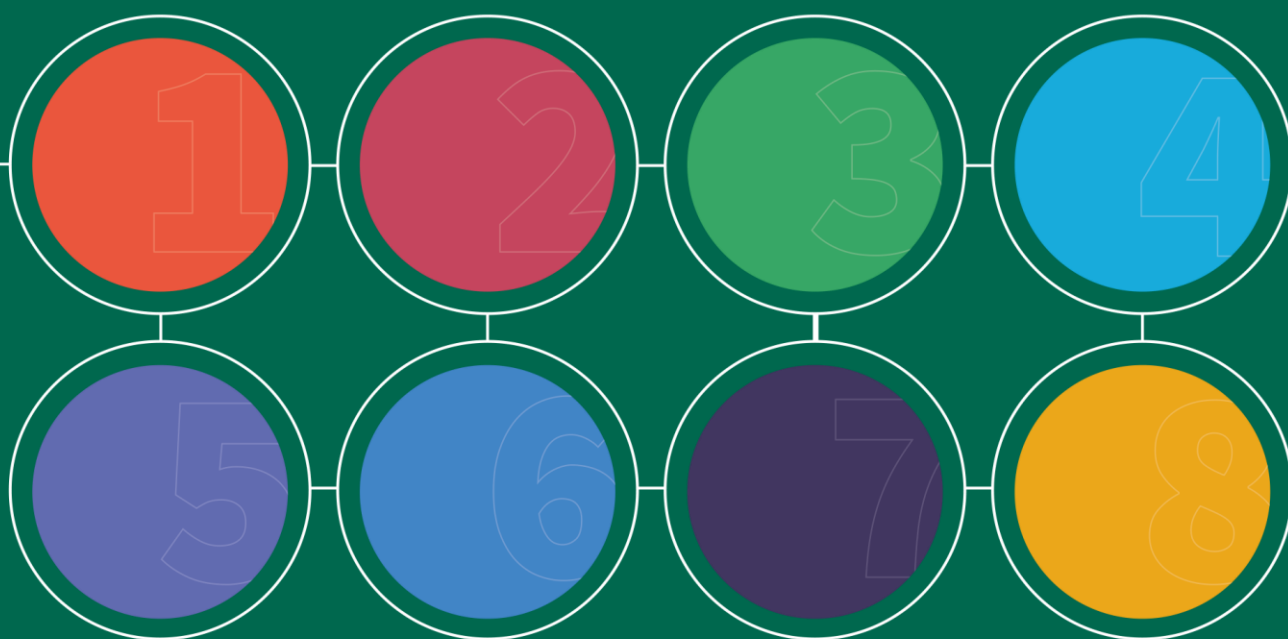


Planning Performance Framework

10



Annual Report 2020/21

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West Lothian
Council

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Foreword

Welcome to West Lothian Council's tenth Planning Performance Framework Report.

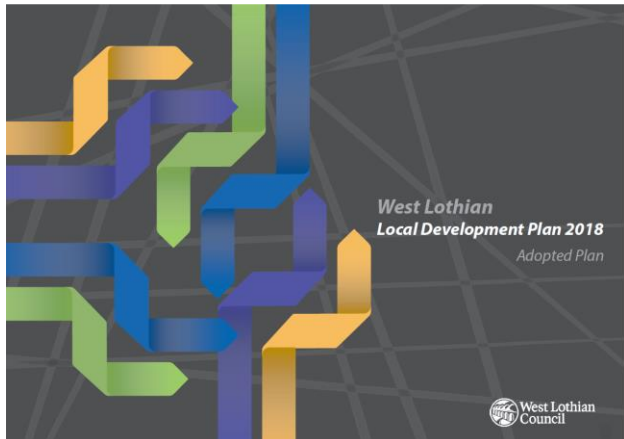
The council's Planning Service strives to provide an excellent service to local residents and investors in West Lothian. This year there have been the dual challenges of the increasing financial pressure on the council and the inevitable disruptions to the service brought about by the COVID-19 pandemic. The central focus over this past year has been to utilise the full benefits of technology to provide a service which is interactive, customer focused and agile while responding to the needs of our customers throughout the period of restrictions placed on us all as a result of the pandemic.



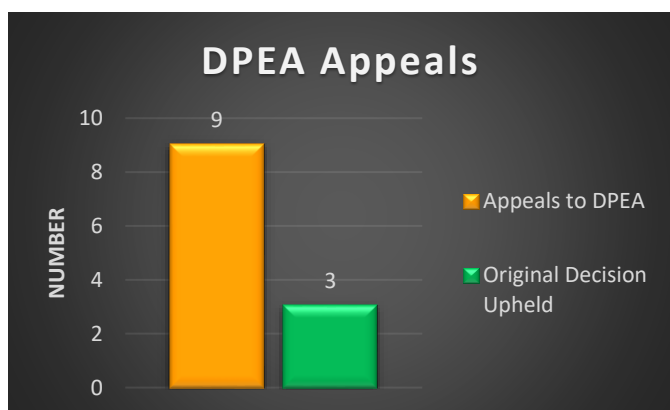
Planning Performance Framework 2020/21

2020/2021 Overview

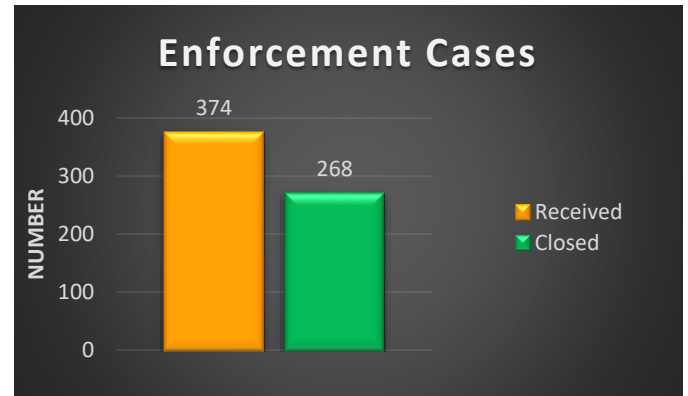
The enforcement team dealt with 374 enforcement enquiries and closed 268 during the year.



There were 4 Local Review Body (LRB) submissions made of which 1 was upheld in favour of the original decision. The low number was as a result of restrictions due to the pandemic.

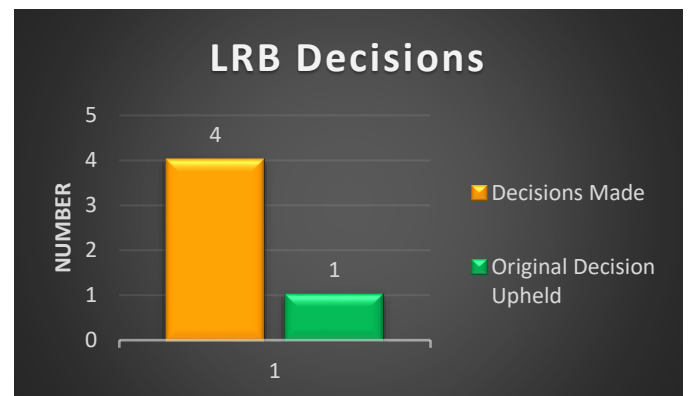


Determined 870 planning applications with a 92.07% approval rate.

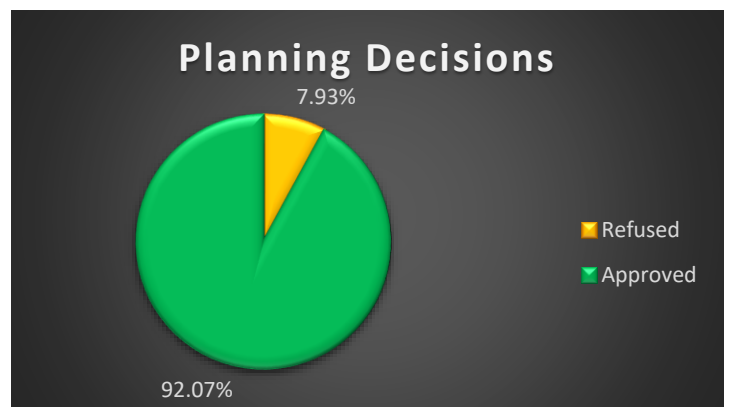


Adopted 1 Statutory Guidance Document, drafted a further 7 with 5 of these having gained Council Executive Approval and now awaiting Scottish Government sign off.

Adopted 6 Planning Guidance Documents with a further 5 drafted and awaiting Council Executive Approval.



There were 9 appeals to Scottish Ministers (DPEA) made of which 3 were upheld in favour of the original decision.



Part 1: Qualitative Narrative and Case Studies

The council's tenth Planning Performance Framework (PPF) reflects on the progress and performance of the service over the financial year 2020/21. It responds to the issues identified in PPF9 and the performance markers report from the Scottish Government and looks ahead to the potential for improvement over the next year and addressing the inevitable challenges, particularly in the wake of the COVID-19 pandemic and the impacts this has had in West Lothian.

West Lothian Council's Planning Service has successfully risen to these challenges and has also capitalised on the opportunities for change and development that have resulted from the pandemic. This includes practices established within the Planning Service over a number of years which continue to contribute to service delivery and new activities that have been developed in response to emerging issues. In particular, the service has responded positively to the shift to home and online working and has utilised the full benefits of technology to provide a service which is interactive, customer focused and agile while responding to the needs of our customers throughout the period of restrictions placed on us all as a result of the pandemic.

1.1 Quality of Outcomes

The delivery of high-quality development on the ground contributes to meeting the needs of communities by providing a high quality of life for residents and creating and maintaining an environment that encourages investment. This in turn contributes to the objectives of the Council's overall strategy, including improving the physical environment and creating sustainable and inclusive communities.

Throughout the past year Planning Services has retained a strong commitment to providing a high-quality service, against a background of financial constraints and the central focus over this past year has been to utilise the full benefits of technology to provide a service which is interactive, customer focused and agile, responding to the needs of our customers through the restrictions placed on all as a result of the pandemic.

Local Development Plan

The council has an up to date Local Development Plan, the West Lothian Local Development Plan (LDP) that was formally adopted on 4 September 2018.

The LDP sets out a local interpretation of the requirements of national and strategic policy. In particular, it conforms to the approved Strategic Development Plan (SDP 1) which has been prepared by the strategic planning authority (SESplan) and was approved (with modifications) by Scottish Ministers on the 27 June 2013. Supplementary guidance to identify the individual housing requirements for Local Development Plan areas was also prepared by SESplan and was similarly approved by Scottish Ministers and formally adopted as part of the development plan by all SESplan authorities on 28 October 2014.

The LDP comprises a written statement and a proposals map. The written statement provides the general policy context against which planning applications for new development proposals will be assessed. This is supported by the proposals map which shows the range of development opportunities and constraints within the area.

Adoption of the LDP, while a significant milestone and an achievement in its own right, does not however mark the end of the development planning process.

Local Development Plan Action Programme

The West Lothian Local Development Plan (LDP) sets out the spatial land use planning policy and development framework for West Lothian for the next ten years and is a vital component in ensuring economic growth and business support, meeting confirmed housing need in all tenures and ensuring the protection / enhancement of built and natural heritage resources, all within an overarching aim of securing environmental sustainability.

The LDP is supported by an [Action Programme](#) which provides an update on progress with policies and proposals in the LDP and sets out how the council proposes to implement the plan.

The Action Programme contains a list of actions required to deliver each of the plan's policies and proposals. It identifies the appropriate parties that are required to carry out the action(s); and it provides an indicative timescale for completing these actions.

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The Action Programme is the principal mechanism used to monitor the performance of the LDP and to trigger change and/or adjustments to the development strategy in order to maintain the planned investment in future growth and development in West Lothian over the plan period (2014 to 2024). The LDP and Action Programme also help to inform the future spending priorities of the council and its community planning partners as well as other public, private and voluntary sector bodies.

The LDP Action Programme First Review was reported to and approved by Council Executive in December 2020.

It advised that a number of key development proposals had been delivered or had been granted planning approval over the period including the construction of two new high schools and a new primary school at Winchburgh which will make a significant contribution towards removing education constraints from a large part of the identified land allocations in West Lothian.

Commencement of construction of the schools represents the single biggest capital investment ever undertaken by the council and is well underway.

The Action Programme Review noted that development continued to hold up and take place in the Core Development Areas despite the COVID-19 Pandemic with areas such as East Calder and Mossend contributing significantly to new housing in West Lothian.

It was also reported that significant progress had been made in the preparation of Supplementary Guidance and Planning Guidance. In particular, the preparation of Supplementary Guidance has provided up to date developer contribution rates for a variety of infrastructure required to support delivery of development.

The Action Programme was the subject of public consultation and all comments received (and the council's response to them) can be viewed by [clicking here](#).

West Lothian is one of the fastest growing areas in Scotland and development continues apace in the Core Development Areas with areas such as East Calder, Heartlands, Standhill and Winchburgh contributing significantly to the supply of new housing. During the period 1 April 2020 to 31 March 2021, there were just under 900 new house completions; a figure which is particularly significant given the challenges of the shutdown of the construction industry during the pandemic. This is reflective not only of the robustness of the housing sector in West Lothian but also testimony to the hard work and flexibility of Planning Services in supporting these sectors and prioritising applications and workloads to facilitate the reopening from June 2020 onwards.

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A number of high-profile development proposals have been successfully delivered, for example, a new primary school in West Calder, which is due to open later in 2021, and new Lidl and Home Bargains stores which have opened in Broxburn, successfully adding to the retail provision for that town. As set out above, the council has also started construction work on its £60m investment programme for two new secondary schools and a primary school in Winchburgh, one of the largest investments in education anywhere in Scotland.

Winchburgh has also seen further progress in place making through the completion of the construction work on a canal marina which will form an integral part of the new Winchburgh town centre, together with the completion of the first phase of tree planting which was done with extensive community support and involvement at the new Auldathie District Park.

The pandemic also saw the expansion of Valneva in West Lothian which was a high-profile development to support the delivery of COVID-19 vaccines. The expansion was clearly an important investment for West Lothian but also nationally. Recognising the significance of supporting this development and notwithstanding that the formal pre-application service had been suspended, Planning Services were able to offer pre-application advice and subsequently prioritise the planning application and determine it well within the statutory target. This was facilitated through cross service working with the Roads and Building Standards teams and an innovative approach to parking provision on other land within the applicant's control. A personalised consent for part of the development was used which will subsequently revert to parking use.

Local Development Plan Scheme

Having successfully secured the adoption of the first West Lothian Local Development Plan in 2018 consideration has now turned to the successor plan.

The Planning etc. (Scotland) Act 2006 requires planning authorities to publish an annual [Development Plan Scheme \(DPS\)](#). The DPS sets out the programme for preparing, reviewing and consulting on the next Local Development Plan and explains what is involved at each of the key stages. It creates an awareness of the LDP preparation process and how and when people can engage with the process.

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The council's strategy for preparing the next LDP requires to be informed by The Planning (Scotland) Act 2019 which was enacted in July 2019 and which makes substantive changes to the Town & Country Planning (Scotland) Act 1997.

The most significantly relevant changes include:

- removing the requirement to prepare Strategic Development plans;
- making the National Planning Framework (NPF) part of the Development Plan;
- introducing Regional Spatial Strategies (RSS) to provide long term spatial development frameworks at regional level;
- introducing potential for local communities to prepare new 'Local Place Plans'

In view of the foregoing the council has decided to initiate preliminary preparation of LDP 2 in the early part of 2021 and for this to be done within the context of the current legislative framework established by The Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc. (Scotland) Act 2006). It is however recognised that LDP 2 will almost certainly require to be concluded and adopted under the new regulatory regime introduced by The Planning (Scotland) 2019 Act.

The most recent scheme is [Development Plan Scheme No.13 \(DPS No.13\)](#) which was published in February 2021 and has been submitted to Scottish Ministers for information. It anticipates that LDP 2 will replace the current West Lothian Local Development Plan (LDP 1) and it sets out a provisional timetable for doing this.

Q1 2022	Publication of Draft LDP 2 Monitoring Report and Strategic Environmental Assessment (SEA)
Q4 2022/ Q1 2023	Publication of Proposed Plan including Environmental Report and Action Programme
Q2 2023	Submission of Proposed LDP, representations and a summary of unresolved issues submitted to the DPEA for examination
Q4 2023/ Q1 2024	Examination Report

2024

Anticipated Adoption of LDP 2

It is a requirement that the LDP must be compliant with the approved Strategic Development Plan and, in time, National Planning Framework 4 (NPF 4) and to have regard to the Regional Spatial Strategy for the plan area. It will however be appreciated that the absence of a comprehensive framework of legislation relating to the new development plan preparation process at this time, coupled with an ever-changing Coronavirus situation, significantly impacts on the ability to reliably forecast programming and timetabling for development plan preparation and it is therefore important to recognise that dates shown in the proposed DPS No.13 may be subject to change as events unfold.

Case Study 1 – Former Livingston Police Station Flatted Development

Case Study Title
Former Livingston Police Station Flatted Development
Location and Dates
Almondvale South, Livingston
Element of a High-Quality Planning Service this study relates to:
<ul style="list-style-type: none"> • Quality of outcomes • Quality of service and engagement
Key Markers:
3, 6, 14 and 15
Key Areas of Work:
<ul style="list-style-type: none"> • Placemaking • Affordable Housing
Stakeholders Involved:
<ul style="list-style-type: none"> • Authority Planning Staff • Developer
Overview:
<p>The Former Livingston Police Station had been vacant since 2009 and was subsequently demolished in 2017 leaving a gap site in a prominent, town centre location.</p> <p>Proposals for redevelopment of the site were brought forward by Cruden Homes as applicant with Wheatley Group as an end user Registered Social Landlord (RSL) for 146 flats, including social rent, mid-market rent and elderly amenity flats.</p>

Pro-active engagement and negotiation with the applicant from initial pre-application discussions to approval of the planning application, and subsequent condition discharges, have resulted in a successful redevelopment of a prominent, town centre gap site. The development introduces the first residential development in Livingston Town Centre.
Goals:
To regenerate the site, bring it back into an appropriate use for the area; secure a high-quality design for the development and to feed into the council's housing land supply targets
Outcomes:
The site is still under construction; when completed it will make an attractive and pleasing residential community, benefiting the area as a whole by redeveloping a derelict, prominent town centre site for affordable housing.
Name of Key Officer
Matthew Watson

The Former Livingston Police Station site is a brownfield site that extends to 0.89 ha in area. The site is adjacent 'The Centre' within Livingston Town Centre. The police station building had been vacant since 2009 and was subsequently demolished in 2017 leaving a gap site in a prominent, town centre location. The site is allocated for mixed use development in the West Lothian Local Development Plan.

Pre-application discussions between the Council and Cruden Homes started in August 2017. A meeting with Council consultees was undertaken. Discussions with Planning primarily focused on trying to create a high quality layout and design. The Council recommended a number of improvements be made to the layout and design to better connect the site into the surrounding area and create a more welcoming environment. Another issue highlighted was the need to achieve a good placemaking outcome with the level of parking required by Council standards. A solution was reached with Transportation to reduce the level of parking and exclude the additional visitor parking required by West Lothian Parking Standards. It was also noted that there was an opportunity for a more creative palette of materials given the variety of external finishes in the area.

A planning application was subsequently submitted and validated in October 2018. Much of the feedback from the pre-application discussions had been incorporated within the proposed layout and design of the

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development. Technical matters had been largely covered in reports. Early discussions with the applicant allowed for a suitable palette of materials to be agreed. Although the council's preference was for a palette of facing brick, a mix of facing brick and render was subsequently agreed. These early discussions enabled the Council to be minded to grant the application within nine weeks of validation as a major application.

Construction of the development is well underway with one block of housing nearing completion.





Case Study 2 – Bangour Hospital Redevelopment

Case Study Title:
Bangour Hospital Redevelopment
Location and Dates:
Bangour Village Hospital Feb 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
Key Markers:
2, 3, 12, 14 and 15
Key Areas of Work:
<ul style="list-style-type: none"> • Collaborative Working • Project Management
Stakeholders Involved:
<ul style="list-style-type: none"> • Local Developer • General Public
Overview:
A planning application in principle was submitted for the redevelopment of the former hospital site. The site is of significant architectural and historic interest, a conservation area with a number of listed buildings and a tree preservation order. The site is also extremely popular locally, and public interest in the application was high. Previous attempts to secure planning permission had stalled because of the extremely complex nature of the site and the future of the buildings was now at risk.
Goals:
<ul style="list-style-type: none"> • To secure the future of the listed buildings, with a high-quality redevelopment that includes improved woodland management, public access and economic investment. • To ensure the provision of suitable infrastructure and developer contributions, including a new primary school on site. • The withdrawal of various legacy cases relating to the site which have failed to progress.
Outcomes:

The council is now minded to grant planning permission in principle for the development of one of the most architecturally important sites within West Lothian.

Name of key officer

Gillian Cyphus

Prior to the COVID-19 pandemic, officers had engaged in pre-application discussion with the developers and other key agencies such as Historic Environment Scotland, and maintained a positive working relationship throughout the processing of the application.

During lock down the site became very popular and regrettably there were several incidents of anti-social behaviour resulting in damage to listed buildings. This resulted in cross sector working with the police and the



council's access officer as well as local councillors and residents. It highlighted the need to find a long-term solution which would secure the future of the listed buildings.



The nature of the site and the many different aspects to be considered required strong collaborative working across council services and with external agencies. Although there was no formal processing agreement in place, the team worked to a series of project deadlines to ensure that the application could be reported to a virtual meeting of the full council. As well as a lead

case officer, a second planning officer was assigned to the application in recognition of the complexity of the case and to ensure that a continuous customer service could be delivered even if one officer was unavailable. Flexible working arrangements brought in in response to the pandemic meant that the alignment of staff resources could be adapted to meet project deadlines.



Against the backdrop of an incredible challenging year, and with many complex issues to consider, we were able to secure the future of the site by working with the developer, the public and other key stakeholders. Work is now progressing to conclude the legal agreement, although the contributions and obligations have been discussed with the developer since the pre-app stages and throughout the application process.

‘Communication was always good with regular meetings being held between all the stakeholders to discuss scope/workstreams and timescales for delivery. This included several meetings with the local community at which Ambassador were ably supported by council officers.’ **Gordon Coster, Ambassador Developments**

‘Early access to key departments clarified the key issues at the start of the process. Whilst there is always negotiation, forensic analysis of sensitive financial information, and assessment of detailed technical and environmental considerations it was extremely helpful to have access to the right people at the right time.’
Robert Evans, Ryden Planning

Major developments delivered on the ground during 2020/21

During 2020/21 the following major developments have been delivered on the ground, establishing West Lothian as a key location and destination for sustainable economic growth within the central belt: -

- Completion of the building works at Calderwood Primary School in readiness for the final fit out, landscaping and handover in to the council.
- First phase planting, path and car park construction works at the former Auldcathie landfill site at Winchburgh ready for opening as a major District Park.
- Completion of major engineering works for the formation of a canal marina at the Union Canal in Winchburgh.
- Completion of the second phase of houses and infrastructure in Winchburgh for Bellway Homes and commencement of development for four new housing developers: Smarts, Robertson Homes, Cala and Barratt East.
- Commencement of construction works on the Winchburgh school's campus, comprising two secondary schools, one primary school and a PE block, with sports pitches and landscape works.
- Opening of new Lidl store and completion of Home Bargains store, both in Broxburn.
- Completion by Barratt and Miller Homes of 54 houses on two sites in South Livingston.
- Completion of 91 houses in the Heartlands strategic development area.
- Completion of 146 houses in the Calderwood Core Development Area (CDA) and 56 in the adjacent Raw Holdings site.



Community Woodland planting on the new Auldcathie District Park in Winchburgh

1.2 Quality of Service and Engagement:

The Planning Service offers to meet early in the design process with developers through [pre-application discussions](#) to front load the application process and, in some cases, this has helped with a more streamlined process and better quality of outcomes. This [pre-application enquiry](#) service continues to prove popular with applicants as in 2020/21 the service saw 89 requests for the service which either sought a meeting or, more often, written advice.

These requests can be submitted either online or by mail and Planning Services will assess the proposal against development plan policies and issues such as privacy, overshadowing and other impacts it might have on neighbours. In addition to an assessment of the proposal against policy, advice is also given on any [developer contributions](#) that may be payable along with what information should be submitted with the application to ensure that it is dealt with as speedily as possible.

If insufficient information is provided to assess the proposal against development plan policies then further information will be requested. Any further information requested will be clear and proportionate in that it will only be requested if required to determine the proposal against development plan policies.

The major benefit of the written advice which is offered through the [pre-application enquiry](#) service is the certainty that is provided to the developer.

For general planning enquires a separate call back duty service is provided by the Planning Service.

This year has seen a 44.56% increase in the submission of applications for a [Certificate of Lawfulness](#) for proposed development to 120 in 2020/21 from last year's 83 in total. These applications are now being submitted by regular agents as a means of obtaining a formal decision notice for their client's proposals, ranging from garage conversions and extensions to changes of use. Agents have recognised the value of this process for all parties which in turn has streamlined the general enquiry service and reduced the number of emails seeking opinions on minor proposals.

[Developer contributions](#) are identified through the Local Development Plan (LDP) policies INF 1 (Infrastructure Provision and Developer Obligations) and CDA 1 (Development in the Previously Identified Core Development Areas). These policies advise that the council will seek contributions ([developer contributions](#)) that are in accordance with Scottish Government Circular 3/2012 'Planning Obligations and

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Good Neighbour Agreements', as interpreted by emerging case law and amended by subsequent amendments and legislation, to mitigate the development's individual or cumulative impacts upon infrastructure, including cross-boundary impacts.

The Service continues to promote the use of [processing agreements](#), which are published on the [How is a planning application processed](#) page of the website. These [processing agreements](#) encourage a closer working relationship between the council and the applicant. In 2020/21 there were 11 applications subject to processing agreements, an increase from 7 applications in 2019/20.

The Service continues to seek to provide new services to the community. A potential service under consideration at the moment is the provision of a 'certificate of completion' for planning applications, which would provide applicants with a formal notice confirming that either individual or all conditions attached to a planning consent have been discharged.

Through our Economic Development & Regeneration Service Planning officers, in association with our colleagues in Building Standards, engage with potential and existing inward investors in helping to identify and expand both potential and existing sites. These customer engagements are especially beneficial to SME's who may not have the ready experience or financial resources available as do some larger organisations. Even with this early engagement Planning Services allow the SME's additional time to adjust their proposals as required to meet the constraints of the LDP. It is felt that it is more beneficial to the local economy to work with these organisations longer and gain the necessary approval rather than determine the application early to improve the average time taken to determine a SME application.

Case Study 3 – Coping with COVID-19

Case Study Title
Coping with COVID-19 - Development Management Service Delivery During the Pandemic
Location and Dates
West Lothian, 2020/21
Element of a High-Quality Planning Service this study relates to:
<ul style="list-style-type: none"> • Quality of service and engagement • Culture of continuous improvement
Key Markers:
1, 6 and 12
Key Areas of Work:
<ul style="list-style-type: none"> • Online System • Collaborative Working
Stakeholders Involved:
<ul style="list-style-type: none"> • Authority Planning Staff
Overview:
<p>The COVID-19 pandemic and the resulting national lockdown from March 2020 is unprecedented in the council's history. These events required the introduction of significant changes to working practices and service delivery over a short period of time which Planning Services responded to in a positive and efficient manner.</p> <p>Planning Services was able to respond robustly to the challenges it faced and was able to mobilise staff and resources quickly and efficiently to ensure there was the minimum of disruption to its functions and to its customers and service users.</p>
Goals:
To ensure all staff were given the necessary resources and support to be able to work from home whilst minimising any breaks in service provision and customer contact.
Outcomes:
Planning Services was able to respond robustly to the challenges it faced and was able to mobilise staff and resources quickly and efficiently to ensure there was the minimum of disruption to its functions and to its customers and service users.

The service was also able to capitalise on the benefits of the changes and draw on the positives of the new working practices, including an expansion of electronic communication, service access and meetings.

Name of Key Officer

Wendy McCorriston

Whilst the impact of the pandemic and the resulting lockdown in March 2020 occurred within a matter of weeks, West Lothian Council's Development Management Service was in a good position to be able to respond quickly and efficiently to maintain our excellent customer service.



Over the preceding 6 Years the service had already successfully undertaken a significant shift from paper to electronic means of working with:

- all planning and other applications being assessed and processed electronically from summer 2016.
- all planning applications being online and letters, decision notices and plans being issued electronically through the use of the Idox Uniform system, allied to the use of Enterprise for workflow purposes.
- Building Standards, who use the same software, having already developed remote access and having in place, for over a year, access to all the necessary software which had allowed building standards to access all records from site.
- the service having, within the previous 6 to 8 months, trialled and secured the introduction of an external hybrid mail provider which meant that neighbour notification and all other letters which could not be emailed could still be sent out by mail for all applications.

As a result of all this development and investment the switch to remote working happened almost seamlessly.

From this starting point it was only a small change to allow all staff access to the same systems which permitted remote working from any location. The majority of officers already had laptops with remote

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access to all the necessary software systems in place and in the two to three weeks leading up to the lockdown, arrangements were made to secure the necessary additional hardware and have arrangements put in place to allow for the remote access for all planning services staff.

In relation to neighbour notification procedures in particular, whilst the Scottish Government was issuing guidance on how to proceed and a number of other authorities were advising that applications where notification was required were being held in abeyance, letters were being issued by West Lothian Council using these remote systems.

The council's web pages and public access portal were updated timeously to stress the importance of applications being submitted through the ePlanning portal wherever possible and updated messages about making payments, contacting staff and making representations by electronic means. Notwithstanding this, two members of staff attended the office 1 day a week to scan and process any paper applications or correspondence which had been received, so that all customers were receiving the same level of service.

There were some initial issues with the full Development Management Team working remotely and individually but these tended to be in relation to local broadband connections. The main issue was the time taken to get remote access to all direct dial land lines resolved although as staff had mobiles this was a minor issue.

As the council's IT service had also been able to adapt and mobilise efficiently they were also able to quickly resolve issues as they arose. Initially there were some problems with the number of staff logging on remotely at any one time, this issue was resolved within the first few weeks of the lockdown.

Together with these formal systems being set up, it was important for Development Management staff to be able to interact on a less formal basis to share information and discuss any concerns, both about work matters and more general issues with homeworking. The team therefore used video calls, initially via Zoom and once in place council wide, by WebEx and MS Teams software, together with a phone messenger chat group to facilitate more day to day team communication. This has been particularly important for team morale and mental health when face to face meetings could not take place.

One obstacle to maintaining the efficiency of the service was getting the processes in place with Committee Services and councillors to allow Development Management and other committees set up to operate

virtually. There were therefore no Development Management Committee meetings held in April and May 2020. In consequence, there was a backlog of applications requiring presentation and a resultant impact on performance. Once the meeting procedures were put in place, however, these have operated successfully.

Other normal practices that had to change are carrying out site visits and site meetings. Previously visits were undertaken for every planning application. During the pandemic, applicants and agents have been requested to submit photographs and/or videos of the site and these, together with Google Street View, have been used to carry out assessments of applications. There were some initial delays in the submission of these details for applications, but with messaging on the website and communication with regular agents this information is now being submitted timeously. Objectors have also been allowed to submit photographs of any aspects of a site that they wish to be considered in the application assessment. This has generally been a very successful approach and one which it is likely that will be retained, especially for more straightforward householder applications where there are no objections.

For meetings with applicants, agents and objectors or other parties, these have been undertaken using video links and screen sharing of plans and proposals. For schemes involving bigger companies and their agents this has generally been a positive method of working and often timesaving for all parties where travel time normally involved has been removed. This is again a method of working that is likely to be retained at least in part going forward.

From discussions with agents and customers other positives that have emerged from changes to work practices, primarily through the coronavirus emergency legislation and advice from the Scottish Government has been the ability to hold virtual public consultation events under the PAN procedures and also the flexibility given to business, particularly in the food and drink sector in the use of outdoor spaces and temporary structures.

Case Study 4: Continuing the Engagement Process

Case Study Title:
Continuing the Engagement Process
Location and Dates:
Winchburgh and Wider West Lothian, 2020 -21
Elements of a High-Quality Planning Service this study relates to:
<ul style="list-style-type: none"> • Quality of service and engagement • Governance • Culture of continuous improvement
Key Markers:
1,2,3,4 and 15
Key Areas of Work:
<ul style="list-style-type: none"> • Collaborative Working • Community Engagement
Stakeholders Involved
<ul style="list-style-type: none"> • Community/developer • Authority Planning Staff
Overview:
<p>Despite the pandemic, this year has once again seen several key milestones in the expansion of Winchburgh. The most significant have been the completion of the first phase of planting at the former Auldcathie landfill site; the commencement of construction works at the school campus and the engineering works at the canal marina. Permission has also been granted for a new M9 motorway junction and clearance work has taken place on site.</p> <p>Throughout the progress of these development projects council officers have been able to continue to engage with the public; both individual members and the wider community; the developer team and external stakeholders, such as SEPA and Transport Scotland.</p>
Goals:
<p>One of the main goals for the council in supporting the concept of Core Development Areas (CDAs) was that they would bring about the delivery of key infrastructure for West Lothian. The delivery of two new secondary schools, the M9 motorway junction and a canal basin on the Union Canal at Winchburgh were</p>

key objectives in the council's education and transport strategies, whilst the restoration of Auldcathie was a significant environmental objective.
Outcomes:
The commencement of the school building programme and its progress throughout the challenges of 2020, was a major milestone in the overall settlement expansion of Winchburgh and those schools will be a significant asset for the community of Winchburgh and West Lothian as a whole. At the same time, the completion of the restoration work at the former landfill site and the start of the planting proposals fulfils a 25-year-old environmental priority for both the council and the community. This has demonstrated the importance of having a plan-led system with policies which identified and addressed infrastructure and environmental deficiencies in the local authority area, together with the importance of collaboration between the local developers; the council's development partners and the local community.
Name of key officer
Wendy McCorriston

Despite the COVID-19 lockdown and the impacts that this had on construction projects, Planning Services continued to operate with similar workloads to pre-pandemic levels. There was a slight dip in formal planning application submissions during April as architects, agents and developers adjusted to the circumstances. However, it was evident for the larger projects such as those at Winchburgh, Heartlands and Calderwood that it was important to keep communication channels open with developers, the community and relevant stakeholders.

A number of architects and agents for these larger schemes saw the reduction in their own workloads as an opportunity to ensure paperwork from Planning Services and other regulatory bodies was up to date and would be in place for the re-opening of the construction sector. There was, therefore, an increase in submissions for discharging conditions, Non-Material Variations and discussions to update council staff with amendments to project delivery.

At Winchburgh and Calderwood, this has included significant dialogue with regard to the school projects, which are being project managed by the council and HUBCO. It is to the credit of West Lothian Council that over the last year, working in partnership with the developers and community bodies, it has been able to minimise any delays to the procedural and regulatory requirements for these sites and Planning Services' officers have prioritised these work streams wherever possible.

This was the case for amendments to plans for both the school and district park proposals which were prioritised to ensure that work could start as soon as national restrictions were lifted. During this uncertain time, it was also important to keep community bodies apprised of when work would be re-starting and the impacts, including those of potentially longer working hours (as recommended in the Chief Planner letters from the Scottish Government). For the larger sites this was communicated to Community Councils and local Community Development Trusts, whilst giving officer contacts for any issues which might arise.

Email and video communication channels have proved very successful in facilitating meetings or resolving issues with communities and individuals during this period. This was the case for issues with the site levels and landscaping proposals for residents adjacent to the Winchburgh school site and in respect of noise issues at the canal basin. All of these matters were resolved timeously with open communication between parties.



For the smaller business proposals, the ability to contact and meet with officers virtually or discuss issues by email or phone has been particularly valuable. Planning Services recognised the uncertainty of the situation for many businesses and wherever possible has been flexible and accommodating as these re-opened to the public. This is evident where the use of pavement areas for cafes and temporary and permanent canopies have been supported, including where these may not have generally been supported by planning policies.

A valuable lesson from the pandemic has been to emphasise once again the importance of joint working and engagement between council officers, developers and the public which results in a more positive relationship and positive outcomes for all concerned.

1.3 Governance:

Decision Making

Our governance is underpinned by the Development Management Committee who meet every four weeks and West Lothian Planning Committee meetings who meet 10 times a year as required. These meetings continued with the meetings being held remotely to comply with COVID-19 restrictions.

The delegation scheme has been reviewed and reported to the Council's Development & Transport Policy Development and Scrutiny Panel (PDSP) and has also been approved by the Council Executive. Subsequent to this the delegation scheme was forwarded on to Scottish Government for approval by Scottish Ministers in December 2020.

In terms of decision making 91.6% of applications were approved with 94.7% of these under delegated powers by the Appointed Officer. The Major and Strategic decisions are made by the West Lothian Planning Committee in line with Scottish Government Policy although this may change going forward in line with the new Act. The Local Review Board meets every four weeks if required and over the year 9 cases were presented to the board of which 55.6% of decisions made by the Council being upheld.

Staffing

An interim review of the Development Management section has been carried out with the following additional posts being created:

- Planning Officer 2 Enforcement (1FTE)
- Development Management Technician (0.5FTE Fixed Term)

See complete staffing structure in Part 6.

All customer enquiries are now by telephone only and are logged through our customer relations management software. A planning officer, on a rotational basis, is responsible for all calls for that day and these are responded to over a short time period in the afternoon.

Discretionary Charging

As mentioned in the quality of service and engagement section, the Planning Service offers to meet early in the design process with developers to front load the application process and in some cases, this has helped

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with a more streamlined process and better quality of outcomes. This paid for [Pre-Application Advice](#) continued to prove popular with applicants and in the financial year 2020/21 up to December 2020 the service received 89 requests for the service. The paid aspect has currently been suspended and is being reviewed however a service is still being provided to assist customers.

Average Performance

During 2020/21 the development management team were a member of staff down for 9 months of the year due to staff leaving and the time taken to advertise, appoint and start staff in post.

The number of:

- major decisions increased from 8 to 12 this year, a 50% increase, although the average timescale reduced from 53.2 weeks to 32.5 weeks, a 38.9% reduction.
- local development (non-householder) decisions decreased from 329 to 257 this year, a 21.9% decrease, with the average timescale increasing from 11.1 weeks to 13.1 weeks, an 18.01% increase.
- householder development decisions increased from 315 to 363 this year, a 15.24% increase, with the average timescale increasing from 7.7 weeks to 7.8 weeks, an 1.3% increase.

The increases in average time noted above can in large part be attributed to the delay in receiving information from agents due to the number of staff furloughed or absent throughout the pandemic. Given the extenuation circumstances, the service did not wish to determine applications early by refusing them and worked with the agents to reach satisfactory outcomes for all parties even though this resulted in an increased average decision time as noted above. In addition, due to a 2-month delay in setting up virtual Development Management Committee (DMC) meetings this negatively impacted upon the average time.

Shared Service

The shared service whereby East Lothian Council's Contaminated Land Officer would check and comment on all submissions to West Lothian Council under both Planning Applications and Building Warrant submissions came to an end at the end of 2019/20 due to reallocating resources in light of the pandemic. It is hoped that this service can be restarted post pandemic as this shared service has proven beneficial to both services. In the interim the service has been outsourced to an external consultant although shared service provisions is still being discussed with other local authorities.

Case Study 5 –Tree Preservation Order (TPO) Register: Digitisation and Online Access

Case Study Title
Tree Preservation Order (TPO) Register: Digitisation & On-line Access
Location and Dates
West Lothian Civic Centre
Element of a High-Quality Planning Service this study relates to:
<ul style="list-style-type: none"> • Governance • Quality of service and engagement
Key Markers:
11 and 12
Key Areas of Work:
<ul style="list-style-type: none"> • Greenspace • Online System
Stakeholders Involved:
<ul style="list-style-type: none"> • Authority Planning Staff • Other Authority Staff
Overview:
<p>Following on from the review of the Tree Preservation Order (TPO) Register to ensure that all orders are legally effective, further work has been undertaken to digitise and map all the legal TPO records onto the council's standard software platform for regulatory functions: IDOX Uniform. This provides for TPO's to be searched on-line through GIS mapping and for the legal orders to be viewed through the council's public facing planning portal.</p>
Goals:
<p>The digitisation and opening up of on-line public access allow for a comprehensive record of all TPO's in West Lothian to be available at a single point via the council's webpages and Planning Portal through the TPO Module in Uniform.</p> <p>Improved accessibility of the TPO Register to the public, officers and tree professionals.</p> <p>Efficiency in officer time spent on advising whether or not trees are covered by TPO's.</p> <p>To support and inform the Development Management process.</p>
Outcomes:

Better regulation of protected trees and tree protections cases, and ultimately valuable trees, which support local amenity, the environment and sustainability through carbon sequestration.

The digitisation and on-line access to the TPO register, supports protected trees and will allow for future work streams to be undertaken in terms of enhancing the council's tree protection activities.

Name of Key Officer
Jim McGinley/Fiona McBrierty/Sarah Collings/Rebecca Anderson

The TPO Register had been overdue for review and modernisation. Having previously completed the review of and collation of all legally effective TPO's which cover the West Lothian area, these records were then digitised and digitally mapped onto the Geographical Information System (GIS). The next step was to make these records publicly available in a digital format through the council's web-site and Planning Portal on standard regulatory software: IDOX Uniform which is used across Scotland.

The council benefited from a newly, updated IDOX Uniform TPO Module upon which it has set up the on-line TPO Register for West Lothian. This involved devising an on-line naming system for each of the current definitive list of TPO's, coding the information pages for each case, uploading legal documents and updating the GIS mapping layer.

To make the on-line TPO Register accessible, existing and new links were created on various related web-pages across the council web-site to allow TPO's to be searchable.

Trees are protected through a number of different mechanisms through the planning process and conveyancing law – conservation areas, planning safeguards, planning conditions, specific legal covenants - with TPO's being the flagship form of protection.

With considerable land use development allocated through the West Lothian Local Development Plan, it is timely that further work is taken forward to improve strategic planning processes and procedures for the appropriate protection of trees and woodlands as appropriate, as well as the creation and planting of new trees and woodlands for future generations.

Further work also is to be undertaken at the more detailed level to review tree protection through extant TPO's and conservations areas with a view to the council exercising its powers in justifiable cases to promote new TPO's.

The screenshot shows the top of the West Lothian Council website. The header includes the council's logo and name. Below the header is a navigation bar with links: Home, Planning & Building Standards, Planning Applications, and Planning Portal. A search bar is located below the navigation bar, with a dropdown menu open showing options: Planning, Trees, Building Standards, DPtrees@westlothian.gov.uk, and Please ensure you. The search bar also has links for My Profile, Login, and Register. The search results show a list of search options: Simple Search, Advanced, Property Search, and Map Search. The Simple Search option is selected.

West Lothian Council

Home > Planning & Building Standards > Planning Applications > Planning Portal

Search My Profile Login Register

Planning Trees Building Standards DPtrees@westlothian.gov.uk Please ensure you

Simple Search Advanced Property Search Map Search

West Lothian Tree Preservation Order (TPO) Register where you can search on a TPO number, address or a key word. You can also view lists of applications submitted and determined. If you have difficulty finding the case file please email customer.service@westlothian.gov.uk or DPtrees@westlothian.gov.uk. Please ensure you leave a telephone number and e-mail address where a member of staff can contact you.

Trees – Simple Search

Search Tree Preservation Order Register by keyword, reference number, postcode or by a single line of an address.

Simple Advanced Property Map

Trees

Enter a keyword, reference number, postcode or single line of an address.

Search

an idox solution

Trees – Simple search page location

The screenshot shows the full page of the West Lothian Council Planning Portal. The header includes the council's logo and name. Below the header is a navigation bar with links: Home, Planning & Building Standards, Planning Applications, and Planning Portal. A search bar is located below the navigation bar, with a dropdown menu open showing options: Planning, Trees, Building Standards, DPtrees@westlothian.gov.uk, and Please ensure you. The search bar also has links for My Profile, Login, and Register. The search results show a list of search options: Simple Search, Advanced, Property Search, and Map Search. The Simple Search option is selected.

West Lothian Council

Home > Planning & Building Standards > Planning Applications > Planning Portal

Search My Profile Login Register

Welcome to the West Lothian Tree Preservation Order (TPO) Register where you can search on a TPO number, address or a key word. You can also view lists of applications submitted and determined. If you have difficulty finding the case file please email customer.service@westlothian.gov.uk or DPtrees@westlothian.gov.uk. Please ensure you leave a telephone number and e-mail address where a member of staff can contact you.

Trees – Simple Search

Search Tree Preservation Order Register by keyword, reference number, postcode or by a single line of an address.

Simple Advanced Property Map

Trees

Enter a keyword, reference number, postcode or single line of an address.

Search

an idox solution

Trees – Simple search page

Trees – Summary

[Help with this page](#)

2011/001 | The West Lothian Council Tree Preservation Order No. 1 (2011) Hunter Road, Livingston | Land 35 Metres Northeast Of 6 Kaims Walk Kirkton Livingston West Lothian

[Back to search results](#)

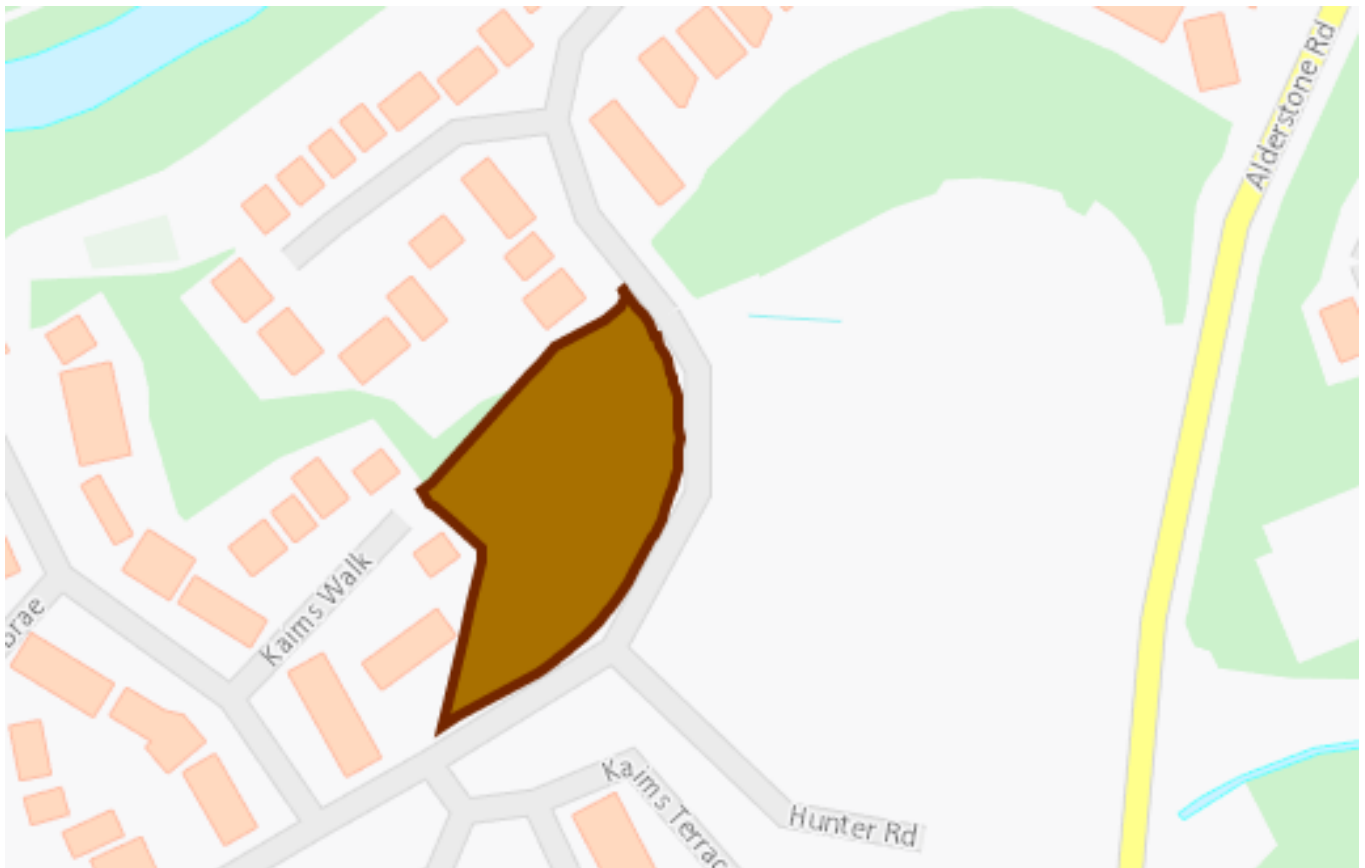
[Print](#)

[Details](#)
[Documents \(1\)](#)
[Map](#)

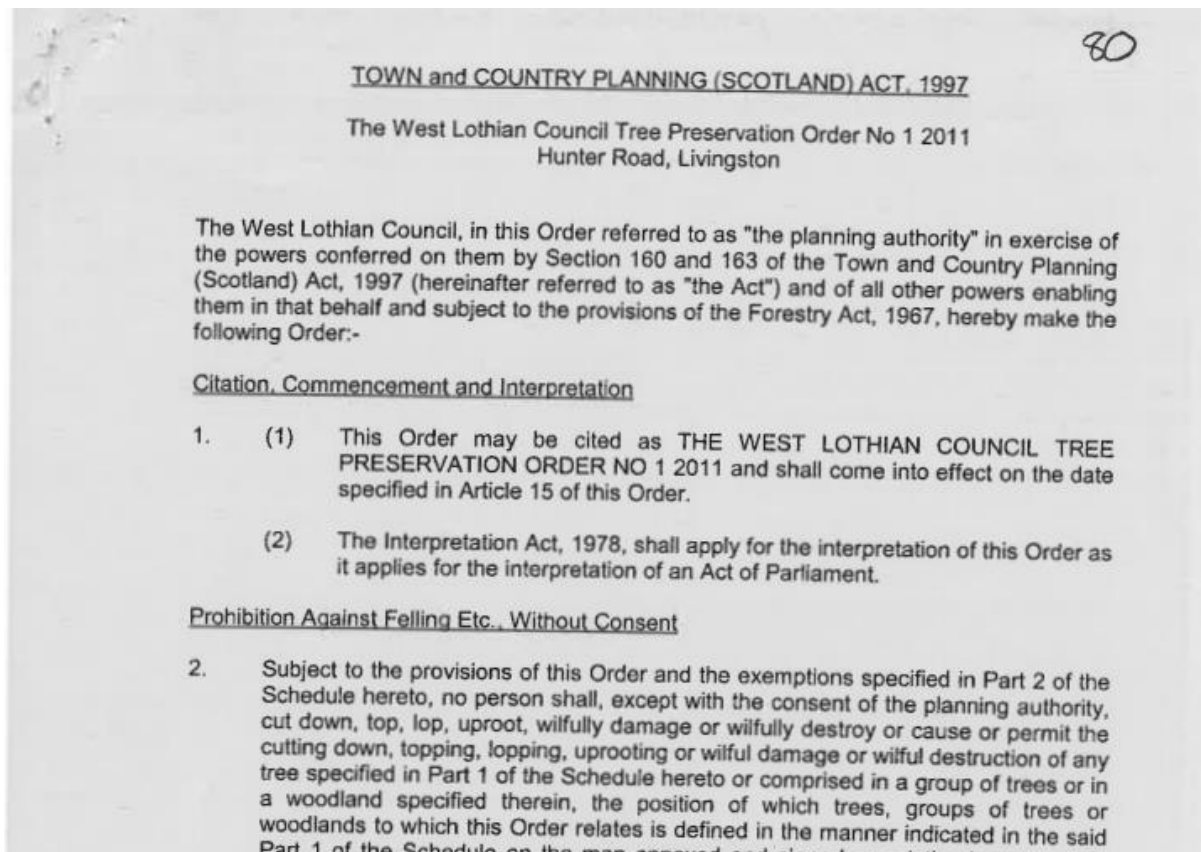
[Summary](#)
[Schedule](#)

TPO Description	The West Lothian Council Tree Preservation Order No. 1 (2011) Hunter Road, Livingston
TPO Location	Land 35 Metres Northeast Of 6 Kaims Walk Kirkton Livingston West Lothian
Order Number	2011/001
Date Confirmed	Tue 26 Apr 2011
Status	Order Confirmed by WLC
Ward	Livingston South
Type of Order	Final Order Registered with ROS
Date Received	Wed 19 Jan 2011

Uniform TPO Module: example of landing page



Uniform GIS mapping layer: TPO No. 1 2011, Hunter Road, Livingston



Excerpt from documents in Uniform TPO Module: TPO No. 1 2011, Hunter Road, Livingston

Case Study 6 -Statutory and Non-Statutory Guidance

Case Study Title:
Statutory and Non-Statutory Guidance
Location and Dates:
Civic Centre Livingston
Elements of a High-Quality Planning Service this study relates to:
<ul style="list-style-type: none"> • Quality of service and engagement • Governance
Key Markers:
11 and 12
Key Areas of Work:
<ul style="list-style-type: none"> • Local Development Plan & Supplementary Guidance • Collaborative Working
Stakeholders Involved:
<ul style="list-style-type: none"> • Key Agencies • Authority Planning Staff
Overview:
A key substantive work stream which the Development Planning and Environment team has been engaged in since the adoption of the LDP has been the preparation of new statutory Supplementary Guidance (SG) and non-statutory Planning Guidance (PG).
Goals:
The guidance will provide additional detail on specific subject areas within the LDP, explain how planning policies will be implemented and at the same time be compliant with Planning Circular 6/2013: <i>Development Planning</i> , current national planning policies and the policies of the Strategic Development Plan for Edinburgh and South East Scotland (SESplan).
Outcomes:
The guidance will provide certainty for residents, businesses and developers in West Lothian and will support the LDP, in particular with regard to developer contributions which have been approved as meeting the requirements of Planning Circular 3/2012: Planning obligations and good neighbour agreements. Significant progress has been made, particularly over the past twelve months and as can be evidenced from the list below.

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Name of key officer
Steve Lovell, Principal Planning Officer

Planning Performance Framework 2020/21

Statutory and Non-Statutory Guidance:

Adopted or commenced new planning guidance supporting the Local Development Plan at 30 June 2021

Statutory Planning Guidance (SG)	Status
Flooding and Drainage	Adopted April 2019
Residential Development Guide	Adopted April 2019
Air Quality	Adopted April 2019
Planning & Noise	Adopted February 2019
Development in the Countryside	Adopted March 2019
Affordable Housing	Adopted June 2019
Developer Contributions Towards Public Art	Adopted January 2020
Minerals (Including Restoration Bonds)	Adopted February 2020
Developer Obligations for General Infrastructure for Site Delivery	Adopted September 2020
Planning & Education	Adopted June 2021
Developer Contributions Towards Cemetery Provision	SG submitted to Scottish Ministers and awaiting approval to adopt
West Lothian Place-Based Green Network Guidance	SG drafted and consulted on. A new iteration of the SG is being drafted.
Developer Contributions Towards Transport Infrastructure	SG submitted to Scottish Ministers and awaiting approval to adopt

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Wind Energy	Adopted June 2021
Renewables & Low Carbon Energy Development (excluding Wind Energy)	SG submitted to Scottish Ministers and awaiting approval to adopt
Contaminated Land	SG drafted and due to be consulted on subject to committee approval.

Non-Statutory Planning Guidance (PG)	Status
West Lothian Active Travel Plan	Adopted April 2016
Health Impact Assessment	Adopted March 2017
Air Quality	Adopted April 2019
Planning for Nature	Adopted April 2020
Mobile Snack Bars	Adopted May 2020
Shop fronts and Advertisements in Broxburn and Uphall, Linlithgow, Kirknewton, Livingston, Mid Calder and Torphichen Conservations Areas	Adopted May 2020
Controlling Obtrusive Lighting	Adopted March 2020
House Extension and Alteration Design Guide	Adopted October 2020
Areas of Built Heritage and Townscape Value – The Shale Miners Rows	Adopted November 2020
Non-employment Uses within Employment Areas	Adopted January 2021

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Public Realm Design Guides for Armadale, Bathgate, Broxburn & Uphall, Linlithgow and Whitburn	PG drafted and due to be consulted on subject to committee approval.
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1.4 Culture of Continuous Improvement

The Planning Service has continued over the last 12 months to embed a culture of continuous improvement into its delivery of the services, despite the challenging financial climate. [The Management Plan](#) (current online version 2020/21) is updated annually and as a document is a record of proposed service improvements for 2021/22 and really focusses in on those changes that are required by legislation, the introduction of new technology and customer demand. The Management Plan for 2021/22 has been prepared and will be published once approved by the relevant Performance, Development and Scrutiny Panels.

The Employee Annual Development and Review (ADR) programme plays an important part in identifying training opportunities and service improvements through the holding of individual review meetings. Senior Management Team meetings are held:

- monthly to provide an opportunity to ensure staff are well briefed on corporate issues,
- weekly in Development Management to provide an opportunity to:
 - share concerns,
 - identify pressing issues with applications nearing target,
 - prioritise or reallocate workload and
 - identify needs for training and sharing of ideas for best practice.
- Fortnightly in Development Planning to:
 - share concerns,
 - identify pressing issues with projects nearing target,
 - prioritise or reallocate workload and
 - identify needs for training and sharing of ideas for best practice.
- weekly in Building Standards to provide an opportunity to:
 - share concerns,
 - identify pressing issues with applications nearing target,
 - prioritise or reallocate workload and
 - identify needs for training and sharing of ideas for best practice.

In 2020/21 staff from Planning Services attended the following training/CPD events or forums to share/develop good practice:

Training/ CPD events

The majority of the events this year were held virtually through video calls and meetings

National Grid Asset Protection meeting with Planning and GIS teams to update of best practice in relation to processing and consultation on planning applications in the vicinity of NG assets.

SEPA meeting with Planning and Flood Management officers to update on processes following cyber-attack and to put together a process for prioritising consultations and offer standing advice where appropriate.

Walk over of development areas at Winchburgh for proposed core road and marina developments.

Presentation by Winchburgh engineering consultants (SWECO) to Planning, Roads and Transportation, Flood Management and Open Space officers on the use of rain garden, sustainable drainage and meadow grass planting techniques. This was in relation to the development of the proposed central market square and covered technical implementation techniques and maintenance regime requirements.

Digital Planning, All Partner Event. Presentation by the SG on digital strategy and how this may impact on the future of planning.

Scottish Government presentations and updates on Planning and COVID-19 and related emergency legislation.

Scottish Government presentation and discussion on Short Term Let Control Areas and follow-up meetings with council Legal Services and Licencing teams.

Site Planning Online, video lecture and assessment course from the Michigan Institute of Technology.

Online discussion forum with Housing Services colleagues to explore site selection requirements for affordable housing and temporary housing accommodation.

Training session by Legal Services and Committee Services on the establishment of online committees and protocols for the introduction of additional/new information at committees.

Planning Appeals training by DPEA/Improvement Service.

Planning (Scotland) Act 2019, Improvement Service Webinars.

Mentally Healthy Workplace inhouse seminar on health and wellbeing.

Recruitment & Selection inhouse seminar covering relevant legislation and selection criteria.

In house training and review of the amendments to the General Permitted Development (Scotland) Order which were enacted during the year.

In house training on good practice for handling and prioritising email communications.

Internal courses on: Supporting attendance at work; Records management; Health & Safety at Work; Discipline and Grievance; Bullying and Harassment and Cyber Security.

Good Practice Forums

Heads of Planning Conference

Heads of Planning Executive Committee

Heads of Planning Development Plans Sub-Group

Heads of Planning Development Management Sub-Group

Heads of Planning Climate Change, Energy & Resources Sub-Group

Heads of Planning Enforcement Forum

Developing Leadership Forum – West Lothian Council

Transport Scotland Events

Scottish Government NPF4 events

Scottish Government RSS events

Case Study 7 – Utilising Technology for Effective Enforcement

Case Study Title:
Utilising technology for Effective Enforcement
Location and Dates:
West Lothian, 2020/21
Elements of a High-Quality Planning Service this study relates to:
<ul style="list-style-type: none"> • Culture of Continuous Improvement
Key Markers (please select all that apply):
5 and 6
Key Areas of Work:
<ul style="list-style-type: none"> • Enforcement • Process Improvement • Online systems
Stakeholders Involved:
<ul style="list-style-type: none"> • Authority Planning Staff
Overview:
<p>On receipt of a planning enforcement complaint officers will carry out a site visit, previously officers would print a site visit sheet which would be handwritten at the time of the visit and photos taken by using a digit camera. On returning to the office, this information would then have to be transferred into Uniform and the DMS.</p> <p>To streamline this process, officers were provided with Surface Pro's and IT created a remote desk top to allow access directly to back office systems while working on site. The introduction of this technology has allowed officers to update records directly from site, reduce printing costs and improve officers time efficiency.</p>
Goals:
To allow enforcement staff to be able to access uniform and DMS remotely from site, improving officers time efficiency and record management.
Outcomes:
Planning enforcement staff are now able to remotely access both uniform and DMS. This ability allows officers to have full access to view and update any planning and enforcement records live from site.

In addition, with the remote printing options now available, officers can draft and send letters/emails to owners & complainers while remaining on site. This increases officer's efficiency and provides a more effective service to customers.

Name of key officer
Claire Johnston

On receipt of a planning enforcement complaint, an officer is allocated the case and the investigation begins with an officer visiting the site to gather information before a decision is made on how to proceed. Prior to visiting the site, the case officer would print a site visit document which included the details of the complaint and had sections for the findings, details of the owner/occupier and a box for the assessment made by the officer.

This sheet was printed and completed for every complaint received and on return to the office, officers would transfer all information taken on site into each case on uniform. The sheet would then be scanned and stored within the relevant DMS files. Only at this point would the officer have the ability to draft and send letters to the home owner/occupier to detail the findings and assessment of the case.

In addition, as set out by the Enforcement Charter officers would also be required to provide an update to the complainer following the visit and assessment of the complaint. This was a timely process which often resulted in duplication of work for staff.

The introduction of the Surface Pro's has allowed officers to streamline their working practises and to fully view and assess development on the ground without having to return to the office to update records or send communications.

While on site officers can view the full details of any complaints received through the DMS, they can also view who made the complaint and any decision notices or approved plans for approved development sites. The Surface Pro's connect to a remote desktop created by IT which allows access to back office systems, officers are now able to input information into uniform directly while remaining on site. This has resulted in reduced printing, improved time efficiency and the removal of duplication by inputting the findings directly.

In addition, and as mentioned in case study 3, the introduction of Critiqoms IQPostMe service has allowed officers to not only select and create documents for printing remotely from at home but has also led to enforcement officers being able to draft and send documents for printing directly from site.

Where available officers can also send emails to interested parties directly from site, in line with the Enforcement Charter all complainants must receive an update following the site visit, officers can do this much quicker now with the remote services available.

Another benefit of having the Surface Pro's to utilise on site is that they have a camera, this can be used for both photographs and video. Any photos or videos taken while on site can be uploaded directly into the DMS system for both planning and enforcement cases.

The Surface Pro's camera also allows officers to utilise virtual site meetings, this is used with internal colleagues as well as external. For example, officers can seek a second opinion from colleagues by video calling and showing the other officers the site and any specific matters relating to the complaint or planning application. This is extremely useful for professional development of staff as it opens up the opportunity for discussions with more experienced colleagues who may be able to help.

Officers also have the ability to host video meetings involving other external agencies, applicants and agents from site. In some cases, a site meeting is often an effective way to resolve a matter quickly however it can often take a few weeks to agree a suitable date and time where all parties can attend. These virtual meetings allow for officers to show the site or the subject of the concerns without all relevant parties having to travel to the site and therefore provides a much more efficient and time effective service for the customer. The virtual meetings can often be more effective than an email trail as the concerns can be shown directly and this removed any dubiety on what the Council considers to be of concern.

Case Study 8 – Update on Developer Contribution Tracking

Case Study Title:
Update of Developer Contribution Tracking System
Location and Dates:
West Lothian, 2020-2021
Elements of a High-Quality Planning Service this study relates to:
<ul style="list-style-type: none"> • Governance • Culture of continuous improvement
Key Markers:
4, 15
Key Areas of Work:
<ul style="list-style-type: none"> • Development Management Processes • LDP & Supplementary Guidance
Stakeholders Involved:
<ul style="list-style-type: none"> • Authority Planning Staff • Local Developers
Overview:
The council uses Exacom, a software package developed with Midlothian Council, to track all developer contributions required to enable development, ensuring that no triggers are missed and that all contributions paid are placed in the appropriate account and are available for audit.
Goals:
Continuous tracking of developer contributions, for transparency and effective use of contributions.
Outcomes:
<ul style="list-style-type: none"> • The tracking system has been in operation for nearly 3 years, including 2 full financial years 2019/20 and 2020/21 • The Development Management service now employs a contributions officer whose task it is to update and monitor the tracker, ensuring accuracy and transparency • Notwithstanding the pandemic, the income via the system in Education Contributions alone is over £5 million.
Name of key officer
Mark Brooks

The planning service has now been using an obligation tracking system (Exacom), for almost 3 years. Set up in conjunction with Midlothian Council, at the start of 2018, the system ensures that all payments which are made in accordance with the provisions of circular 3/2012 are made timeously. During 2020/21, 21 new Section 75 or Section 75A obligations were logged or ready to be logged into the Obligation Tracker. This gives a cumulative total of 163 Section 75 or Section 75A legal agreements held by the tracking system where there were outstanding obligations to pay or deliver (including land transfer for affordable housing obligations) at the start of 2018.

The system was brought into use for formal tracking and invoicing purposes from 1 June 2018. In the last financial year, 2019/20, 21 invoices, relating to 15 planning applications, have been issued for Section 75 and Section 75A payments.

The financial contribution amounts received through the S75 and S75A invoices for the financial year to 31 March 2021 amounts to £5,342,565.01 and relates to the full range of developer contributions, from cemetery contributions and public art provision to contributions towards new and extended schools.

The largest contributions relate to the provision of school infrastructure and even during the pandemic just over £5 million has been received which has ensured that the delivery of the council's school projects have been able to move forward on site.



Winchburgh Denominational Primary and Secondary Schools taking shape on site

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The tracking system is managed by a technical officer but all planning case officers have access to the system and can obtain updates of the contributions received in respect of individual applications or the towards specific projects. The project tracking is carried out through the use of cost codes for allocating money towards specific projects. The cost codes/projects are based on the individual developer contribution requirements aligned to Policy INF1 (Infrastructure Provision and Developer Obligations) and Policy CDA 1 (Development in the Previously Identified Core Development Areas) of the adopted Local Development Plan and the associated Supplementary Guidance set out in Case Study 6. This tracking allows the council to run forecasts for expected income against specific projects, so that the timescales for implementation of projects and resource allocation can be properly managed.

The system has brought about significant benefits for the council in respect of project planning and will be particularly useful as we go into the coming years of financial uncertainty following the impacts from COVID-19.

Part 2: Supporting Evidence

Information contained in this report was drawn from evidence from a variety of sources such as:

- Planning, Economic Development and Regeneration Service Management Plan
- Case Studies
- Benchmarking
- Partnership Working
- Committee Reports
- Local Development Plan Scheme
- Housing Land Audit 2020

Supporting evidence for Planning Performance Framework 10 is integrated into the body of the report, using hyperlinks to relevant documents and website information.

The Planning pages of the council's website are reviewed continuously, taking note of comments received from customers through the web team and the Customer Service Centre.

The Service has consistently played its part in the council's accreditation for Customer Service Excellence. The council makes extensive use of performance monitoring tools, and the Planning Service's performance consistently meets the exacting standards which are set for the determination of planning applications and the resolution of planning breaches.

The council uses complaints as a tool for learning, and complaints which are received by planning services are scrutinised for any lessons which can be learned, a process which has in the past led to changes in our practice.

Our culture of continuous improvement includes:

- seeking out constructive criticism from the members of the Development Management Committee, which has led to a change in the way reports are presented by officers. This is an ongoing process, which has also identified additional training requirements for members.
- annual customer survey of applicants, agents and those who make representations through the development management process from which a [You Said, We Did Development Management](#) update is produced.

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- annual customer survey of those who make representations through the development planning process from which a [You Said, We Did Development Planning & Environment](#) update is produced.
- The results of the 2020/21 survey are currently being analysed to identify potential areas of improvement.

The table below identifies the key areas of work that are covered by the Case Studies which are embedded within the PPF.

Case Study Topics	Page Number	Case Study Number
Greenspace	32	5
Local Development Plan & Supplementary Guidance	37, 48	6, 8
Affordable Housing	11	1
Enforcement	45	7
Development Management Processes	48	8
Collaborative Working	15, 22, 26, 37	2, 3, 4, 6
Community Engagement	26	4
Placemaking	11	1
Process Improvement	45	7
Project Management	15	2
Online Systems	22, 32, 45	3, 5, 7

Performance Marker Report

To assist with the 15 key performance markers, in addition to hyperlinks spread throughout the report, a list of relevant hyperlinks has been added in the table below under each of the four sub-headings.

- Quality of Outcomes
- Quality of Service & Engagement
- Governance
- Culture of Continuous Improvement

When combined together these headings and information define and measure a high-quality planning service:

QUALITY OF OUTCOMES	
Do I Need Planning Permission	Developer Contributions Guidance
Applying for Planning Permission	How to Submit a Planning Application
Residential Development Guide – Supplementary Guidance	Minerals (Including Restoration Bonds) – Supplementary Guidance
Affordable Housing – Supplementary Guidance	Flooding and Drainage– Supplementary Guidance
QUALITY OF SERVICE & ENGAGEMENT	
Pre-Application Advice	View, Object or Comment on a Planning Application
Householder Planning Application Guidance	Objecting to a Planning Application
Processing Agreements	Local Development Plan (LDP)
Planning Processing Agreement Form	Local Development Plan Scheme (DPS)
Planning Enforcement	West Lothian Housing Land Audit (HLA)
Planning Enforcement Charter	Active Travel Plan for West Lothian 2016-2021
You Said, We Did Development Management	You Said, We Did Development Planning & Environment
GOVERNANCE	
West Lothian Corporate Plan 2018/19 – 2022/23	Local Outcomes Improvement Plan
Council Minutes, Meetings & Agendas	Scheme of Delegation
CULTURE OF CONTINUOUS IMPROVEMENT	
Planning, Economic Development and Regeneration Management Plan	Planning Performance Framework 9 - 2019/20
You Said, We Did Development Management	You Said, We Did Development Planning & Environment

Planning Performance Framework 2020/21

No	Performance Marker	Measure	Policy Background to Marker	Part of PPF report best suited to evidence this marker
DRIVING IMPROVED PERFORMANCE				
1	Decision making: Authorities demonstrating continuous evidence of reducing average timescales for all development types	<p>During 2020/21 the development management team were a member of staff down for 9 months of the year due to staff leaving and the resultant time taken to advertise, appoint and start staff in post.</p> <p>The number of major decisions increased from 8 to 12 this year, a 50% increase, although the average timescale reduced from 53.2 weeks to 32.5 weeks, a 38.9% reduction.</p> <p>The number of local development (non-householder) decisions decreased from 329 to 257 this year, a 21.9% decrease, with the average timescale increasing from 11.1 weeks to 13.1 weeks, an 18.01% increase. This increase can in large part be attributed to</p>	See Official Statistics and Planning Performance Framework report	NHI Scottish Government Official Statistics

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		<p>the delay in receiving information from agents due to the number of staff furloughed or absent throughout the pandemic. Given the extenuation circumstances, the service did not wish to determine applications early by refusing them and worked with the agents to reach satisfactory outcomes for all parties even though this resulted in an increased average decision time. In addition due to a 2 month delay in setting up virtual Development Management Committee (DMC) meetings this also negatively impacted upon the average time</p> <p>The number of householder development decisions increased from 315 to 363 this year, a 15.24% increase, with the average timescale increasing from 7.7 weeks to 7.8 weeks, an 1.3% increase. Again, this increase can in part be attributed to the delay in receiving information from agents due</p>		
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Planning Performance Framework 2020/21

		<p>to the number of staff furloughed or absent throughout the pandemic. Given the extenuation circumstances, the service did not wish to determine applications early by refusing them and worked with the agents to reach satisfactory outcomes for all parties even though this resulted in an increased average decision time. In addition due to a 2 month delay in setting up virtual Development Management Committee (DMC) meetings this also negatively impacted upon the average time</p>		
2	<p>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>	<p>The use of processing agreements is encouraged in discussions/correspondence during major development pre-application stage.</p> <p>The offer of Processing Agreement is available on website with specific template and guidance on the web site under preapplication advice.</p>	<p>Modernising the Planning System (Audit Scotland); Scottish Government website / template</p>	<p>NHI Quality of Service and Engagement</p>

Planning Performance Framework 2020/21

		Number of processing agreements and project plans being entered into increased in 2020/21 to 10 from 7 in 2019/20.		
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>The availability of pre-application advice is publicised online on website.</p> <p>Pre-application advice requests are logged in uniform and can be tied back to resultant planning application when submitted.</p> <p>There is a link on the website to the form, guidance and charges.</p> <p>The website and the advice contained in pre-application responses indicate what is required with subsequent applications and that it is only required if clear and proportionate to determine the proposal against development plan policies.</p>	<p>White Paper; Delivering Planning Reform; Planning Reform Next Steps</p>	<p>NHI Quality of Service and Engagement</p>
4	<p>Legal Agreements:</p> <p>Conclude (or reconsider) applications within 6 months of a 'minded to grant' decision for Section</p>	<p>The number of legal agreements concluded in 2020/21 decreased from 36 to 35, a 2.86% decrease from 2019/20.</p>	<p>Official statistics PPF report evidence of delays to major developments</p>	<p>Quality of Service and Engagement Governance</p>

Planning Performance Framework 2020/21

	69 agreements or within 6 months of the first draft of a Section 75 planning obligation being issued by the council	<p>The average timescale for major applications decreased partly as a result of front-loading Heads of Terms from within the uniform system with relevant developer contributions and the use of updated standard format agreement templates for the different types of planning obligation that the council enters into.</p> <p>Also, the review of legal agreement processes has been carried out to minimise delays for all concerned.</p>		
5	Enforcement charter: Updated / re-published	Enforcement Charter reviewed and re-published March 2021.	Planning Act (s158A)	NHI Part 2 - Evidence
6	Continuous improvements: <ul style="list-style-type: none"> show progress / improvement in relation to PPF National Headline Indicators progress ambitious and relevant service improvement commitments 	<p>An interim review of the Development Management section has been carried out with the following additional post being created:</p> <ul style="list-style-type: none"> Planning Officer 2 Enforcement(1 FTE) Development Management Technician (0.5 FTE - Fixed Term) 	Delivering Planning Reform PPF Report	Culture of Continuous Improvement Service Improvement Plan

Planning Performance Framework 2020/21

	identified through PPF report	See service commitments and case studies. Continuous improvements have been made to processes to support these key drivers.		
PROMOTING THE PLAN-LED SYSTEM				
7	Local Development Plan: Less than 5 years since adoption	The Local Development Plan was adopted on 04 September 2018 and is less than 5 years old. Plan preparation is project planned to meet deadlines for management approval and Council Executive submission alongside relevant Development Plan Scheme dates. The replacement plan is slightly behind schedule due to the lack of secondary legislation produced following the enactment of the Planning (Scotland) Act 2019.	Planning Act (s16) Scottish Planning Policy	NHI Quality of Outcomes Quality of Service and Engagement
8	Development plan scheme demonstrates next LDP:	The Development Plan Scheme 13 was approved by Council Executive on 23 February 2021.	Planning Act (s16) Scottish Planning Policy	NHI Quality of Outcomes

Planning Performance Framework 2020/21

	<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>The DPS identifies the key milestones for the preparation of the LDP2, including completing public consultation on the Proposed Plan, reporting representations to Committee and submitting the Plan for Examination Winter 2023 / Spring 2024.</p> <p>Current timetable set out in DPS No.13 reflected Scottish Government timeframes for delivery of NPF4 and secondary legislation in support of the Planning (Scotland) Act 2019. It will however be appreciated that the absence of a comprehensive framework of legislation relating to the new development plan preparation process at this time, coupled with an ever-changing Coronavirus situation, significantly impacts on the ability to reliably forecast programming and timetabling for development plan preparation and it is</p>		Quality of Service and Engagement
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Planning Performance Framework 2020/21

		therefore important to recognise that dates shown in the proposed DPS No.13 may be subject to change as events unfold.		
9	Elected members engaged early (pre-MIR) in development plan preparation	<p>Not directly applicable.</p> <p>Extensive engagement undertaken during previous years leading to LDP being adopted on 04 September 2018.</p> <p>The Development Plan Scheme 13 was approved by Council Executive on 23 February 2021 which has the draft LDP2 scheduled for 2022/23 with early engagement taking place through 2021/22.</p> <p>Members will be engaged on a continual basis through the LDP2 preparation process through Local Area Committees, Policy and Development Scrutiny Panels and Council Executive meetings and potential workshops and briefing sessions.</p>		Quality of Service and Engagement Governance
10	Cross-sector stakeholders, including industry,	Not directly applicable.		Quality of Service and Engagement

Planning Performance Framework 2020/21

	agencies and Scottish Government, engaged early (pre-MIR) in development plan preparation	<p>Extensive engagement undertaken during previous years leading to LDP being adopted on 04 September 2018.</p> <p>The Development Plan Scheme 13 was approved by Council Executive on 23 February 2021 which has the draft LDP2 scheduled for 2022/23 with early engagement taking place through 2021/22.</p>		Governance
11	<p>Production of regular and proportionate policy advice:</p> <p>for example, through supplementary guidance, on information required to support applications</p>	<p>Supplementary Guidance adopted during the year includes:</p> <ul style="list-style-type: none"> Developer Obligations for General Infrastructure for Site Delivery <p>Supplementary Guidance approved by Council Executive but awaiting Scottish Government approval to adopt included.</p> <ul style="list-style-type: none"> Planning & Education Developer Contributions Towards Cemetery Provision 		<p>Quality of Service and Engagement</p> <p>Part 2 - Evidence</p>

Planning Performance Framework 2020/21

		<ul style="list-style-type: none"> • West Lothian Place-Based Green Network Guidance • Developer Contributions Towards Transport Infrastructure • Wind Energy • Renewables & Low Carbon Energy Development (excluding Wind Energy) <p>Planning guidance adopted through the year includes</p> <ul style="list-style-type: none"> • Planning for Nature • Mobile Snack bars • Shop fronts and Advertisements in Broxburn and Uphall, Linlithgow, Kirknewton, Livingston, Mid Calder and Torphichen • Conservations Areas • House Extension and Alteration Design Guide • Areas of Built Heritage and Townscape Value – The Shale Miners Rows • Non-employment Uses within Employment Areas 		
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Planning Performance Framework 2020/21

		<p>A range of guidance for applicants can be found on the website. In particular there is a page specifically to assist anyone wanting to object to a planning application. This is to try and ensure that objections when made are made on appropriate planning grounds. Previously it has been noted that complaints or comments can be raised through surveys that objections are not taken account off.</p>		
SIMPLIFYING AND STREAMLINING				
12	<p>Corporate working across services to improve outputs and services for customer benefit: (e.g. protocols; joined-up services; single contact; joint pre-application advice)</p>	<p>Surface pro used to remotely connect from site to access DMS and Uniform in Building Standards in Planning Enforcement team.</p> <p>Process for dealing with contaminated land consultations further reviewed.</p> <p>Uniform used to link requests for contaminated land consultations by both Development Management</p>		<p>Quality of Service and Engagement Governance</p>

Planning Performance Framework 2020/21

		<p>(DM) and Building Standards (BS), to avoid duplication and potential confusion between the two systems. DM consultations now take account of whether or not BS mandatory standards have been met.</p> <p>Planning staff work closely with other services and community planning partners to align future infrastructure requirements with projected development. This includes assisting with work on the future school estate, carbon reduction and flood prevention schemes and council, social rented and homeless housing delivery strategies.</p> <p>Cross function working with the Council's Economic Development and Regeneration Team and Building Standards in the delivery of business opportunities, and also with roads and building standards in pre-application discussions.</p>		
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Planning Performance Framework 2020/21

13	Sharing good practice, skills and knowledge between authorities	<p>Staff continue to be actively involved in national projects such as the Scottish Government's proposals for digital transformation of the planning process; NPF4 and emerging SPP workstreams.</p> <p>West Lothian officers are working with Edinburgh City on cross-boundary transport and school infrastructure projects and with Fife on good practice on key major housing development projects.</p>	Delivering Planning Reform; Planning Reform Next Steps	Culture of continuous improvement
DELIVERING DEVELOPMENT				
14	Stalled sites/legacy cases: conclusion/withdrawal of planning applications more than one-year-old	Although the number of legacy cases cleared in 2020/21 decreased to 34 from 46 in 2019/20 the number of cases remaining only rose by 4 to 45 in 2020/21 from 41 in 2019/20.		NHI Governance
15	Developer contributions: Clear expectations set out in development plan (and/or emerging plan,) and in pre-application discussions	Local Development Plan Policies INF 1 (Infrastructure Provision and Developer Obligations) and CDA 1 (Development in the Previously Identified Core Development Areas) of the		Quality of service and engagement

Planning Performance Framework 2020/21

		<p>LDP advise that the council will seek contributions in accordance with Scottish Government Circular 3/2012 'Planning Obligations and Good Neighbour Agreements', as interpreted by emerging case law and amended by subsequent amendments and legislation, to mitigate the development's individual or cumulative impacts upon infrastructure, including cross-boundary impacts.</p> <p>Clear expectations are therefore set out in development plan and in pre-application discussions.</p> <p>Early assessments are offered to inform developers at an early stage.</p> <p>A variety of supplementary guidance which contains developer contributions has been updated and adopted through 2020/21 and this continues. As guidance is updated it is added to the list</p>		
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Planning Performance Framework 2020/21

		<p>of guidance which attracts developer contributions.</p> <p>Pre-application advice is available through prearranged meetings with Officers which includes detailed discussions on Developer Contributions and this availability is published and available on the website.</p>		
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Part 3: Service Improvements 2021/22

Service improvements in the coming year

- Community Council Guidance Refresh
- Local Review Body Guidance Refresh.
- Development Management Committee Guidance Refresh
- Review of Development Management Staffing
- Roll out Surface Pro's to all Enforcement staff
- Update validation Guidance for applicants / agents

Delivery of service improvement actions in 2020/21

Looking back at the service improvements we identified for 2020/21

Committed improvements and actions	Progress	
Utilise the Uniform TPO module as a basis for the TPO register going forward	Completed	
Implement a service charge to cover paper applications in a bid to drive up use of the eDevelopment portal and streamline processes	Currently with Legal Services	
Review work on legacy cases to minimise number reaching legacy status	Completed	
Recruit and train a Modern Apprentice to assist with Development Management and Development Planning administrative tasks.	Completed	
Review procedures to ensure that delays are minimised in relation to Section 75 agreements following the recruitment of new legal staff	Completed	
Identify appropriate software to be used for consultation by Development Planning in the forthcoming Local Development Plan (LDP2)	Completed	

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 year and 6 months	1 year and 6 months
Will the local/strategic development plan(s) be replaced by their 5 th anniversary according to the current development plan scheme?	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	Y-later
Were development plan scheme engagement/consultation commitments met during the year?	Y	Y
Effective Land Supply and Delivery of Outputs		
Established housing land supply	25,362¹	24,846²
5-year effective housing land supply programming	8,363¹	7931²
5-year effective land supply total capacity	21,499¹	20,879²
5-year housing supply target	6,604	5,795²
5-year effective housing land supply (to one decimal place)	6.3 years	7.1 years²
Housing approvals	2,357 units³	1,023 Units³
Housing completions over the last 5 years	4,102	4,112 units
Marketable employment land supply	99.74 ha	119.01 ha
Employment land take-up during reporting year	19.27 ha	13.92 ha

Notes:

¹ Source: Final 2019/20 Housing Land Audit November 2020

² Source: Final 2018/19 Housing Land Audit March 2020

³ This includes units consented as part of full planning permission (FUL), Approval of Matters Specified in Condition (MSC) and Planning Permission in Principle (PPP). It therefore also includes units from MSC and FUL consents for sites already with PPP approval, this leads to an inflated figure due to double-counting between years. For example, if 280 units were approved for a site in Livingston this year as part of an MSC approval. These 280 units were also counted towards the number of housing units in a previous PPF reporting year through the PPP approval.

Some approved housing applications are also for amendments at sites that already have planning

consent. This also leads to double-counting between years. For example, if an application to amend the house types for 10 units was approved for Whitburn. These 10 units would have also counted towards the housing approval numbers provided in a previous PPF reports when the original PPP and MSC applications were consented.

Planning Performance Framework 2020/21

B: NHI Key outcomes – Development Management:

Development Management:	2020-21	2019-20
Project Planning		
Percentage and number of applications subject to pre-application advice	4.42% 54 applications	7.47% 74 applications
Percentage and number of major applications subject to processing agreement	14.29% 2 applications	N/A 0 applications
Decision Making		
Application approval rate	91.6%	92.9%
Delegation rate	94.7%	95.4%
Validation	35.54%	44.81%
Decision-making Timescales		
Major Developments	32.5 weeks	53.2 weeks
Local developments (non-householder)	20.5 weeks	14.3 weeks
Householder developments	7.8 weeks	7.7 weeks
Legacy Cases		
Number cleared during reporting period	34	46
Number remaining	45	41

C: Enforcement activity

	2020-21	2019-20
Time since enforcement charter published / reviewed	1 month	14 months
Complaints lodged and investigated	374	400
Breaches identified – no further action taken	29	11
Cases closed	268	389
Notices served	19	46
Direct Action	0	0
Reports to Procurator Fiscal	1	0
Prosecutions	0	0

D: NHI Key outcomes – Commentary

Commentary
Short contextual statement
<p>During 2020/21 the development management team were a member of staff down for 9 months of the year due to staff leaving and the resultant time taken to advertise, appoint and start staff in post.</p> <p>The number of major decisions increased from 8 to 12 this year, a 50% increase, although the average timescale reduced from 53.2 weeks to 32.5 weeks, a 38.9% reduction.</p> <p>The number of local development (non-householder) decisions decreased from 329 to 257 this year, a 21.9% decrease, with the average timescale increasing from 11.1 weeks to 13.1 weeks, an 18.01% increase. This increase can in large part be attributed to the delay in receiving information from agents due to the number of staff furloughed or absent throughout the pandemic. Given the extenuation circumstances, the service did not wish to determine applications early by refusing them and worked with the agents to reach satisfactory outcomes for all parties even though this resulted in an increased average decision time.</p> <p>The number of householder development decisions increased from 315 to 363 this year, a 15.24% increase, with the average timescale increasing from 7.7 weeks to 7.8 weeks, an 1.3% increase. Again, this increase can in part be attributed to the delay in receiving information from agents due to the number of staff furloughed or absent throughout the pandemic. Given the extenuation circumstances, the service did not wish to determine applications early by refusing them and worked with the agents to reach satisfactory outcomes for all parties even though this resulted in an increased average decision time.</p> <p>In addition, due to a 2-month delay in setting up virtual Development Management Committee (DMC) meetings this negatively impacted upon the average time due to the number of applications not able to be determined at the original meeting dates.</p>

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	12	32.5 weeks	53.2 weeks
Local developments (non-householder)	257	20.5 weeks	14.3 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	(65%) (35%)		
Householder developments	363	7.8 weeks	7.7 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	(86.8%) (13.2%)		
Housing Developments			
Major	4	59.7 weeks	65.4 weeks
Local housing developments	55	58.2 weeks	28.5 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	(27.3%) (72.7%)		
Business and Industry			
Major	0	N/A	N/A
Local business and industry developments	57	9.4 weeks	10.3 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	(78.9%) (21.1%)		
EIA Developments	1	17.1 weeks	153.1 weeks
Other Consents	221	5.1 weeks	6.4 weeks
<ul style="list-style-type: none"> As listed in the guidance(right) 			
Planning/legal agreements			
<ul style="list-style-type: none"> Major: average time Local: average time 	3 32	64.4 weeks 83.7 weeks	75.0 weeks 54.6 weeks

B: Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2020-21		2019-2020	
	No.	No.	%	No.	%
Local reviews	9	5	55.6%	9	60.0%
Appeals to Scottish Ministers	9	4	44.4%	10	83.3%

C: Context

During 2020/21 the development management team were a member of staff down for 9 months of the year due to staff leaving and the resultant time taken to advertise, appoint and start staff in post.

The number of major decisions increased from 8 to 12 this year, a 50% increase, although the average timescale reduced from 53.2 weeks to 32.5 weeks, a 38.9% reduction.

The number of local development (non-householder) decisions decreased from 329 to 257 this year, a 21.9% decrease, with the average timescale increasing from 11.1 weeks to 13.1 weeks, an 18.01% increase. This increase can in large part be attributed to the delay in receiving information from agents due to the number of staff furloughed or absent throughout the pandemic. Given the extenuation circumstances, the service did not wish to determine applications early by refusing them and worked with the agents to reach satisfactory outcomes for all parties even though this resulted in an increased average decision time.

The number of householder development decisions increased from 315 to 363 this year, a 15.24% increase, with the average timescale increasing from 7.7 weeks to 7.8 weeks, an 1.3% increase. Again, this increase can in part be attributed to the delay in receiving information from agents due to the number of staff furloughed or absent throughout the pandemic. Given the extenuation circumstances, the service did not wish to determine applications early by refusing them and worked with the agents to reach satisfactory outcomes for all parties even though this resulted in an increased average decision time.

In addition, due to a 2-month delay in setting up virtual Development Management Committee (DMC) meetings this negatively impacted upon the average time due to the number of applications not able to be determined at the original meeting dates.

Part 6: Workforce Information

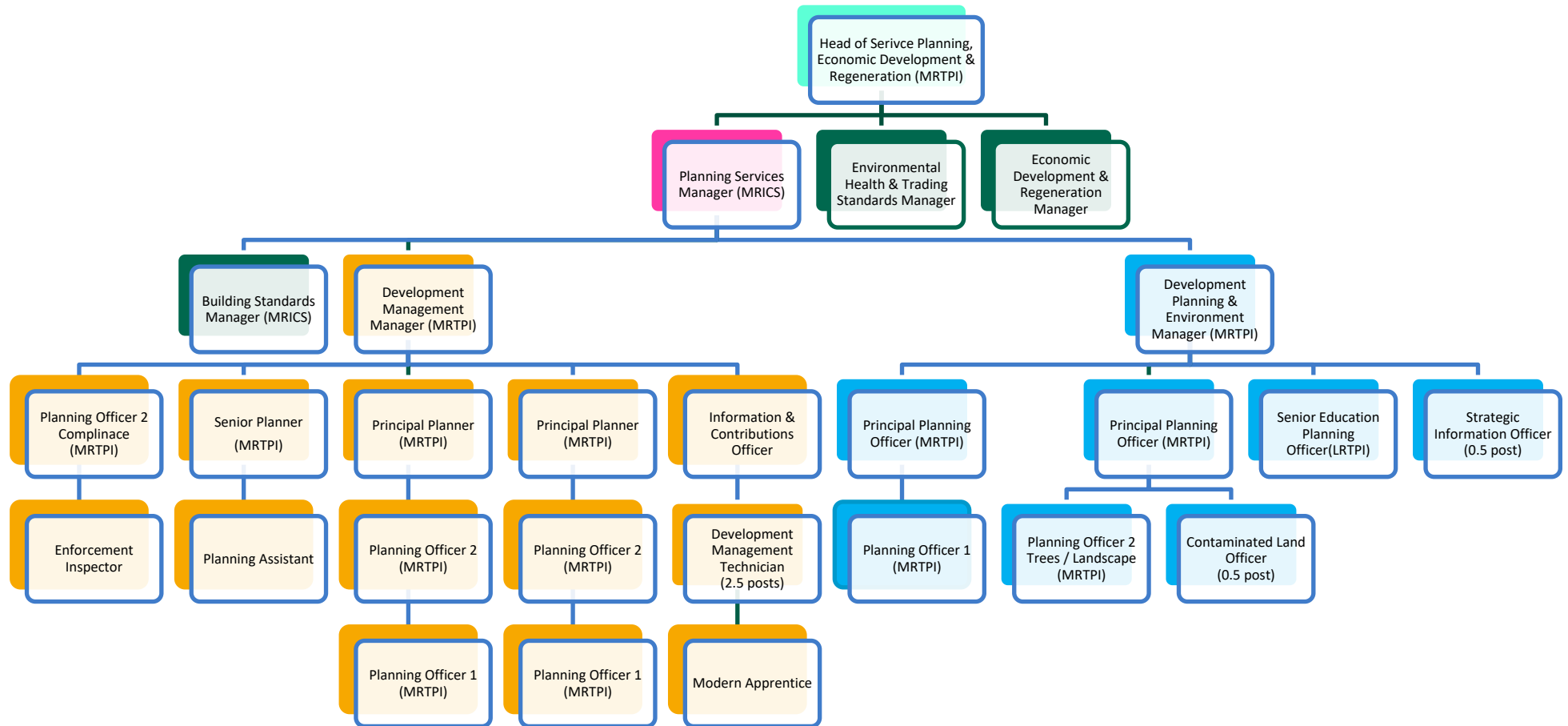
Workforce information should be a snapshot of the authorities planning staff in position on the **31st of March 2021**. The information requested in this section is an integral part of providing the context for the information in parts 1-5. The template below allows the information to be recorded in 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			●	●

RTPI Chartered Staff	Headcount		
	Chartered RTPI	Licentiate RTPI	All Staff
Development Management	9	0	16 (Incl. Modern Apprentice)
Development Planning	5	1	8 (1 vacant)
Total (incl. Senior Management)	14	2	25 posts

Staff Age Profile	Headcount
Under 30	7
30-39	3
40-49	6
50 and over	9

Planning Services Structure



Part 7: Planning Committee Information

The template below allows the information on the number of meetings and site visits during 2020-21 to be recorded in a consistent format, additional guidance on what to include is within the template itself.

Committee & Site Visits	Number per year
Full council meetings	7 ¹
Planning committees	10 ²
Area committees	N/A
Committee site visits	10 ³
Local Review Body (LRB)	6 ⁴
LRB site visits	6 ⁵

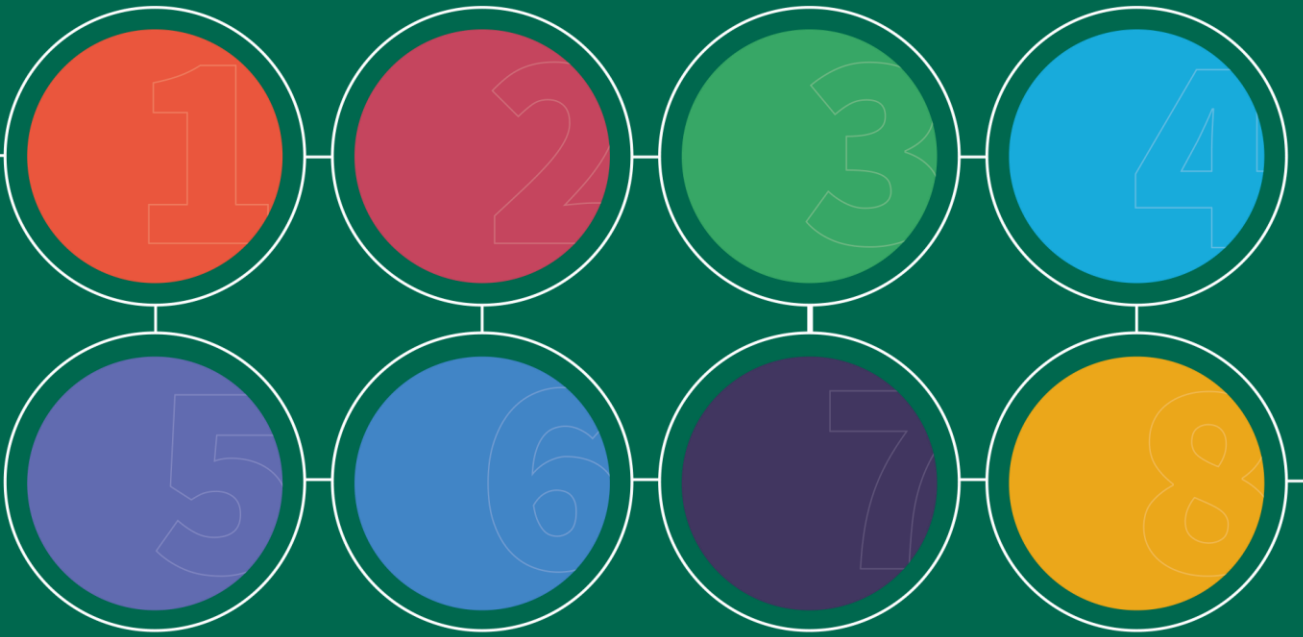
¹ 8 meetings were scheduled however due to the Pandemic only 7 took place with 1 cancelled until virtual meetings commenced in June 2020.

² 12 meetings were scheduled however due to the Pandemic only 10 took place with 2 cancelled until virtual meetings commenced in June 2020.

³ This relates to the number of committee meetings with site visits scheduled to take place prior to each committee meeting subject to social distancing requirements.

⁴ 8 meetings were scheduled however due to the Pandemic only 6 took place with 2 cancelled until virtual meetings commenced in June 2020.

⁵ This relates to the number of LRB meetings with site visits scheduled to take place prior to each LRB meeting subject to social distancing requirements.



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