications and appeals; consultation and liaison with stakeholders and the public; and tracking socio-economic, environmental, and cultural baseline data trends. The preparation of this Supplementary Guidance included: revisiting LDP Monitoring and SEA reports, baseline monitoring; assessment of planning applications; and internal and external targeted stakeholder consultation.

Outcomes:

Importance of Continuous Monitoring: The importance of continual review and revision in allowing us to understand the wider social, environmental, and economic issues affecting change in our area cannot be under-estimated. Often monitoring can be viewed as the starting point at the beginning of policy formation but monitoring needs to be continuous to ensure every step is evidence based and reflective of the development context. While the objectives of the LDP need to be strategic and based on robust data and established trends continuous monitoring during policy formation helps us to be responsive to unforeseen influences that may have profound implications on development going forward (e.g., Covid Pandemic).

Liaising with Neighbouring Authorities: Early engagement with other local authorities who share boundaries or common issues has been invaluable in monitoring the performance of our Plan against the wider development and policy context.

Front-loading Engagement: Wide ranging and inclusive front-loaded engagement has been an invaluable part of this review in identifying many issues that had not been identified through more formal Plan monitoring.

Transparency and Accessibility: Legislation concerning caravans and temporary buildings is complex, particularly around definitions of the development type and permitted development rights and uses technical terminology. To improve comprehension and readability the Guidance has been revised to include: an 'Initial Considerations' section addressing: "Do I need Planning Permission"; 'Pre-Application Advice'; 'Supporting Information' for your application etc. An Appendix detailing "Useful Contacts and Further Information" to and directing applicants to, other relevant approvals or licenses that may be required is included.

Maintaining the Primacy of the Plan: A key principle of the planning system is that it takes a plan-led approach to decision-making and maintains the legal status of the development plan as a basis for decisions in all cases. Due to the subjectivity of the legal definition of holiday caravans and recreational huts in practice it is crucial that the Development Plan (through this Supplementary Guidance) takes a strong stance on what is and what is not considered sustainable growth for this sector in our Island context. For example, 'the hutting culture' is largely a lowland mainland phenomenon but Scottish Planning Policy calls for all local authorities to make provision in their Plans for it. This may be a material consideration, but the Primacy of the Plan allows our Development Plan to state where they will be appropriate (e.g., only in outwith settlement) and who they are appropriate for (e.g., only for intermittent recreational use by the owner). Going forward as SPP gains enhanced statutory status, the primacy of the Development Plan, as an expression of local public interest, should be maintained, and to do this under scrutiny it must be up-to-date and robust.



Pods, Portnaguran, Isle of Lewis

A Sustainable Future: Planning now has a defined statutory purpose: to manage the development and use of land in the long-term public interest and this includes ‘anything which contributes to sustainable development’. The Development Plan has an important role in influencing and providing a positive framework for investment decisions and should provide clarity on the long-term spatial vision we want to achieve and what is required to deliver this vision in a sustainable way. In drafting this Supplementary Guidance, a key question was ‘what would sustainable growth in this sector look like and what needs to happen for us to achieve this?’

**The Caravan Site and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended 2019)*

Name of key officer
Isla Macarthur (DP & MP)

Case Study 4: Grow Your Own Way

Financial Investments – Actions: During the 2021-24 transitional period, support will continue for crofters in recognition of their role as food producers, we will engage with crofters around potential changes to existing support mechanisms, so funding begins to work harder to help reduce greenhouse gas emissions and produce food more sustainably.

Crofting: national development plan: The Scottish Government March 2021



Copyright - Polycrub

Location and Dates:

Outer Hebrides (2020-2021)

Elements of a High Quality Planning Service this study relates to:

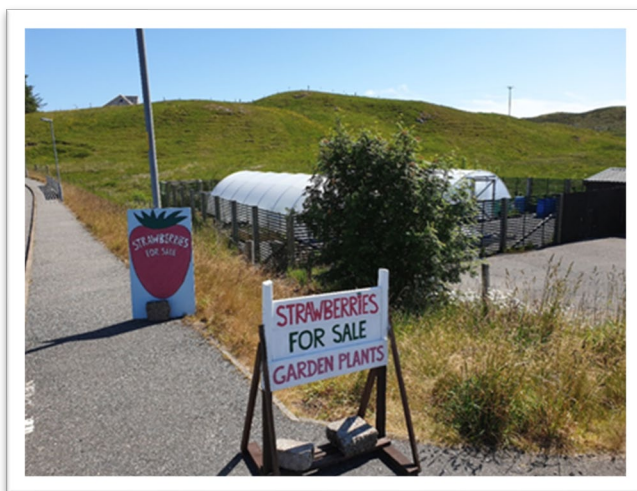
- Quality of outcomes
- Quality of service and engagement

Meeting Key Markers
<p>Key Marker 3: <i>early collaboration with applicants and consultees on planning applications: availability and promotion of pre-application discussions; and clear and proportionate requests for supporting information.</i></p> <p>Key Marker 6: <i>Continuous improvements:</i></p> <ul style="list-style-type: none"> • <i>show progress/improvement in relation to PPF National Headline Indicators (Decision Making);</i>
Key Areas of Work
<ul style="list-style-type: none"> • Environment (reducing food miles) • Planning Applications
Stakeholders Involved
<ul style="list-style-type: none"> • Community Groups • General Public • Authority Planning Staff
Overview:
<p>A combination of factors has driven an increase in the number of applications for poly tunnels and Polycrubs® in the Outer Hebrides in 2020/21. Amongst the factors are: a growing concern over the climate change emergency; consideration of health and well-being; the uncertainty of food supplies due to lock-down; unreliable ferry transport to the Islands; and agricultural grants. 'Poly-crubbers' have taken the decision to 'Grow your Own' consequently DM have experienced double the number of applications for this type of development when compared to the last reporting year. Indeed, these applications accounted for 33% of all applications in the reporting year.</p> <p>The 'Polycrub' (Polytunnel/greenhouse hybrid), designed in Shetland and built to withstand high wind speeds has proved to be ideal for the harsh Hebridean climate and is able to protect plants from strong winds, snow and frost, collisions from air-borne debris and vandalism. The frames are made from recycled water pipes from fish farm cages.</p>
Goals:
<p>The goal of the Planning Service is to encourage development which supports placemaking, encourages a reduction in food miles and the production of locally grown food. Planning Officers provided free pre-application advice on siting specific polycrubs to take advantage of a particular site and fit best with landscape features. The long-term goal for the Outer Hebrides is to develop a Food Growing Strategy and this is an objective of the Comhairle's Environment Officer. The crofting diversification 2018 OHLDP has provided for housing</p>

development outwith settlements to meet a demand for this to enable economic and social development within our islands where many areas have suffered social and economic decline. However, to meet this demand such developments must be well designed to prevent detriment to the environment and landscape.

Outcomes:

This case study highlights the changing needs of society, from communities being reliant on imported goods to a return to a more self-reliant approach to food growing, shows the value of pre-application engagement with the planning service and, through it, with key agencies and other Comhairle services.



Kersiader, Community polytunnels, Pairc, South Lochs

Name of Key Officers:

Helen Macdonald, Iain Macleod, Alastair Banks, Lee Harkness, and Anne Napier (DM Team)

1. Quality of Outcomes

High quality development on the ground

This reporting year has been unprecedented, with the service teams responding well to new challenges. We present, a small selection of high-quality developments creating environments where people want to be, as case studies, including, reporting progress on the **Goathill Care Centre, (Case Study 1)**, addressing a range of housing needs in the community. We report back progress on **Lady Matheson's Seminary (Case Study 2)**, this restoration project has created high quality and inclusive affordable housing and was nominated as a finalist in the RTPI Planning Awards for Excellence 2021. **Island Glamping Pods (Case Study 3)** focuses on the expanding Pod phenomenon in the Outer Hebrides which has occurred partly as a result of the pandemic leading many people to seek out the Islands as a staycation destination which has an abundance of space; unspoilt nature and pristine beaches. In **Grow your Own Way (Case Study 4)** we highlight the rise in interest in growing your own produce, another consequence of the pandemic which has highlighted the value of home-grown food to health and well-being, suggesting a move away from total dependence on produce grown miles away from its final destination and imported to the islands by ferry. Polycarbonate tunnels; particularly Polycrubs can withstand the harsh climate of the Outer Hebrides and planners have noted a significant rise in applications for these during the Covid-19 Reporting year.

First-Rate Broadband Solutions for the Outer Hebrides

The proactive work of the Planning Service during the period between 2017 to 2020 and on-going, to secure solutions with the telecoms industry on the roll out of fast fibre DSLAM cabinets and on the Emergency Services Network project (ESN) project, (a network hosted by EE) paid dividends during the pandemic in that many rural areas which previously had either no or limited broadband capacity were served by either fast fibre, the EE or Vodafone 4G home service. Many sites were built in 2019 and without this drive by the Service, had the pandemic started a year earlier, numerous people and small businesses, (including some of the Planning Service staff) would not have been able to work from home given previous lack of connectivity or poor bandwidth in rural broadband. The pandemic reinforced the need for the planning service to work positively with the telecoms industry to ensure continued investment in 4G infrastructure as the most likely way of being able to bring good connectivity to sparsely populated areas, while protecting the natural and built heritage and communities from the amenity effects of such infrastructure.

2. Quality of Service and Engagement

a) Open for business

2.1 Our Planning Service has an important role in shaping better places across the Outer Hebrides, protecting, and enhancing our built and natural environments, encouraging the community to have their say on development proposals, and working with developers, stakeholders, and agencies to deliver new development to meet the needs of the Islands' communities and to support the economy of the Outer Hebrides. Despite the pandemic, the service was able to continue to remain 'open for business' with minimal impact to customers. Thanks to the foresight of the Comhairle's IT Service, and planners' familiarity with remote island working, the Planning Authority was quick to get up and running, moving rapidly to operating remotely, well-prepared, and ready for business with customers and stakeholders.

Adaptation and Relocation Advice

2.2 The service has experienced a sharp increase in demand for Planning Advice from Householders looking to carry out changes to accommodate home working; to accommodate family returning home to live and those with money to spend on plans developed during COVID-19; we have also noted a sharp rise in enquiries from people looking to acquire land or houses seeking to relocate to a rural area with low COVID infection rates and the opportunity to live and work remotely enabled by high speed broadband and good IT systems in the Outer Hebrides.

Spike in Agricultural Building Applications

2.3 This reporting year saw a marked increase in Planning Applications and Prior Notifications for Agricultural Buildings. There were 40 applications of this type in part due to concerns that agricultural subsidies for capital projects may cease or result in lower intervention rates post Brexit. By way of context between 2015 to 2020, over fifteen million pounds was invested nationally through the Crofting Agricultural Grants (Scotland) Scheme (CAGS) funding, helping more than 3,000 crofters and their families with their crofting businesses. In 2020/21 however given demand, the Scottish Government announced over a 75% increase in the annual CAGS budget to £3.6 million, to accommodate the current annual spend and to fund the future planned improvements to the scheme. The Service provided advice to many crofters on siting, design and materials, designations and aided their understanding of the planning process as many were engaging with the Planning Service for the first and only time and looking to secure their consent as a pre-requisite of grant funding.

Reaffirmation of the value of Amenity Greenspace

2.4 The impact of the pandemic highlighted the need for people and families to have access to good quality open space. Access to nature and space became more important, planners responded by factoring this need into development planning consultation on new housing projects, for example, we have recommended that the developer reduce the number of units

and increase the amount of amenity space and the size of garden plots at the Melbost West affordable housing site.

National Consultations

2.5 The principle of island proofing enshrined in the Islands (Scotland) Act 2018 is to remove disadvantage and officers are mindful of this imperative in their responses to national consultations. Planning officers and cross-service colleagues have contributed to several National Consultations in the last reporting year. These include one on from SNH (now NatureScot) on reviewing and updating the context for the Landscape Character Assessment for the Outer Hebrides; another from Historic Environment Scotland on the Conservation Area Regeneration Scheme (CARS) and its effectiveness; as tourism development is a key sector in the Outer Hebrides, the Planning Service also liaised with Housing Service and Corporate Services colleagues to make a joint-response to the Scottish Government's Short Term Lets: Consultation on a licencing scheme and planning control areas in Scotland.

b) Certainty

Engagement on the new Outer Hebrides Local Development Plan

Outer Hebrides Development Plan Scheme

2.6 The DPS has been published and we are on track to deliver the next plan in line with the requirements of the pending LDP Regulations. In the meantime, we are planning a review of the Wind Energy Development SG and the Caravans, Huts, and temporary Buildings SG to include a new policy on hutting (see Case Study 3 page 10).

Our DPS demonstrates how the Service will continue to liaise with the Scottish Government on the timeline for a new LDP; progress supporting policy guidance under the existing LDP; expand the monitoring framework; and collation of data for the evidence report. The DP & MP team will work on adoption of updated and new Guidance for Wind Energy Development, Marine Fish Farming, and Caravans, Huts and Temporary Buildings will be concluded in 2021. Work will be further progressed to inform new Supplementary Guidance for Minerals, and the Conservation Areas. This work and the engagement processes proposed are detailed in the DPS at: <https://www.cne-siar.gov.uk/media/17789/development-plan-scheme.pdf>

This document includes a Development Plan Programme with timescales for the proposed work.



Front Cover of the Development Plan Scheme 2021 (photo courtesy of Lewis Builders Ltd)

The current LDP was adopted in November 2018, and under the 2006 Act would have been subject to revision and renewal every 5 years. As a result of the new 2019 Planning Act however, we will be moving to a different format of Local Development Plan. We await secondary legislation addressing the new and transitional requirements for Local Development Plans before setting out a definitive timeline for a new LDP.

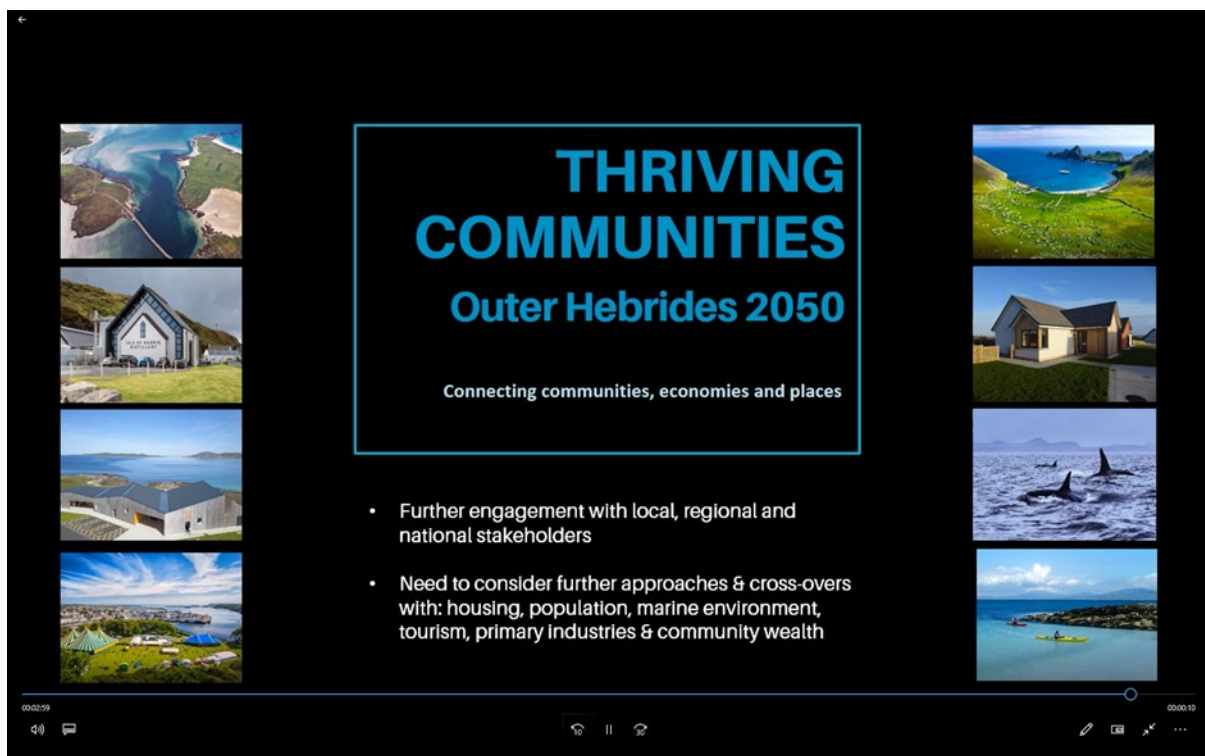
As part of the new Planning Act there is a requirement for planning authorities to prepare open space strategies and a play sufficiency assessment as part of the Development Plan. We are currently looking into this aspect of the new LDP.

This is still evolving but is more progressed than other aspects of the Development Planning requirement from the Act, although the final regulations on this process haven't yet been released, we will be engaging with Comhairle departments on the Open Space Strategy and the provision for play.

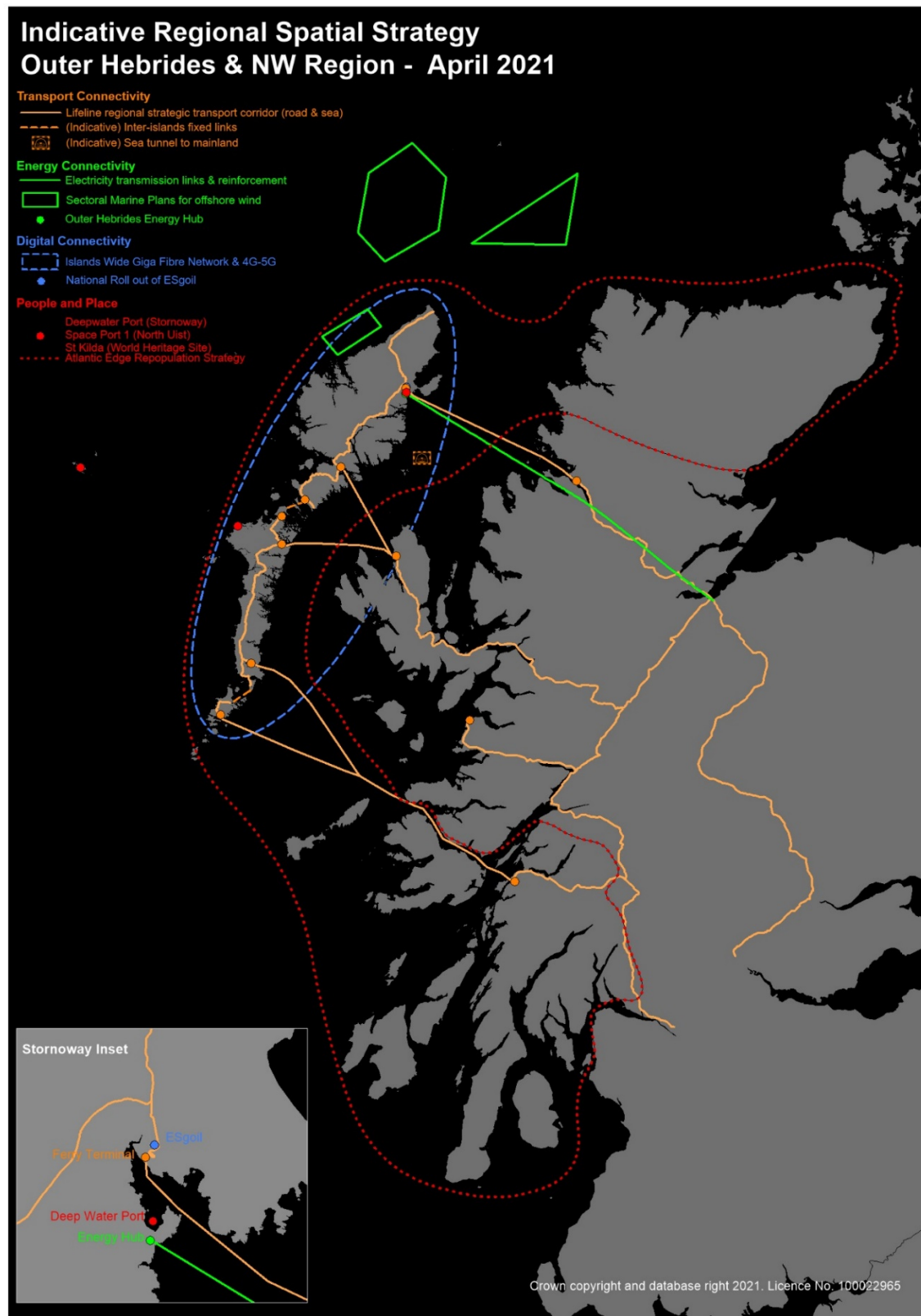
Members have been briefed regarding the pending regulations and will be fully engaged in the LDP planning process in due course.

Outer Hebrides and NW Region indicative Regional Spatial Strategy

2.7 Recent events both at global and local levels have shown us that there is little certainty over this unprecedented and complex time. Focusing on climate adaptation, population projections and community wealth building we are forecasting ahead to the 2050s. In terms of strategic spatial planning, we have carried out preparatory research and held a team workshop to formulate thinking and coordination with existing future development plans and aspirations for the Outer Hebrides and the North West Region of Scotland. We developed a presentation **Thriving Communities Outer Hebrides 2050**, our iRSS contributing to the National Strategy. As part of the iRSS project, the DP & MP Team developed their thinking on the future strategic development of the Outer Hebrides in the context of People; Place; and Work. Preparing a short video for presentation at the Scottish Government's Show and Tell workshop.



We also developed a StoryMap to present the iRSS in an accessible format with mapping, narrative and images. Following feedback from Scottish Government and other stakeholders, towards the end of 2020-21 we prepared a revised iRSS, which will feed into the emerging NPF4.



Map of Outer Hebrides and NW region showing the Indicative regional Spatial Strategy

This will all feed into a finalised RSS when it becomes a statutory duty, in due course.

c) Communications, engagement, and customer service

IT Response to Covid-19

2.8 Lockdown restrictions meant that the need for effective IT communication systems and technology has never been greater. Fortunately, the Comhairle's IT department were on the case early in the pandemic. The inhouse IT Team, observing the developing situation in China had by February embarked on the preparation of a Resilience Plan which when required in March could timeously be rolled out following procurement of some pieces of equipment and software. Following procurement of some specialised IT equipment in the first weeks of lockdown systems were up and running quickly with all parts of the process operational first with a core of officers and within a fortnight across the team.

The availability of MS Teams was a gamechanger even for an authority used to remote working with officers based in two island offices (Lewis and Benbecula) and allowed the team to develop better as a team and help each other through peaks in demand and personal challenges of staff working at both ends of the day to cope with family demands.

Remote Working

2.9 The Service demonstrated that remote working can work very effectively, and the service continued to function well for customers (many of us by necessity had experience of working this way due to the dispersed geography of the island chain in any case). Staff proved resilient and functioned well using technology such as 'Teams,' and with the assistance of the Comhairle's Business Support, developed online Consultation Forms for engagement with clients, and StoryMap for presenting the iRSS for the Outer Hebrides. People adapted well to the situation, meeting deadlines for consultations, peer-reviewing colleagues' Reports and investing extra time and effort to help each other achieve good or better outcomes. Council Planning Application Board meetings were held using MS 'Teams', with officers presenting complex, multi-faceted reports, for example for the Stornoway Wind Farm and Druim Leathann Wind Farm proposals by using the share screen function to show PowerPoint presentations as well as uploading these to members iPads.

Maintaining Communications

2.10 The Planning Service continued to keep communications channels open with its customers, using email, and telephone, albeit the latter with some compromise and the goodwill of staff using their own personal mobile handsets. Voicemail messages to the main office numbers are saved as MP4 files and admin staff email these to officers who in turn return calls to customers. While email has been promoted as the preferred means of communication, we still obtained a high number of voice calls including customers seeking advice about Building Conservation Grants, permitted development rights, pre-application queries as well as engagement on 'live' applications and seeking variations to post consented proposals. The lack of a telephony system remains a challenge and is something that has been highlighted by the Service as a priority as the Service transitions to hybrid working.

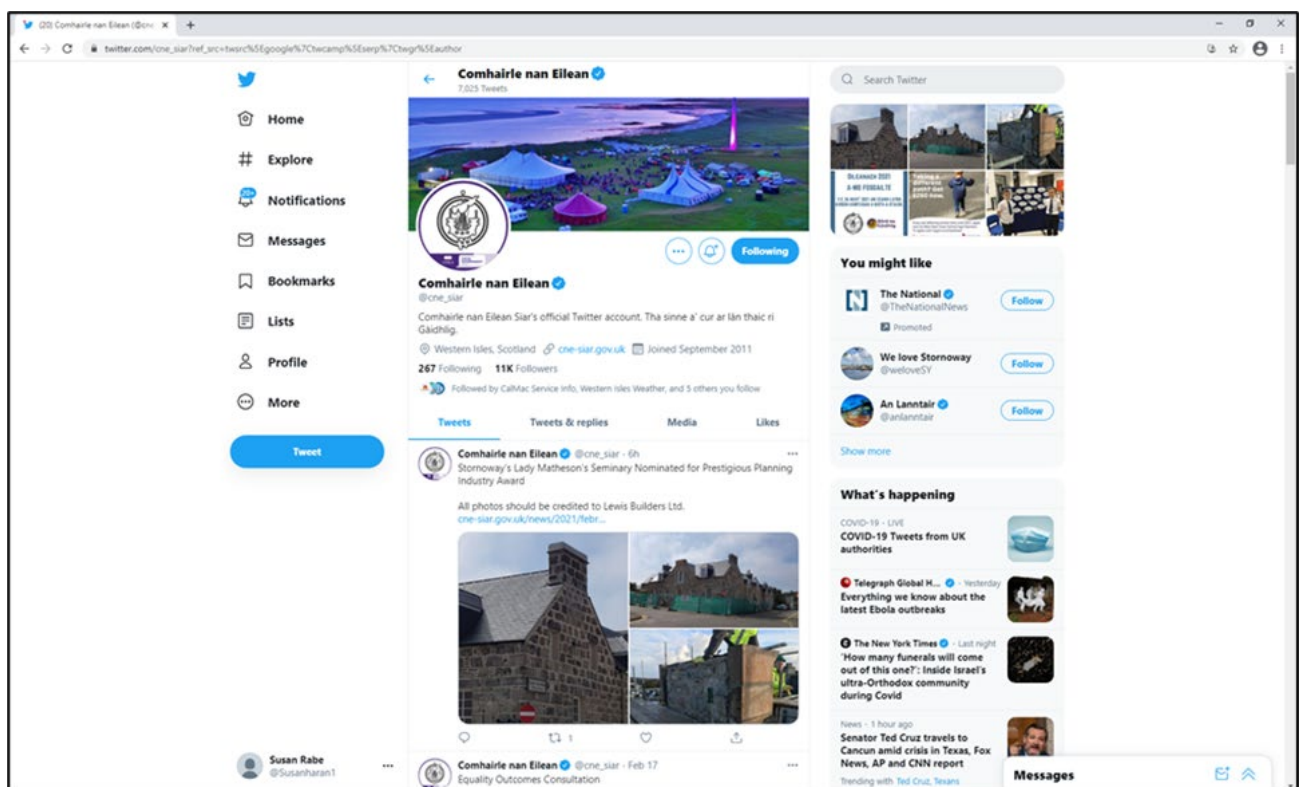
Impact and Planning Response to Covid-19

2.11 Following the March 2020 lockdown and the requirement for limited travel, ban on inter-island travel, all new applications were subject to an initial desktop review using mapping, aerial images, Google Street View, and available photos (often taken at pre-application site visits). As the team is small and all officers have a geographic remit in addition to specific areas of expertise, officers could use local knowledge coupled with photographs supplied by customers of application sites, taken from viewpoints at officer request. More complex cases or those with objections were deferred, where a site visit was considered necessary to enable an assessment and decision, for example: due to road safety grounds or historic environment grounds. The Outer Hebrides came out of lockdown much sooner than mainland Scotland and as we are a rural authority, development management officers were able to recommence site visits, travelling in their own vehicles and remaining in vehicles on inter-island ferry crossings. As most field visits were to unoccupied sites in rural areas, rather than to urban areas, we were able to restart site visits sooner than might have been possible in an urban authority.

Engaging with Stakeholders

2.12 We have been able to adapt and connect with our customers through social media for engagement and to provide regular updates to our stakeholders which are posted on the Comhairle website at:

<https://www.cne-siar.gov.uk/planning-and-building/stakeholder-update/>



Twitter page with an update on Lady Matheson's Seminary being nominated for a National Planning Award

Processing Agreements

2.13 Comhairle nan Eilean Siar encourages the use of processing agreements for all major and substantial or complex local developments. A template is provided to aid the process. We offer [processing agreements](#) on the Comhairle website and a template may be downloaded from the site. To assist Developers, we also added a link to guidance produced by the Scottish Government Planning & Architecture Division on the 'Benefits of using Processing Agreements'.

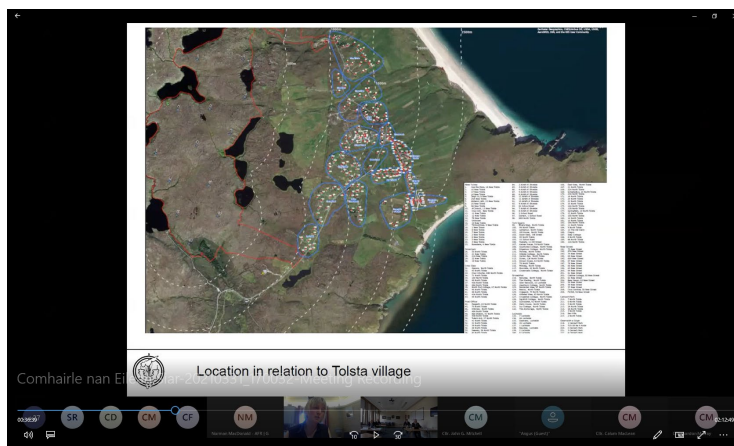
3. Governance

3.1 The Comhairle has in place a 'Scheme of Administration' which details the membership, quorum, purpose, and functions of the Comhairle and its Committees, Sub-Committees, Panels and Joint Consultative Committees. It also regulates certain aspects of procedure. Development Management items are reported to the Planning Applications Board which can meet with appropriate notice, according to the needs of the Service. A high percentage of applications (97%) are delegated to the appointed officer. Each member of the Board has undertaken relevant training before being permitted to take part in Board meetings. The Planning Applications Board convenes for site visits and pre-determination hearings as required.

3.2 In March 2020 the Comhairle quickly moved to online meetings with the first series of Council meetings held as a single agenda for non-regulatory business and Planning Applications Board moved to remote hosting.

During the 2020/21 reporting period the Planning Applications Board (PAB) met virtually using online video platforms, on eight (twice as many as occurred in the previous reporting year) occasions. Some of these meetings determined cases wholly delegated to the PAB, whilst others made recommendation for full Comhairle determination. While there were some technical challenges on occasion, overall, the remote hosting of meetings worked well.





Planning Application Board Meeting and presentation on Druim Leathann Wind Farm

3.3 The Comhairle has a Local Review Body (LRB) which has meetings that are advised by officers of the Comhairle as may be determined by the Chief Executive. Each member of the LRB must have undertaken both planning training and specific training on Local Review Bodies before being permitted to participate in a decision-making role on the LRB. There has been one meeting (on 22 December 2020) of the LRB during this reporting period.

3.4 Comhairle nan Eilean Siar's 'Scheme of Delegation' to Officers operates effectively with 97% of decisions being made under delegated powers in 2020/21. During the reporting year 99% of applications were approved evidencing the effectiveness of the Plan-led system; using flexible pro-development policies which are aligned to the Comhairle's priority of encouraging and facilitating sustainable economic growth, whilst protecting the special environment and ensuring that development contributes to the creation of well-designed attractive places that people want to live, work, and play in.

3.5 Development Planning and Marine Planning Policy items report to the Sustainable Development Committee which generally meets 5 times per year.

3.6 The Planning Service continues to face significant budget pressures due to the requirement for delivery of savings across all Council Services. Last year this significantly affected the Comhairle's Building Conservation Grant Schemes, with the budget being cut by £12,000 following a corporate budget cutting exercise in December 2020. However, to address this challenge the Economic Development Service presented a report to the Sustainable Development Committee requesting that the Town Centre Legacy Fund (rent income from a Town Centre property in the ownership of CnES) be used to provide top up funding for these schemes for which there is high demand from property owners in the Island's Conservation Areas.

3.7 Legacy cases are reviewed regularly as part of caseload management. During 2020/21 we determined two related applications that were in excess of one year. Both cases were related to a co-incineration plant for fish farm mortalities and were subject to SEPA objection on

grounds of insufficient information to address environmental concerns. These cases required research and skilful negotiation on the part of planning officers, particularly in early 2021 when the application was pressing for a determination at a time when SEPA were out of communication following a cyber-attack. One of the two windfarm cases classed as 'Legacy cases' the previous year was taken to full Council and a decision taken on 31 March 2021 but is awaiting conclusion of the S75 Agreement ahead of the decision notice being issued. Covid issues have led to delays in concluding that legal agreement. The other windfarm legacy case from 2020 remains stalled awaiting further environmental information. A further legacy case arose during the reporting year, that being for a Spaceport facility where the volume of objection resulted in the developer electing to provide further information in the form of an EIA Report and that process coupled with experience gained by competitor sites resulting in much more involved investigations and information than even the developer had anticipated following initial application submission. The application has been held live but stalled at the request of the developer and the status confirmed to contributors re a public information note hosted on the file. Legacy cases will continue to be subject to monthly review by the Development Management Team.

Enforcement

3.8 A review of the Enforcement Charter setting out customer expectations for the Service was completed in March 2020 and is not required this reporting year.

<https://www.cne-siar.gov.uk/planning-and-building/planning-service/enforcement-of-planning/planning-enforcement-charter/>

Complaints were generally followed up quickly by phone and parties advised of the actions required to resolve these. This approach worked well in most instances without the need to resort to formal action.

4. Culture of Continuous Improvement

4.1 During this reporting year the Planning Service delivered on a range of Improvement Actions identified in PPF 2019/20. An overview of progress is provided in **Part 3** of this Report.

Continual Professional Development (CPD)

4.2 Throughout lockdown, Officers continued to take responsibility for their own CPD by attending webinars on a wide range of subjects including: Peat and its importance by NatureScot; on Habitats Regulation Assessment; a webinar hosted by Scotland's EIA Conference 2020 featuring Neil Collar providing his legal perspective on issues related to EIA process and practice; Community Wealth Building delivered by Planning Skills; Inform Friday delivered by The Engine Shed - An introduction to Old Buildings; Delivering Green Infrastructure by NatureScot; and Homes for Health and Wellbeing delivered virtually as part of the Rural Housing Summit.

Maintaining Team Support during Covid-19

4.3 During Covid, whilst it was not possible for physical human interaction, both the DM and the DP & MP teams became proficient in the use of MS Teams and met regularly for update meetings, for informal catch ups/elevenses to maintain moral and camaraderie through these strange times. These communications were important for disseminating information regarding work practices; security; safety in the workplace; budgeting; corporate issues as these arose during the pandemic. Separate meetings were also held to discuss workloads and projects as required. Sadly, we are one planning officer down, as one colleague contracted Covid and unfortunately this has become long Covid. Hopefully they are on the road to recovery. Unsurprisingly, this has had a major impact on a small Planning Service.

Succession Planning

4.4 In August 2020, senior DM planner, Alasdair Banks retired, leaving the Service one planner down for 12 months. Despite national advertisement and remote interviews conducted, the post remained unfilled until the recent appointment of an experienced officer expected to start in post on 3 August 2021.

The Planning Service continues to have some difficulty recruiting RTPI qualified planners and alternative approaches are currently under consideration to deal with succession issues.

This practice continues with Lee Harkness, DM planner and a graduate of the Institute of Environmental Management & Assessment (IEMA) working towards his RTPI Chartered membership who is now being mentored by DM Planner Anne Napier.

Sharing Good Practice and Engagement with other Planning Authorities and Agencies

4.5 Planning Service representatives regularly attend meetings of Heads of Planning Scotland (including DM and DP sub-groups); DP Manager Mairi Maciver attends meetings of the North of Scotland Development Plans Forum. The DM Planning Manager attended a joint Planning Authority Annual meeting (5 councils with fish farm interests) online rather than face to face this year due to the Covid situation.

During 2020-21 officers participated in a series of workshops on Indicative Regional Spatial Strategies. These engagements facilitate sharing of knowledge, good practice, exchange of ideas and on occasion skills sharing to progress specific pieces of work/projects.

Our planning technician co-ordinates data collection, collates spatial-datasets from council departments regarding assets, infrastructure, services, and provides this data to the Improvement Service Spatial Hub and has liaised with other authorities before taking on new applications/tools e.g., the ArcGIS StoryMaps platform to present the latest Outer Hebrides Housing Land Audit.

Part 2: Supporting Evidence

- [Outer Hebrides Local Development Plan \(Adopted November 2018\)](#)
- [Outer Hebrides Monitoring Statement 2015](#)
- [OHLDP Development Plan Scheme](#)
- [Outer Hebrides Local Development Plan Action Programme 2019](#)
- [Planning Service Charter Revised February 2019](#)
- [Enforcement Charter Revised April 2020](#)
- [Customer Satisfaction Survey Results](#)
- [Stakeholder Updates](#)
- [Comhairle nan Eilean Siar Housing Land Audit for 2021](#)
- [Outer Hebrides Local Housing Strategy 2017-2022](#)
- [Service Business Plans \(Progress Reports\) 2020/21](#)
- [Action and KPI Progress Report April 2020 - March 2021 Communities](#)
- [Comhairle nan Eilean Siar Planning Performance Framework Reports and Feedback](#)
- [Socio-Economic Updates](#)
- [Outer Hebrides Fact File](#)
- [Comhairle nan Eilean Siar Public Performance Reports](#)
- [Outer Hebrides Community Planning Partnership](#)
- [Outer Hebrides Local Outcome Improvement Plan](#)
- Uniform Data Management System
- Development Department Management Structure 2020-21

Checklist for Part 2: Qualitative Narrative and Case Studies

Case Study Topics	Issue covered by case study (page no.)	Case Study Topics	Issue covered by case study (page no.)
Design		Interdisciplinary Working	
Conservation	Case Study 2, Page 7	Collaborative Working	Case Study 1, page 3
Regeneration	Case Study 2, Page 7	Community Engagement	
Environment	Case Study 4, page 15	Placemaking	Case Study 3 Page 10
Greenspace		Charrettes	
Town Centres		Place Standard	
Masterplanning		Performance Monitoring	
LDP & Supplementary Guidance	Case Study 3, Page 10	Process Improvement	
Housing Supply		Project Management	Case Study 1, page 3
Affordable Housing	Case Study 2, Page 7	Skills Sharing	
Economic Development	Case Study 3 page 10	Staff Training	
Enforcement		Online Systems	
Development Management Processes		Transport	
Planning Applications	Case Study 4, page 15	Active Travel	

Part 3: Service Improvements

In the coming year we will:

- Use electronic forms for LDP consultation exercises and utilise TIBC Jaspersoft Reports for online form responses, this will allow us to collate all the data in the form and export to excel so that it can be manipulated/ published as required;
- Develop a Pre-App form designed to filter out routine enquiries, saving time and enabling planners more time to plan;
- Increase participation in the Spatial Hub, gathering and providing quality-assured local authority data, contributing to digitisation, e-planning and enriching the National data set;
- Development Planning & Marine Planning Team will take the lead on promoting the Design Agenda in the Outer Hebrides;
- Improve the accessibility and readability of our hard copy and digital publications.

Delivery of our service improvement actions in 2019-20:

Committed improvements and actions	Complete?
Pilot the use of interactive ArcGIS ‘StoryMaps’ to improve our engagement with stakeholders, the community, and developers on the development plan process; <ul style="list-style-type: none"> • <i>We used StoryMaps software to combine text; interactive maps, and multimedia content to present our indicative Regional Spatial Strategy (iRSS); and</i> • <i>We are developing a StoryMap to as part of the forthcoming Biennial Housing Land Audit</i> 	<i>[ongoing]</i>
Development Planning & Marine Planning Team will take the lead on promoting the Design Agenda in the Outer Hebrides; <ul style="list-style-type: none"> • <i>Unfortunately, due to lockdown and the lack of staff resource: one senior DM officer retired in August 2020 and we have only recently recruited a new officer and another senior DP officer was absent since October 2020 due to Long Covid this action has not been progressed during this reporting year.</i> 	<i>[forwarded]</i>
Utilise online digital platforms to communicate effectively, work safely, manage workloads jointly and streamline customer services; <ul style="list-style-type: none"> • <i>The Service used ‘Teams’ effectively to sustain Team moral through-out lockdown and beyond; Planning Application Board and Full Council Meetings were held successfully using ‘Teams’;</i> • <i>As well as email, the telephone system was configured to email voicemail messages to relevant officers as MP4 files;</i> 	<i>[yes]</i>

<ul style="list-style-type: none"> • <i>Social media continued to be used to convey information and updates and we circulated stakeholder newsletters to keep communication channels open with customers, stakeholder partners, and key agencies (see Page 25).</i> 	
<p>Purchase new software to interrogate and present data with a view to using our in-house research capacity to begin to inform the evidence base for the new LDP and to improve stakeholder engagement.</p> <ul style="list-style-type: none"> • <i>Adobe Creative Cloud software was purchased to assist with research purposes, to design and create content, produce in-house socio-economic updates and fact cards, it will also be used for presenting data and evidence for the new LDP.</i> 	<p><i>[ongoing]</i></p>

Part 4: National Headline Indicators (NHI)

A: NHI Key outcomes - Development Planning:

Development Planning	2020-21	2019-20
Local and Strategic Development Planning:		
Age of local/strategic development plan(s) at end of reporting period <i>Requirement: less than 5 years</i>	2 years and 4 months	1 year and 4 months
Will the local/strategic development plan(s) be replaced by their 5 th anniversary according to the current development plan scheme?	Y (Under the 2019 Act we may be moving to a different format of LDP)	Y (Under the 2019 Act we may be moving to a different format of LDP)
Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year?	N	N
Were development plan scheme engagement/consultation commitments met during the year?	Y	Y
Effective Land Supply and Delivery of Outputs¹	–	–
Established housing land supply	1,155* units	904 units (NB: 2018 HLA, we produce a biennial audit)
5-year effective housing land supply programming	508* units	623 units (NB: 2018 HLA, we produce a biennial audit)
5-year effective land supply total capacity	508* units	623 units Per LDP (NB: 2018 HLA, we produce a biennial audit)
5-year housing supply target	460 units	360 LDP target units

¹ This relates to 2021 HLA, which covers the 5-year period April 2021 to March 2026 and then 2026+

Please provide the housing land audit year utilised and state whether draft or final. The most up to date audit available at the time of submitting the PPF should be utilised which will either be the draft 2020 or final 2019.

5-year effective housing land supply (to one decimal place)	5.5 years	8.6 years
Housing approvals	216 units	304 units
Housing completions over the last 5 years	341 units	361 units
Marketable employment land supply	13.67 ha*	13.67 ha*
Employment land take-up during reporting year	0 ha*	0 ha*

** Reduced number of economic development sites identified in LDP, adopted Nov 2018, hence significant change in figures.*

B: NHI Key outcomes – Development Management:

Development Management:	2020-21	2019-20
Project Planning		
Percentage and number of applications subject to pre-application advice	We no longer analyse this data	We no longer analyse this data
Percentage and number of major applications subject to processing agreement	0% We offer this service on our website, however we have minimal major applications and no recent uptake	0% We offer this service on our website, however there is little uptake
Decision Making		
Application approval rate	99.0%	98.9%
Delegation rate	97.0%	98.3%
Validation	We don't currently analyse this	We don't analyse this
Decision-making Timescales		
Major Developments	9.4 weeks (1 case)	18.9 weeks (2 cases)
Local developments (non-householder)	9.6 weeks	8.5 weeks
Householder developments	8.4 weeks	7.6 weeks
Legacy Cases		
Number cleared during reporting period	2	0
Number remaining	3	2

C: Enforcement activity

	2020-21	2019-20
Time since enforcement charter published / reviewed	months	months
Requirement: review every 2 years	15	4
Complaints lodged and investigated	0	8
Breaches identified – no further action taken	0	2
Cases taken up*	1	2
Cases closed	3 breaches resolved	9
Notices served	1	2
Direct Action	0	0
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

*We have added this row because SG collects this information (it would be helpful if you could align this table C with the SG statistics for Enforcement Activity next reporting year)

D: NHI Key outcomes – Commentary

Commentary

Two experienced members of Development Management staff retired during the year replaced by only one who started work with the Service only two weeks prior to the March 2020 lockdown; we failed to appoint following a recruitment exercise in July 2020 and the other post has been vacant for a year (6 August 2020 to 3 August 2021). This has had a disproportionate effect on a small team of professional officers (1 DM manager, 2 experienced officers, 1 new officer [requiring training and familiarity from a home working position], 1 trainee officer [without benefit of previous mentor] and the vacant post) and added significant pressure when combined with the additional demands placed upon the Service.

While there were a smaller number of planning applications in the year and a slight decrease in decision making timescales, overall a respectable average time for all Local developments at 8.3 weeks was achieved.

The demands for both pre-application advice and post-consent amendments has been unprecedented and remains a challenge for the team. Post consent enquiries have arisen largely due to redesign of proposals to address COVID concerns e.g.: home-working solutions; tourist accommodation being changed from B&B to self-service units; spiralling costs; supply chain issues; and product shortages. Requests for both material and non-material variations (principally in agriculture, tourism, and householder development) has dominated requests for pre-application advice.

Considerable staff time (from DP & MP and DM teams) was devoted to two EIA developments, specifically for wind energy developments. The Comhairle requested additional information from the developer on Borrow Pits for Stornoway windfarm; additional information on Ornithology (Hen harrier) was also required for assessment.

A Section 36 EIA application for Stornoway Windfarm required a planning officer working full-time on it for several months as it required an in-depth assessment, committee report and presentation to the Planning Applications Board.

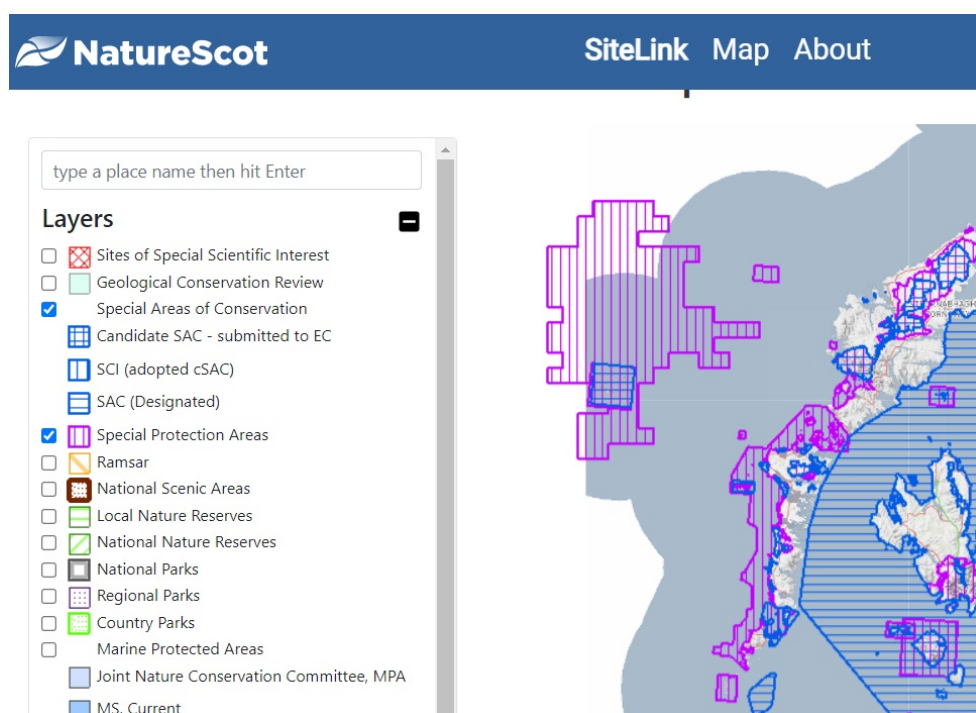
Another major EIA application, Druim Leathann Windfarm, North Tolsta had a complex planning history, and a large volume of public comment (350 submissions) and required an extensive assessment report taken forward by the DM Planning Manager. This application, due to its complex and contentious nature also required cross-service input from DM and DP and drew on resources from Environmental Health and Roads.

These cases left the other officers carrying unsustainable caseloads at times and the Service is still recovering from the backlog created by the need to deploy resource to these large-scale applications.

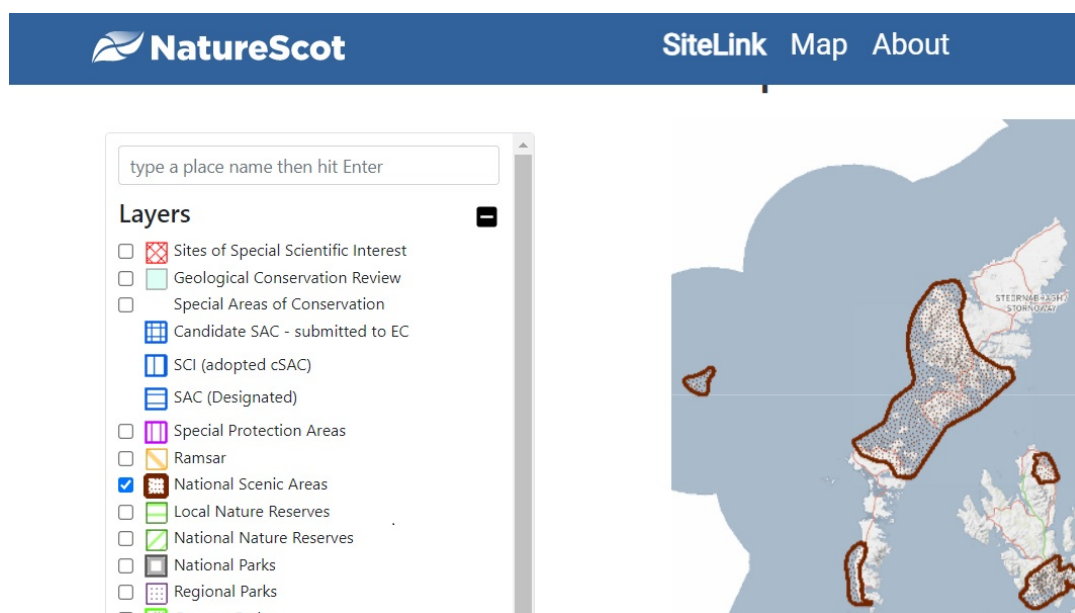
Further, the one officer off since October 2020 due to long Covid symptoms, while a member of the Development Planning team was the officer who carried the Appointed Officer

responsibility when the Planning Manager (DM) was off on leave or otherwise deployed and the absence of this support role added further to the pressures upon the Teams.

A large part of the Authority area is designated NSA, but the increasing requirement is for the preparation of Appropriate Assessments (AAs), with SPA/SAC designations now covering a high percentage of our landmass and coastal area. Appropriate Assessments are increasingly required for proposals that are Permitted Development e.g., changes to Fish Farming sites.



EXTRACT from NatureScot SiteLink illustrating SAC and SPA designated areas in the Outer Hebrides.



EXTRACT from NatureScot SiteLink illustrating NSA designated areas in the Outer Hebrides.

Part 5: Scottish Government Official Statistics

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

Timescales	2020-21	2020-21	2019-20
Overall			
Major developments	1	Weeks 9.4	weeks 18.9
Local developments (non-householder)	236	Weeks	weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	52.5 % 47.5%	6.6 12.9	6.2 12.6
Householder developments	62	Weeks	Weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	61.3% 38.7%	6.9 10.9	6 11
Housing Developments			
Major	1	weeks 9.4	weeks n/a
Local housing developments	91	weeks	weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	58.2% 41.8%	6.8 12.5	6.3 11.3
Business and Industry			
Major	0	weeks n/a	weeks n/a
Local business and industry developments	13	weeks	weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	15.4% 84.6%	6.3 12.4	6.4 13.6
EIA Developments	1	weeks 25.6	weeks 32.2
Other Consents	114	weeks 8.9	weeks 4.8
Planning/legal agreements	0	weeks	weeks
<ul style="list-style-type: none"> Major: average time Local: average time 	0 0	n/a n/a	n/a n/a

B: Decision-making: local reviews and appeals

Type	Total number of decisions No.	Original decision upheld			
		2020-21		2019-2020	
		No.	%	No.	%
Local reviews	3	1	0.0%	2	100%
Appeals to Scottish Ministers	1	1	100%	0	N/A

C: Context

Householder applications were processed slightly quicker than the previous year. These could be supported relatively easily with applicant supplied photographs and assessments supported by aerial imagery and Google Street View resources online.

We took slightly longer for non-householder applications when compared with the previous year.

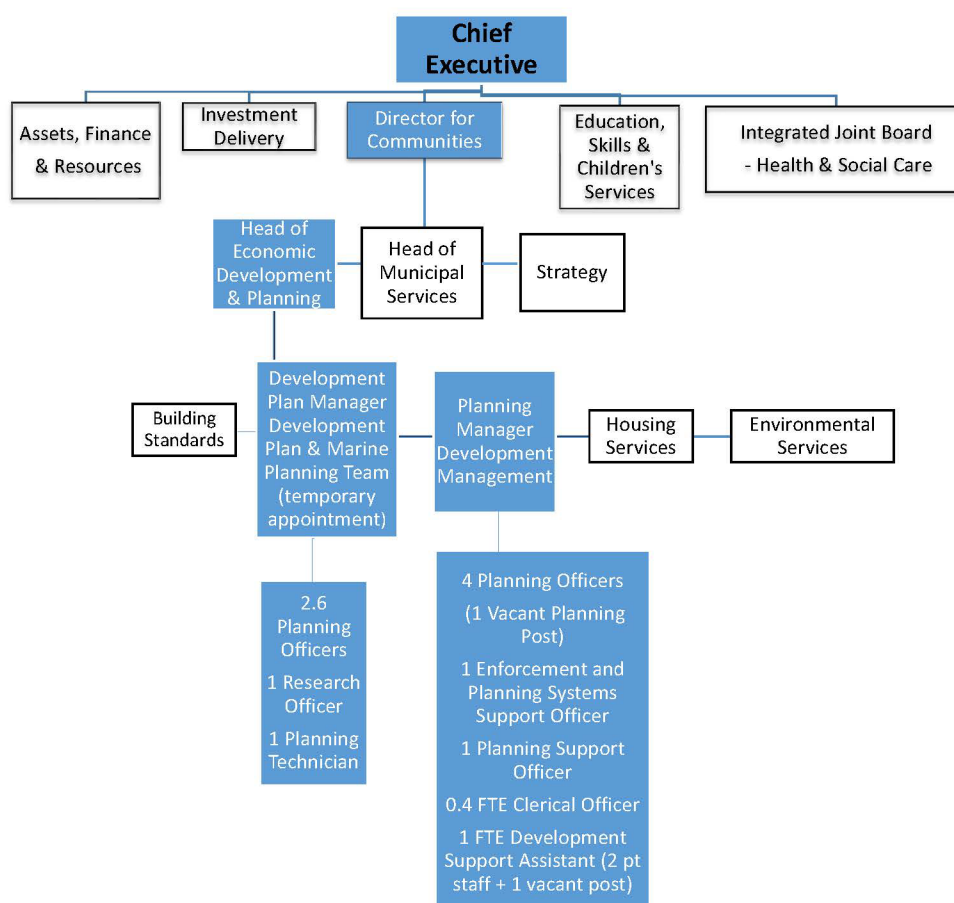
While the EIA case concluded took up less time 25.6 weeks compared with 32.2 last year, the major draw on resource was the determination of a Section 36 case and a major EIA windfarm for which the decision is yet to be issued due to the need for a Section 75 planning agreement. The reasons/factors which have influenced performance and any increase/decrease are consistent with the contextual statement already provided above.

Part 6: Workforce Information

Information is a snapshot of the authorities planning staff in position on the 31st of March 2021.

	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	

Staff Age Profile	Headcount	RTPI Membership	Headcount
Under 30	1	Chartered	5
30-39	2	Associate	3
40-49	5	Licentiate	1
50 and over	9		



The contextual statement already provided above details the impact of one vacant post, one new officer replacing our longest serving officer (who retired), and a trainee requiring to take greater responsibility without their previous mentor. The staffing complement is scheduled for review.

Part 7: Planning Committee Information

1 April 2020 to 31 March 2021

Committee & Site Visits	Number per year
Full council meetings	5 ordinary Comhairle meetings
Planning committees	8
Area committees	N/A
Committee site visits	As required – None in 2020/21
Local Review Body	1
LRB site visits	As required – None in 2020/21

Performance Markers and Evidence Base

	Performance Marker	Evidence
Driving Improved Performance		
1	Decision making: authorities demonstrating continuous evidence of reducing average timescales for all development types	<p>Please refer to stats and narrative in our Planning Performance Framework Report 2020-2021.</p> <p>Specifically, Part 4 (table B: NHI Key outcomes – Development Management) page 36.</p>
2	Project management: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications <u>and</u> availability publicised on planning authority website	<p>NHI see page 36.</p> <p>For evidence of meeting this marker please see Case Study 1 page 3 and page 26.</p> <p>For all major and substantial or complex local developments we offer Planning Processing Agreements on our website and there are Excel and PDF templates listing Key dates; EIA Processes; Application Phase and all information required in support of the Application and issues to be dealt with, etc. To further assist Developers, we have added a link to recent guidance from SG Architecture and Planning Division on the benefits of using processing agreements.</p> <p>https://www.cne-siar.gov.uk/planning-and-building/planning-service/other-planning-information/major-and-national-developments/</p>
3	<p>Early collaboration with applicants and consultees on planning applications:</p> <ul style="list-style-type: none"> - availability and promotion of pre-application discussions for all prospective applications - clear and proportionate requests for supporting information 	<p>We provide a free pre-app service and during lockdown we continued to accommodate customers, providing advice, guidance, and proportionate requests information by email; telephone and via video link. For routine cases during lockdown when site visits were not permitted, officers requested that applicants sent in photos from key viewpoints of proposal sites to assist with determination of applications (see page 24 and 25).</p> <p>For evidence of meeting this key marker (see Outer Hebrides Planning Context, page 2), pre-app; EIA assessment; consultation with Developers on the requests for information on topics including Ornithology; request for additional information on Borrow Pits for Stornoway Windfarm proposal and application assessment work on complex windfarm cases (page 38).</p>

		<p>See also Case Study 1 Goathill Care Centre and Housing, Page 3.</p> <p>See also Case Study 2 Lady Matheson's Seminary (page 7), at pre-app the developer was advised to phase the development into two application stages, submitting an initial LBC for enabling works in advance of conversion to six flat which included removal of debris, removal and setting aside of windows and doors, erection of scaffold and a further LBC and PPD application to convert the building into flats, and install a courtyard stairwell.</p> <p>Our Built Heritage Policy NBH4 now requires a contextual study identifying the special interest of the building, indicating how the developer intended to preserve the building, and recorded special features of the building. This Heritage Impact Statement is a useful tool, proving useful in presenting concepts clearly to consultees such as HES and HHP demonstrating how the new policy framework is supporting considered development of the Historic Environment.</p>
4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	<p>No cases with legal agreements in this reporting year.</p> <p>See page 40 of this report for evidence of meeting this marker</p>
5	Enforcement charter updated / re-published	<p>The Comhairle's Enforcement Charter was updated in April 2020 which is within 2 years of the previous iteration.</p> <p>https://www.cne-siar.gov.uk/planning-and-building/planning-service/enforcement-of-planning/planning-enforcement-charter/</p>
6	<p>Continuous improvements:</p> <ul style="list-style-type: none"> - show progress/improvement in relation to PPF National Headline Indicators - progress ambitious and relevant service improvement commitments identified through PPF report 	<p>Officers continued to attend online CPD sessions to keep up to date with planning practice, share good practice with other Authorities and to keep abreast of the impending changes arising from the new Planning (Scotland) 2019. See page 28 for evidence of this.</p> <p>Unfortunately, we were unable to make significant progress on the promotion of the Design Agenda, partly due to direct impact of Covid-19 on the service, as this included having one senior planning officer on sickness absence with Long Covid. However, the Service has made significant progress on the other service</p>

		<p>improvement commitments, see page 32 & 33 of this report for evidence of this. We have developed the use of StoryMap interactive software. The Outer Hebrides Housing Land Audit will be published on-line with interactive maps using new software called Arc GIS StoryMap (see page 29). We are hoping that this story authoring web-based application will improve our engagement and accessibility with stakeholders and the community, enabling us to share our maps in the context of narrative text and other multimedia content.</p> <p>https://www.cne-siar.gov.uk/planning-and-building/planning-service/development-planning/development-plan/local-development-plan/housing-land-audit/</p> <p>Comhairle nan Eilean Siar's Planning Service was one of the first Scottish Local Planning Authorities using digital platforms during lockdown and we were successful in delivering our service interactively as demonstrated in the report (see pages 2, 18 & 24). Our extensive work with Telecoms to establish high speed broadband enabled officers and external partners to work effectively from home during lockdown, if not for the timely provision of these digital services, this might not have been possible during the pandemic.</p> <p>We have purchased new Adobe Creative Cloud software to assist with research purposes, to design and create content, produce in-house socio-economic updates and fact cards, it will also be used for presenting data and evidence for the new LDP (see page 33).</p>
PROMOTING THE PLAN-LED SYSTEM		
7	LDP (or LP) less than 5 years since adoption	<p>The LDP was Adopted in November 2018 and the Development Strategy and policies are proving effective in guiding new development, see for example see Case Study 2 (page 7) for evidence of the effectiveness of the OHLDP regarding the Historic environment. The new Built Heritage Policy NBH4 requires that "Proposals should identify the special interest of the building and seek to preserve the building in its existing state..." the proposal included a detailed statement about the historic context and this vision aided decision making and helped contribute to a better understanding of the building and its importance</p>

		<p>and this in turn led to a high quality outcome on the ground.</p> <p>The DPS has been published and we are on track to deliver the next plan in line with the requirements of the pending new LDP Regulations. In the meantime, we are planning a review of the Wind Energy Development SG and the Caravans, Huts, and Temporary Buildings SG to include a new policy on hutting (see case Study 3, page 10).</p> <p>We have also carried out significant work on the Outer Hebrides iRSS contributing to the National Strategy (see page 22).</p>
8	<p>Development plan scheme demonstrates next LDP:</p> <ul style="list-style-type: none"> - on course for adoption within 5-year cycle - project planned and expected to be delivered to planned timescale 	<p>Please see our NHI for evidence of meeting this Marker (page 34). Our DPS demonstrates how the Service will continue to liaise with the Scottish Government on the timeline for a new LDP; progress supporting policy guidance under the existing LDP; expand the monitoring framework; and collation of data for the evidence report. The DP & MP team will work on adoption of updated and new Guidance for Wind Energy Development, Marine Fish Farming, and Caravans, Huts and Temporary Buildings will be concluded. Work will be further progressed to inform new Supplementary Guidance for Minerals, and the Conservation Areas. This work and the engagement processes proposed are detailed in the DPS at: https://www.cne-siar.gov.uk/media/17789/development-plan-scheme.pdf. This includes a Development Plan Programme with timescales for the proposed work included (see pages 20-21).</p> <p>The current LDP was adopted in November 2018, and under the 2006 Act would have been subject to revision and renewal every 5 years. As a result of the new 2019 Planning Act however we will be moving to a different format of Local Development Plan. We await secondary legislation addressing the new and transitional requirements for Local Development Plans before setting out a definitive timeline for a new LDP (see pages 20-21).</p>
9	Elected members engaged early (pre-MIR) in development plan preparation	<p>As new part of the new Planning Act there is a requirement for planning authorities to prepare open space strategies and a play sufficiency assessment as part of the Development Plan. We are currently looking into this aspect of the new LDP.</p>

		<p>This is still evolving but is more progressed than other aspects of the Development Planning requirement from the Act, although the final regulations on this process haven't yet been released, we will be engaging with Comhairle departments on the Open Space Strategy and the provision for play (page 21).</p> <p>Members have been briefed regarding the pending regulations and will be engaged in the LDP planning process in due course (page 21).</p> <p>Members participated in early iRSS workshops and contributed to the iRSS content, which in due course will feed into our new LDP (page 22).</p>
10	Cross-sector stakeholders, including industry, agencies, and Scottish Government, engaged early (pre-MIR) in development plan preparation	The next LDP will be prepared under the new Planning (Scotland) Act 2019 and will involve new processes, engagement and evidence gathering in its preparation. To progress a new LDP, the Comhairle will liaise with the Scottish Government as new guidance emerges. In the meantime, the Development Plan team has established a monitoring framework and will engage with Plan users and stakeholders, including industry, agencies to assess the effectiveness of the current LDP and associated documents, and in response to changing development contexts, recognise new pressures and opportunities (see page 21).
11	Production of regular and proportionate policy advice, for example through supplementary guidance, on information required to support applications	<p>The DP & MP team are involved in ongoing work on the adoption of updated and new Guidance for Wind Energy Development; Marine Fish Farming; and Caravans, Huts and Temporary Buildings. Work will be further progressed to inform new Supplementary Guidance for Minerals, and the Conservation Areas (see page 20).</p> <p>For all major, and substantial or complex local applications the Planning Service have Processing Agreements and templates identifying what information is required to support an application. These are online at:</p> <p>https://www.cne-siar.gov.uk/planning-and-building/planning-service/other-planning-information/major-and-national-developments/</p> <p>see page 26</p>
	SIMPLIFYING AND STREAMLINING	
12	Corporate working across services to improve outputs and services for customer benefit	Our Planning technician is co-ordinating data collection, collating spatial datasets from various

	(e.g., protocols; joined-up services; single contact; joint pre-application advice)	<p>departments within the council regarding assets, infrastructure, services, and facilities and publishing the data to the Scottish Government, Improvement Service Spatial Hub (page 29).</p> <p>In regard to corporate working across services for customer benefit, relating to the Goathill Care Centre and Housing project (Case Study 1, page 3) the Planning Service was involved in a project sub-group charged with assessing applications for some of the 40,000 tonnes of excavated topsoil from this former farmland. In collaboration with SEPA, who regulate movement of topsoil, a quasi-SEPA application form hosted by the Comhairle has enabled community groups, individual householders, and some commercial business to legitimately apply for batches of the topsoil, whilst still complying with SEPA regulations.</p> <p>Post consent planning staff remain in contact with project agents and contractors regularly on this major development and an officer sits on the project delivery board: this has proved to be an effective approach with the officer ensuring that problems and opportunities are addressed on an ongoing basis.</p>
13	Sharing good practice, skills, and knowledge between authorities	<p>The DM Planning Manager attended a joint Planning Authority Annual meeting (5 councils with fish farm interests) online rather than face to face this year due to the Covid situation (page 29).</p> <p>The DM and DP & MP Managers attended HOPS DM and HOPS DP Meetings and the DM & MP Manager attended the North of Scotland Development Plan forum quarterly (page 29).</p>
	DELIVERING DEVELOPMENT	
14	Stalled sites/legacy cases: conclusion/withdrawal of planning applications more than one-year-old	<p>At the end of the reporting period on 31 March 2021 there were 3 'live' legacy applications remaining to be concluded (See Item 3.7 page 27 for detail). Of these one was carried forward from last year still awaiting further environmental information.</p> <p>(see the NHI table page 36)</p>
15	<p>Developer contributions: clear expectations</p> <ul style="list-style-type: none"> - set out in development plan (and/or emerging plan,) and - in pre-application discussions 	<p>The Adopted Outer Hebrides LDP includes Policy EI 12: Developer Contributions sets out clear expectations on contributions, stating that these will be proportionate to the scale and nature of the development and will be addressed through planning conditions or through a legal agreement if appropriate.</p>

		<p>The Planning Service offers pre-application consultation at no cost and developer contributions are clearly set out at the pre-application stage.</p> <p>See Case Study 1, Goathill Care Centre & Housing (page 3) for evidence of meeting this marker on the ground.</p>
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