

The Highland Council

Planning, Development and Infrastructure Committee

18 February 2015

Agenda Item	7
Report No	PDI 4/15

Planning Performance Framework and Quarter 3 Performance Review

Report by Director of Development and Infrastructure

Summary

This report advises Members on the delivery of the Development Management, Building Standards, and the Development Plan services for the 3rd Quarter of 2014/2015. The report also updates Committee on feedback received from Scottish Government on the Council's Planning Performance Framework.

1. Introduction

- 1.1 Key performance indicator information is reported to committee every quarter, and the figures for the third quarter of 2013/14 are now available.

2. Development Management

- 2.1 The figures set out in **Appendix 1** demonstrate that 75.3% of all local planning applications were determined within 2 months. The Year to Date figure stands at 71.4%, against the Service Improvement Plan target for 2014/15 of 70%. As previously requested, benchmark figures for other local authorities are also included (with figures for Q2).
- 2.2 Average times taken to determine local planning applications have also met the targets set in the Service Improvement Plan. The time taken to determine major planning applications determined during Q3 was 24.8 weeks (against a target of 24 weeks).
- 2.3 The pre-application advice service for local and major planning applications has continued to operate well over the last three months. The major developments pre-application advice service continues to deliver 100% of packs within four weeks. The local pre-application advice service has been improved, and the target times set for completion of the pre-application packs are being met. Quarter 3 performance stood at 82%, against a target of 70% within 6 weeks.
- 2.4 Enforcement information is also shown in **Appendix 1**. For Quarter 3, 88 enforcement complaints were received. Over the course of the quarter a total of 32 formal Notices were served.

3. Building Standards

- 3.1 Building Standards quarterly figures are set out in **Appendix 2**. Performance for responding to an application for building warrant (KPI1) improved on last quarter by 4 points, achieving 84.5% (target 85%). KPIs 2 to 6 remain consistent recording an average 93%, which is above target level (85%)
- 3.2 The number of building warrant applications determined during Q3 was 612; this is 19% (147) less than Q2, and 2% (14) less when compared to Q3 last year. The number of completion certificates accepted during Q3 was 738; this is 3% (21) less when compared to Q2, but a 9% (69) increase when compared to Q3 last year.
- 3.3 The value of work submitted for building warrant during Q3 was £157m; this is 39% (£104m) less when compared to Q2, but 63% (£99m) more when compared to Q3 last year. Building Warrant fee income for Q3 was £392k. This represents a 23% (£113k) drop in fee income when compared to last quarter; which was unusually high due to some new school projects being submitted, but a 3.5% (£14k) increase when compared to last year.
- 3.4 There were 19 new applications received in Q3 where the value of the proposed works was in excess of £1m. The type of work is predominantly for new housing (11 apps). This is in addition to 5 other applications submitted in Q3 for amendments and staged work, where the value is in excess of £1m.

4. Development Plans

- 4.1 The Main Issues Report for the Caithness and Sutherland Local Development Plan was published for consultation in October, and consultation events held across the plan area. In preparation, leaflets were circulated to all addresses in the plan area, and we wrote to neighbours of potential site allocations.
- 4.2 Feedback was provided to Reporters carrying out the Examination of the Inner Moray Firth Local Development Plan. The Examination Report is expected by the end of February, which will then allow statutory procedures for adoption of the plan to be undertaken.
- 4.3 Early work on the West Highland and Islands Local Development Plan has commenced, by raising awareness through Key Agency Meetings and Ward Forums, and carrying out initial research for the Monitoring Statement. Marking the start of the review of the Highland-wide Local Development Plan, a series of 13 workshops have been held with colleagues and partner organisations to agree the future priorities.
- 4.4 Following public consultation on the Inshes and Raigmore Development Brief, the City of Inverness Area Committee approved the final version in December 2014. The Area Committee also approved the Muirtown & South Kessock Development Brief for consultation.
- 4.5 The information and research team have also been involved in preparing the

Highland Housing Land Audit, preparing a new map of wind farm activity and preparing school roll forecasts.

5. Planning Performance Framework – Feedback

- 5.1 In December 2014, feedback was received from the Scottish Government on the Planning Performance Framework submitted by the Service in September 2014. A copy of the feedback is attached to this report for information (**Appendix 3**).
- 5.2 The feedback is generally positive, and highlights a number of the key improvements we have undertaken over the last year. The appendix to the feedback report shows Highland Council's rating against 15 performance markers. Whilst the majority of these are "green", there is one "red", and one "amber".
- 5.3 The red indicator has been given to the marker relating to "legacy" cases, which are those planning applications still in the system after more than one year. This is now the focus of improvement, with a renewed emphasis being given to determining these older applications which can be stalled for a wide variety of reasons (including some outwith the Service's control). The "amber" rating for the average time taken to prepare legal agreements is also the subject of an improved process with colleagues in Corporate Development, and there is now a target timescale of four months for the conclusion of legal agreements following a decision to grant planning permission.

6. Implications

- 6.1 There are no direct resource, legal, equality, climate change/Carbon Clever, rural, or Gaelic implications arising from this report.

Recommendation

That the Committee notes the performance updates across the Development Management, Building Standards and the Development Plans teams as well as the feedback received from Scottish Government on the Planning Performance Framework.

Designation: Director of Development and Infrastructure

Author: Malcolm Macleod, Head of Planning and Building Standards (Ext: 2506)

Date: 3 February 2015

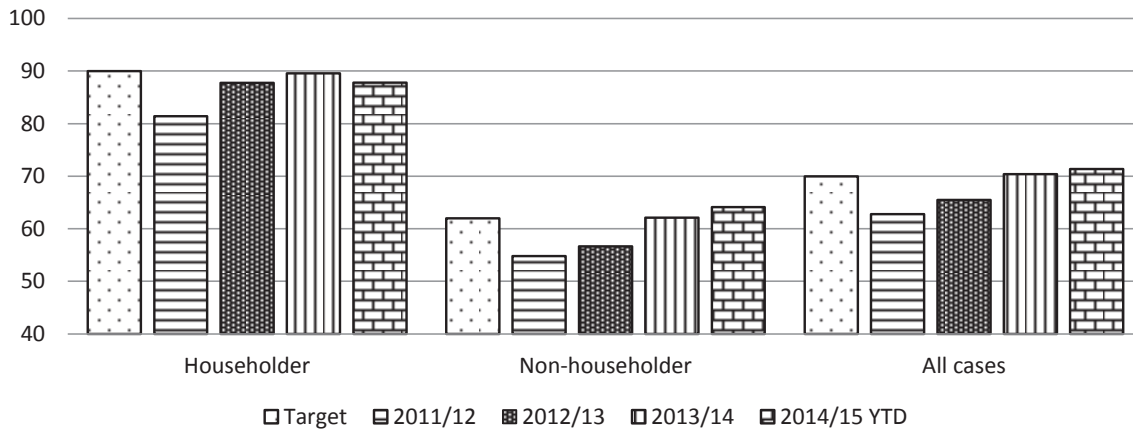
Appendix 1
Performance Statistics

Highland
Quarter 3 2014/15

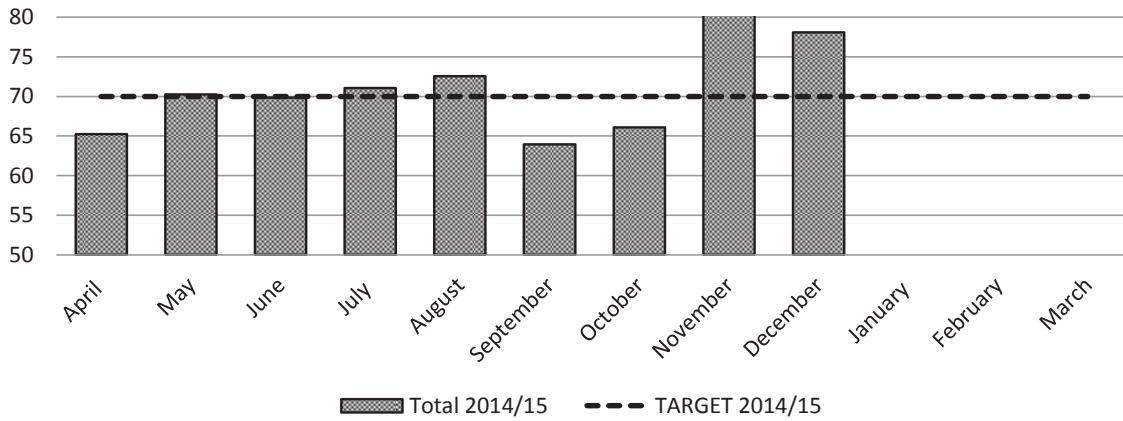
Planning Applications			
Category	Total Number of Decisions	% Within Agreed Timescales	
Processing Agreements			
Major Applications	4	75.0%	
Local Applications			
EIA developments			
Other Applications			
	Total Number of Decisions	% within timescales*	Average Time (Weeks)
All Major Developments	6	16.6%	24.8
All Local Developments	562		10.4
Local: less than 2 months	423	75.3%	
Local: more than 2 months	139	24.7%	
Local developments (non-householder)	397		11.3
Local: less than 2 months	274	69.0%	
Local: more than 2 months	123	31.0%	
Local developments (householder)	165		6.9
Local: less than 2 months	149	90.3%	
Local: more than 2 months	16	9.7%	
Other Consents	61		8.6
Other : Less than 2 months	46	75.4%	
Enforcement Activity			
	Number		
Cases Taken Up	88		
Notices Served	32		
Reports to Procurator Fiscal	0		
Prosecutions	0		
Pre-Application Advice			
Major Packs within 4 weeks	100.0%		
Local Packs within 6 weeks	82.0%		

* 4 months for major developments and 2 months for local developments and other consents

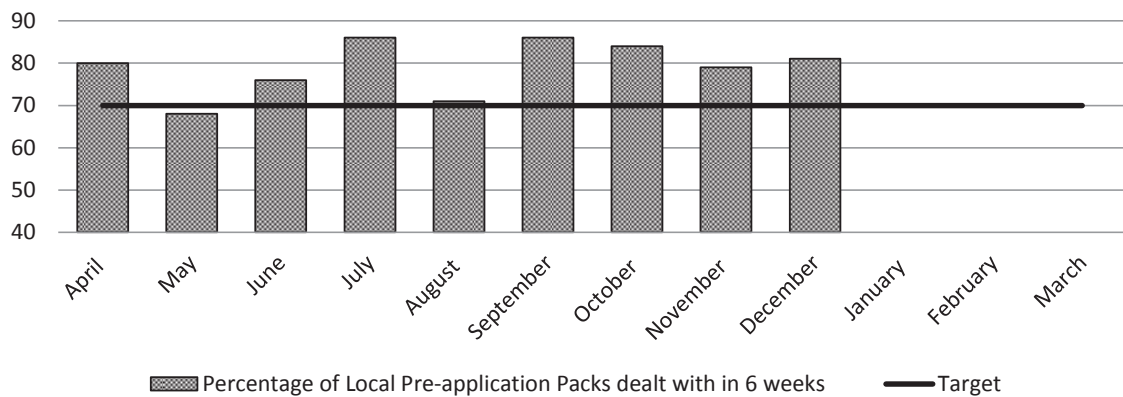
Development Management Performance - % of local planning applications dealt with in 2 months (Year to Date)



Development Management Performance - % of all planning applications dealt with in 2 months



Development Management Performance - Local Pre-application



Benchmark Performance Figures for 2014/15 Q2 for Local Planning Applications

Planning Authority	2014/2015 Q2			
	No. Applications	Average Time Without Legal Agreement (weeks)	Average Time With Legal Agreement (weeks)	Overall Average Time (weeks)
Aberdeenshire	897	11.6	103.2	13.2
Argyll & Bute	317	9.5	35.8	9.8
Cairngorms NP ¹	14	19.8	-	19.8
Dumfries & Galloway	642	8.2	53.8	8.6
Eilean Siar	90	10.2	-	10.2
Highland	645	11.2	37.7	11.6
Moray	227	9.2	-	9.2
Orkney Islands	107	8.3	1.0	8.3
Scottish Borders	263	13.3	53.7	17.4
Shetland Islands	100	10.1	-	10.1
SCOTLAND	3,302	10.5	62.3	11.4

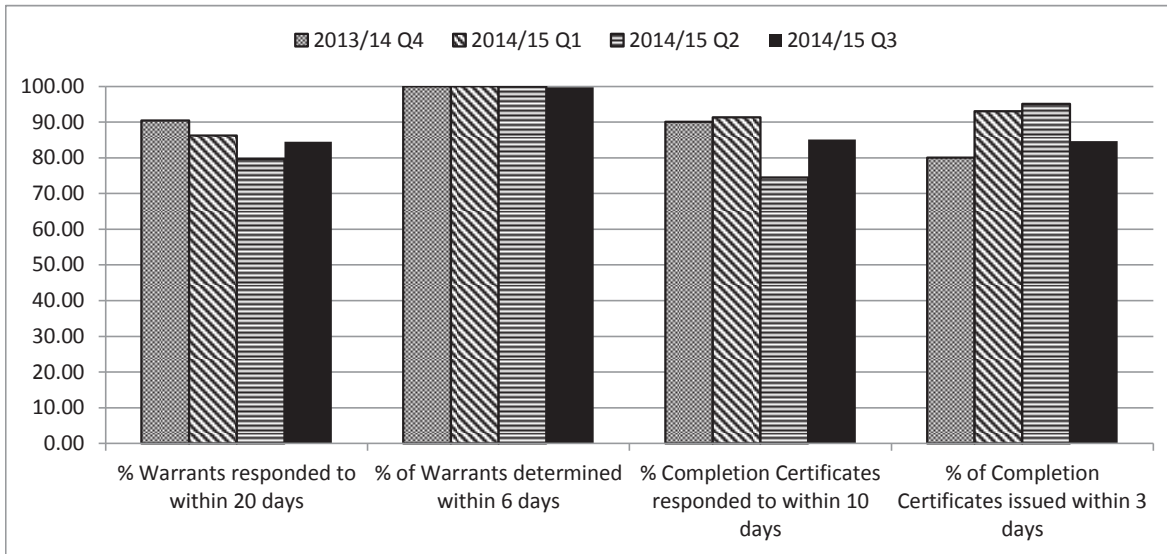
Source: Scottish Government

A full publication is available at the following link:

<http://www.scotland.gov.uk/Topics/Statistics/Browse/Planning/Publications>

Appendix 2
Building Standards Performance 2014/15 Quarter 3

	% Warrants responded to within 20 days	% of Warrants determined within 6 days	% Completion Certificates responded to within 10 days	% of Completion Certificates issued within 3 days	Target
2013/14 Q4	90.40	100.00	90.10	80.00	80
2014/15 Q1	86.22	100.00	91.32	93.00	80
2014/15 Q2	79.70	99.90	74.50	95.10	80
2014/15 Q3	84.50	99.70	85.10	84.70	80



Building Standards Volumes and Income (Last 4 Quarters)

	2013/14 Q4	2014/15 Q1	2014/15 Q2	2014/15 Q3
Warrants Decided	775	669	759	612
Compl. Certs	509	717	759	738
Income (£000)	554	630	585	392

Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
Alex Neil MSP

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Mr Steve Barron
Chief Executive
Highland Council

In 2014 Scotland Welcomes the
World



11 December 2014

Dear Mr Barron

PLANNING PERFORMANCE FRAMEWORK 2013/14

Thank you for submitting your authority's annual Planning Performance Framework (PPF) report covering the period April 2013 to March 2014.

I am delighted to have planning within my portfolio and I am pleased to see that continued progress is generally being made across the country to improve planning performance.

Please find enclosed feedback on your 2013/14 PPF, which has been prepared by a Scottish Government contractor, and is based on the evidence provided within your report. Contact details for my officials are available in the feedback report should you wish to clarify any element of the contractors commentary. We will be publishing an Annual Performance Report in the new year which will summarise performance across the country against the key markers of performance.

The quality of PPF reporting has significantly improved with many PPF reports setting out a very clear story of how the service is operating and their priority actions for improvement. There is still some inconsistency in planning authority decision making timescales across the country and I look forward to seeing progress in the next set of performance statistics.

You will be aware that Section 55 of the Regulatory Reform (Scotland) Act commenced on 30 June 2014. It provides Scottish Ministers with powers to vary the planning application fee payable to different planning authorities where the functions of a planning authority are not being, or have not been, satisfactorily performed. The High Level Group on Performance has been considering the process which would be used to determine if any authorities have not satisfactorily performed. It is hoped to

finalise that process at our next meeting in February 2015. Please note that following the last meeting, the preferred option was to base the process on decision making statistics alone using the annual statistics for the period 2014/15. I shall write again to planning authority Heads of Planning in February to update them on discussions at the High Level meeting. COSLA, HOPS, SOLACE, SOLAR, the RTPi and key agencies are all represented on this group.

I am determined to keep up the momentum with the performance agenda, maintaining continual improvement and enhancing the reputation of our planning service. I look forward to working with you to achieve this shared goal.

Yours sincerely



ALEX NEIL

Cc: Malcolm MacLeod, Head of Planning and Building Standards

PLANNING PERFORMANCE FRAMEWORK: 2013-14

FEEDBACK REPORT: Highland Council

Date performance report due: 30 September 2014

Date of receipt of report: 29 August 2014

National Headline Indicators

- You have an up to date Local Development Plan (LDP) and your development plan scheme is on track.
- There has been a further increase in the number of pre-application discussions from 19.9% last year to 27.1% this year, and you continue to offer this to all major and local applications. Your regular monitoring and development of this aspect of your planning service shows a commitment to providing a good quality service and we note that the service features in your planning performance targets for the coming years. We look forward to hearing of your progress.
- Your average decision-making timescales for major developments have worsened slightly this year, moving from 29.4 weeks to 31.6 weeks, albeit this relates to only those major applications (generally older ones) that did not have processing agreements. This is significantly better than the Scottish average figure of 53.8 weeks.
- You have made further progress in reducing the average decision-making timescales for local (non-householder) developments from 15.0 to 12.2 weeks. And for householder developments there has been a slight improvement from 7.4 to 7.0 weeks. Again, both of these figures are better than the Scottish average decision-making timescales.
- You have also made further progress in clearing legacy cases this year and you are closely monitoring the remaining 58 legacy cases that are more than one year old. However, this is a significant number outstanding, although we note your comments that given the overall number of planning applications dealt with on an annual basis, it is manageable. It would be helpful if you provided more information on the actions taken to reduce the number of legacy cases and we also hope to see a further reduction in their numbers in your next report.
- It is encouraging that you offer processing agreements for all major developments and that these have been implemented for a majority of major applications this year (18). It is also good to see that 95% of these met the agreed timescales. Given the success of these for major developments, we would also suggest that there may be value in giving consideration to offering processing agreements for more substantial or complex local developments.
- You have identified 249 breaches, of which 120 have been resolved. It would be good to see a higher proportion of resolution in your next report.
- Your enforcement charter has been reviewed in the past year and this is complemented by a central Enforcement Team taking a more pro-active and structured approach to enforcement than previously in order to deliver a more efficient service.

Defining and measuring a high-quality planning service

- Your report is very well structured and provides clear information supplemented by descriptions of progress made during the reporting year, case studies and feedback from customers which all helps to demonstrate your ongoing commitment to a service culture and continuous improvement.
- You have again provided evidence of a positive approach to regeneration and economic development.
- You continue to demonstrate that you have an Open for Business approach through your customer service charters, dedicated customer service officer, updated website and provision of a comprehensive pre-application advice service.
- You have again provided good evidence of your pre-application advice service which ensures that supporting information requests for future planning applications are clear and proportionate through written advice and validation checklists. The provision of feedback and case studies also helps demonstrate the value of this service.
- You have provided good evidence of strong working relationships and you are committed to collaborative working through a focus group with agents, training for community councils and regular liaison meetings with other Council Services and key agencies. From the information you have provided, your service improvement on processing agreements appears to have helped to improve this further.
- Your pro-active approach to improving the quality of development through guidance, training, initiatives and involvement in a range of projects is welcomed. It was useful to see examples of where design improvements have been achieved through the planning process.
- We are pleased to see that you continue to recognise the value of public engagement and involvement in placemaking by providing a range of opportunities for people and communities to be involved in the planning process. You have utilised a good range of approaches including public exhibitions, mini-charrettes and focus groups, and then used information gathered to further enhance your service delivery.
- Proportionality in seeking developer contributions continues to be a focus and the inclusion of a case study was welcomed.
- This year has seen a 20% decrease in the number of complaints, which point to the benefits of having a dedicated Customer Services Officer and a two-stage corporate complaints procedure. We are encouraged that you use feedback from customer complaints to change policy or procedure and / or deliver training to your staff.
- You have management structures and internal processes in place to monitor workload and ensure effective service delivery making use of flexibility and hot desking to ensure that you maintain an efficient service and level of decision making.
- You use tailored training to ensure staff and elected members continue their individual development.

- It is good to see that you work closely with other organisations such as Cairngorms National Park Authority, neighbouring local authorities, the North of Scotland Development Plans Forum, SEPA, SNH and so on to share your planning knowledge, experience, best practice and to deliver training. You also hold regular meetings with your benchmarking family and share working documents.

Service improvements 2013-14: delivery

- You have made good progress on delivering previously identified service improvements, and we look forward to information on your comprehensive customer survey next year.
- We note that some improvements remain outstanding and these have been carried forward.

Service improvement commitments 2014-15

- You have again committed to a good range of activities that should help contribute towards your continuing delivery of good performance, collaborative working and a positive customer service.
- We look forward to hearing the results from the comprehensive customer surveys.

Conclusion

- Again, you have produced a well-structured, informative and positive report that provides good evidence of the improvements you have delivered in the reporting period.
- While your average decision-making timescales for major developments have worsened slightly this year you have made further progress in reducing the average decision-making timescales for local (non-householder) and for householder developments and all of your figures are better than the Scottish average decision-making timescales.
- You have also made further progress in clearing legacy cases.

The feedback in this report is based solely on the information provided within your Planning Performance Framework Report covering the period April 2013 to March 2014.

If you need to clarify any aspect of the report please contact us on 0131 244 7148 or email Chief.Planner@scotland.gsi.gov.uk

Please note that Planning Performance Framework Reports covering the period April 2014 to March 2015 are due to be submitted to the Scottish Government by 31 July 2015.

APPENDIX

PERFORMANCE MARKERS REPORT 2013-14

Name of planning authority: **Highland Council**

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	Green	<ul style="list-style-type: none"> Major developments Average timescales have increased slightly from last year from 29.4 weeks to 31.6 weeks, but this is better than the national average of 53.8 weeks. RAG = Amber Local (non-householder) Developments Average timescales have improved since last year from 15.0 weeks to 12.2 weeks. This is better than the national average of 14.3 weeks. RAG = Green Householder Developments Average timescales have improved slightly since last year from 7.4 weeks to 7.0 weeks which is better than the national average of 7.7 weeks. RAG = Green <p>TOTAL RAG = Green</p>
2	Processing agreements: <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>Authority offers processing agreements for all major developments and implemented for majority this year.</p> <p>Availability publicised on website</p>

3	<p>Early collaboration with applicants and consultees</p> <ul style="list-style-type: none"> • availability and promotion of pre-application discussions for all prospective applications; and • clear and proportionate requests for supporting information 	Green	<p>Comprehensive and formal pre-application service in place.</p> <p>Report provides good evidence of how early collaboration ensures that requests for supporting information are clear and proportionate.</p>
4	<p>Legal agreements: conclude (or reconsider) applications after resolving to grant permission</p> <ul style="list-style-type: none"> • reducing number of live applications more than 6 months after resolution to grant (from last reporting period) 	Amber	<p>Authority still implementing procedures to ensure legal agreements are concluded within 4 months following minded to grant decision. Report outlining new procedures has been agreed by the PED Committee although the process is still being implemented.</p> <p>Based on the annual Planning Authority Performance Statistics for 'all applications' during 2013/14:</p> <p>Increase in average timescale to decide major applications with legal agreements from 22.8 to 78.9 weeks. This is attributed to the clearing of legacy cases and remains better than the Scottish average of 87.5 weeks.</p> <p>Slight decrease in average timescale to decide local applications with legal agreements from 32.2 to 29.9 weeks. This is better than the Scottish average of 66.1 weeks.</p>
5	<p>Enforcement charter updated / re-published within last 2 years</p>	Green	<p>Enforcement charter updated within 2yr timescale.</p>
6	<p>Continuous improvement:</p> <ul style="list-style-type: none"> • progress/improvement in relation to PPF National Headline Indicators; and • progress ambitious and relevant service improvement commitments identified through PPF report 	Green	<p>Up to date LDP and development plan scheme is on track.</p> <p>Positive progress made on reducing decision-making timescales for local developments (non-householder) and householder developments, which are below the national average.</p> <p>Good activity on many improvement actions through the year.</p>

7	Local development plan less than 5 years since adoption	Green	LDP adopted 2012.
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> on course for adoption within 5 years of current plan(s) adoption; and project planned and expected to be delivered to planned timescale 	Green	On course for adoption within 5 years of current plan Project planned and expected to be delivered to planned timescale
9	Elected members engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	NA	
10	Cross sector stakeholders* engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i> <i>*including industry, agencies and Scottish Government</i>	NA	
11	Regular and proportionate policy advice produced on: <ul style="list-style-type: none"> information required to support applications; and expected developer contributions 	Green	Regular and proportionate policy advice produced on: <ul style="list-style-type: none"> information required to support applications Pre-application advice service in place. Planning guidance and advice published on a variety of development types to support applications. RAG = Green expected developer contributions Supplementary planning guidance on developer contributions available, setting out expected development contributions. Further improvements made this year including a validation checklist. RAG = Green TOTAL RAG = Green
12	Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Green	Evidence of joint working between Council departments. Clear and effective management structures in place and examples given of joint working.

13	Sharing good practice, skills and knowledge between authorities	Green	<p>Currently sharing good practice with other authorities through development plan forums.</p> <p>Benchmarking with other planning authorities and participated in benchmarking exercise with HOPS.</p> <p>Information provided on how and what good practice, skills and knowledge is shared between authorities.</p>
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Red	<p>Report states that 58 cases remain that are more than one year old. This is an increase on the figure provided in last year's report (29 cases).</p> <p>More progress required to reduce this number further.</p>
15	Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Green	<p>Developer contributions: clear and proportionate expectations</p> <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan) <p>Developer contributions set out in development plan.</p> <p>RAG = Green</p> <ul style="list-style-type: none"> • in pre-application discussions <p>Supplementary planning guidance on developer contributions published.</p> <p>Comprehensive pre-application advice service in place, with written responses setting out requirements.</p> <p>RAG = Green</p> <p>TOTAL RAG = Green</p>