

The Highland Council
Planning, Development and Infrastructure Committee
17 August 2016

Agenda Item	7
Report No	PDI 41/16

Planning Performance Framework and Quarter 1 Performance Review

Report by Director of Development and Infrastructure

Summary

This report seeks approval of the Planning Performance Framework (PPF) for 2015/16 which is submitted annually to Scottish Government. The report also provides Members with an update on the delivery of the Development Management, Building Standards and the Development Plan services for the first Quarter of 2016/2017 and an update on the Review of the Planning System, recently undertaken by an independent panel.

1. Introduction

- 1.1 The Planning Performance Framework is prepared annually for submission to Scottish Government – it sets out how the Council has performed in respect of the national headline indicators for planning and also provides a summary of key activities undertaken during the course of the year.
- 1.2 Key performance indicator information is reported to committee every Quarter and the outturn figures for the first Quarter of 2015/16 are now available.

2. Planning Performance Framework

- 2.1 The draft Planning Performance Framework (see **Appendix 1**) for last year was submitted to Scottish Government for assessment on 29 July 2016 as this was the deadline set across Scotland. An extension has been granted to allow for consideration by this Committee, and the finalised version will be submitted after this Committee meeting.
- 2.2 As Members will note, the Council's performance against the national headline indicators remains strong, and performance for the last year saw a further reduction in the average times taken to issue planning decisions. A number of case studies have been included within the PPF. Members are asked to approve the draft PPF for formal submission to Scottish Government.

3. Development Management

- 3.1 Performance was sustained during Q1 (see **Appendix 2**). 70% of all local applications were determined within two months. Householder applications were just below target at 88% of applications determined within two months.

3.2 The pre-application advice service continues to operate well. Seven proposals took advantage of the major pre-application advice service during Q1. During this quarter 137 local pre-application packs were prepared.

4. Building Standards

4.1 Performance for responding to an application for building warrant (KPI1) for Q1 recorded 75.2% (See **Appendix 3**). It is disappointing to report that this is a drop from the previous quarter and from the 82% reported last year. Issues with the Uniform database, and applications being assessed electronically in the lead up to eBuilding Standards 'go live' date on 24 August, are the two main factors for the drop.

4.2 Performance on responding to completion certificates also shows a drop during this quarter – this is largely because of the system issues experienced and the high volume of completion certificates required to be issued for external wall insulation. Performance across the other internal KPIs recorded a slight drop to 93% when compared to last quarter at 96.5% but remain above target.

4.3 There were six applications received in Q1 where the value of the proposed work was in excess of £1m. Two were for buildings in Lochaber (a retail building and a refurbishment to a Hotel). A retail unit in Aviemore and refurbishment of leisure centre in Grantown on Spey; and alterations to a school building in Inverness.

4.4 The eDevelopment Programme continues to programme for the launch date on 24 August. All of the BS team have now gained experience in carrying out assessments of building warrant applications electronically and at the moment are familiarising themselves with portable devices to enable site visits to be carried out with reliance on paper plans.

5. Development Plans

5.1 During Q1 we held a series of events across the West Highland and Islands area as part of a consultation on the priorities and main issues for communities as set out in a Main Issues Report. These were attended by approximately 300 people, mainly residents and Community Council members, but also landowners, developers and business representatives. We continued preparations for the Caithness & Sutherland LDP to be referred to Committee for approval to submit to Scottish Ministers for Examination. Following a consultation marking the start of the Highland-wide LDP review in Q4, we prepared feedback on the next stage of the process.

5.2 We have seen continued increases in the use of the online Development Plans portal for Development Plan consultations in the last quarter, with 90% of comments online during the most recent Highland-wide LDP consultation. This has led to a corresponding reduction in the time spent on administrative tasks and the manual handling of comments, as well as introducing a consistent back office system to manage customer records.

6. Review of Planning

- 6.1 In September 2015, an independent panel was appointed by Scottish Ministers to review the Scottish planning system. The report of the panel, “Empowering Planning to Deliver Great Places” was published on 31 May 2016. A synopsis of the key recommendations is attached as **Appendix 4**, and a copy of the full report can be found at on the Scottish Government web-site [here](#).
- 6.2 The review focused on six key themes - development planning; housing delivery; planning for infrastructure; development management; leadership, resourcing and skills; and community engagement. Highland Council contributed to the review and the Head of Planning and Environment was asked to give oral evidence to the panel.
- 6.3 Scottish Government has responded to the findings of the review and a statement has been published on the web-site [here](#). There is a commitment to bring forward a further round of reform to the planning process, and members are asked to note the current position.

7. Implications

- 7.1 There are no direct resource, legal, equality, Climate Change/Carbon Clever, Gaelic, rural, or risk implications arising from this report.

Recommendation

Members are asked to:

- approve the Planning Performance Framework for submission to Scottish Government;
- note the performance updates for the Development Management, Building Standards and the Development Plans teams; and
- note the current position of the Scottish Government’s Review of the Planning System.

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Date: 1 August 2016



HIGHLAND COUNCIL

PLANNING PERFORMANCE FRAMEWORK

**DRAFT (PENDING COMMITTEE APPROVAL ON 17 AUGUST
2016)**

Part 1: National Headline Indicators (NHIs)

Key outcomes	2015-2016	2014-2015
Development Planning		
Age of local/strategic development plan(s) (full years)	3	2
Development Plan Scheme: on track?	N	Y
Will the local/ strategic development plan (s) be replaced by their 5th Anniversary according to the current development plan scheme (Y/N)?	N	Y
Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year?	Y	N
Were development plan scheme engagement/consultation commitments met during the year (Y/N)?	Y	Y
<p>Highland-wide LDP was adopted in 2012 and the Inner Moray Firth LDP in 2015. There are 5 Local Plans that remain in force under the HwLDP through a Parliamentary Order. The average age of the old Local Plans is 9 years.</p> <p>A review of the work programme has been carried out as a result of changes to the staffing structure which proposes a focus on the two remaining Area LDPs before the HwLDP review is progressed further. The timescales for the HwLDP review from the 2016 DPS will therefore not be met, but other plans remain on target. These changes are reflected in an updated Development Plan Scheme to be considered by Committee in August 2016.</p>		
Effective Land Supply and Delivery of Outputs		
Established housing land supply	29310 units	30275 units
5-year effective housing land supply	4524 units	13887 units ¹
5-year housing supply target	5714 units	8389 units
5-year effective housing land supply	3.9 years	1.7 years
Housing approvals	15135 units	8005 units ²
Housing completions over the last 5 years	4583 units	4950 units ²
Marketable employment land supply	2384 ha ⁴	3752 ha
Employment land take-up during reporting period	NA	NA ³
<p>¹ Our LDPs have an established 20 year land supply, with an effective supply for the first 5 years and beyond, supply and targets are calculated on this basis</p> <p>² Figures calculated are for the period 2010-2014</p> <p>³ Data not available</p> <p>⁴ Business, Industrial and Retail allocations from adopted LDPs – excludes mixed-use allocations</p>		
Development Management		
Project Planning		
percentage of applications subject to pre-application advice	17%	15.9%
number of major applications subject to processing agreement or other project plan	13	15
percentage planned timescales met	78.1%	100%

Decision - making application approval rate	95.4%	95%
delegation rate	96.5%	86%
Decision – making timescales		
Average Number of weeks to decision:		
major developments	20.6	24.9
local developments (non-householder)	11.9	12.3
householder developments	7.3	7.1
Legacy Cases		
Number cleared during reporting period	61	21
Number remaining	39	37
Enforcement		
time since enforcement charter reviewed (months)	13	1
number of breaches identified	136	251
number of breaches resolved	282	188

Further information on Adopted Local Development Plan / Local Plans

Plan	Status at 31 March 2016	Date adopted/ approved	Number of full years passed
Adopted Local Development Plans/Local Plans			
Inner Moray Firth Local Development Plan	Adopted	31 July 2015	0
Highland-wide Local Development Plan	Adopted	5 th April 2012	3
Sutherland Local Plan (as continued in force)	Adopted	24 th June 2010 (Retained in force 5 th April 2012)	5
West Highland and Islands Local Plan (as continued in force)	Adopted	9 th September 2010 (Retained in force 5 th April 2012)	5
Wester Ross Local Plan (as continued in force)	Adopted	29 th June 2006 (Retained in force 5 th April 2012)	9
Ross and Cromarty East Local Plan (as continued in force)	Adopted	8 th February 2007 (Retained in force 5 th April 2012)	9
Caithness Local Plan (as continued in force)	Adopted	12 th September 2002 (Retained in force 5 th April 2012)	13
Emerging Local Development Plans			
Caithness and Sutherland Local Development Plan	Proposed Local Development Plan	January 2016	-
West Highland and Islands Local Development Plan	Main Issues Report – approved by Committee	February 2016	-
2nd Highland-wide Local Development Plan	Main Issues Report	25 September 2015	-

Part 2: Defining and measuring a high-quality planning service

1. QUALITY OF OUTCOMES

Over the course of last year, our policy frameworks have helped deliver a wide range of developments throughout the Highland area. We continue to negotiate with developers to deliver better quality of development that reflects the Highland context, and we seize opportunities to encourage development that reflects our Development Plan policies and unique Highland character. The two examples given below demonstrate the quality of development we have sought in two of our more rural areas (case studies 1 and 2).

Case Study 1 – Lochside Cottage

15/03562/FUL – Lochside Cottage Hope is located on the windswept western facing shore of Loch Hope on the north coast of Scotland within the shadow of the most northerly Munro, Ben Hope, between the small communities of Altnaharra and Hope.



The proposal, which forms part of an extensive modernisation programme currently being undertaken by the Estate to its properties to diversify further into up-market accommodation, was to sympathetically refurbish the traditional form estate cottage and add glazed links to access new contemporary extensions which are a modern interpretation of the proportion, scale and materials of period sheds, barns and byres.

These extensions will provide additional living accommodation and bedrooms, including an underground bedroom to the southwestern elevation. They will take full advantage of the uninterrupted vistas over the Loch and to the rugged and unspoilt wild mountains of northwest Sutherland beyond.

The developer was involved in extensive pre-application discussions with the Council on this development, all within the context of the wider and ongoing modernisation and redevelopment plans for the whole Estate by the new owners. During this pre-application stage, we were able to add value to the process in negotiation with the developer to ensure that the form and massing of the extension to the original cottage, and the proposed materials for such, were appropriate to the proposal, and to the wider landscape.

The successful and detailed pre-application discussion between the agent and the Council resulted in the application being processed quickly and unhindered.

The proposal was accompanied by supporting information including a Design Statement specifically for the Cottage; and a Masterplan setting the Cottage redevelopment within the wider context of various other projects for Hope, including extensive works to the Category B Listed Hope Lodge, a new boathouse and jetty, refurbishment and extension of five other estate houses, and re-alignment of the public road.

Case Study 2 – Forsinard



13/04359/FUL – Forsinard Tower is located at Forsinard in the beautiful and ruggedly remote Flow Country of Sutherland in the north of Scotland, between Helmsdale and Melvich. It is one of the main focal points within the largest of the RSPB Reserves and is reached from the village by walking through the peatland landscape on a series of trails. The Flows Lookout Tower gives a unique perspective of the blanket bog and pool system on the Dubh Lochan Trail, which is a classic example of the type of pools that are found throughout the

Flow Country. There was close liaison with the applicant and agent throughout the planning process.

The RIAS awards 2016 named it as one of the eleven best buildings of the year at its prestigious awards ceremony.

http://www.rspb.org.uk/news/details.aspx?id=421210&utm_source=rss&utm_medium=feed&utm_campaign=News

The tower now provides a modern, contemporary, striking and functional piece of public architecture within a unique setting which through its siting elevation gives an opportunity for visitors RSPB Forsinard to experience and appreciate the landscape, plants and animals within the Reserve. The building



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therefore adds public environmental value to and enhances the already high quality of the existing natural environment at the site, which is one of the top visitor attractions in Sutherland. The development also furthers the concepts of conserving peatland habitats to mitigate climate change and provides a destination for star gazing given its location within an area of Dark Skies.

Sources: Highland Council, Icosis Architects, RSPB, UrbanRealm

Major developments such as Inverness Campus and Tornagrain and new public infrastructure including the Inverness West Link and the new Inverness Royal Academy have been further progressed during this reporting period , assisted by the planning process. The overarching Highland wide Local Development Plan, which is supplemented by Area Local Development Plans and Supplementary Guidance, has provided a consistent basis for the delivery of effective pre-application advice and for consistent decision making.

[Supplementary Guidance](#) covers a wide range of different issues setting out the requirements clearly to developers as to what is required in submitting planning applications. The majority of these have remained fit for purpose over the course of the 2015-16 period, although minor changes have been made as required (**Performance Marker 11**).

Working with partners has proved valuable in establishing the quality we expect to see. As an example, the Council has worked closely with Abellio Scotrail and other stakeholders over the course of last year to prepare a detailed masterplan for the future development of the station and the surrounding areas. This is a key part of the Council's City Centre regeneration strategy (see case study 3) (**Performance Marker 11**).

Case Study 3 – Inverness Station



In September 2015 the Council, Abellio Scotrail (AS) and HITRANS entered into a joint commission to develop design ideas for improvements to Inverness Railway Station. AS plans to invest up to £2m on station improvements as part of its franchise agreement with Transport Scotland.

Dundee based architects Nicol Russell Studios were commissioned to develop ideas and sketch

proposals for a wide range of station improvements, expanding the scope of work originally proposed in the AS franchise bid. Their brief included: improvements to all three entrances and Station Square, a refurbished concourse, expanded commercial and retail opportunities and an improved walking route between the Station, bus station and Rose Street car park.

A range of concept images for improving station entrances, including substantial re-modelling of the main frontage to Station Square has been prepared along with a supporting study. A funding package is now being discussed so as to allow the early delivery of this key regeneration project for Inverness.

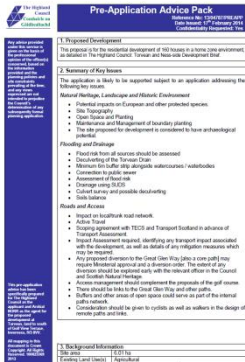
The [Inverness Design Review Panel](#) has continued to operate well, resulting in a number of major schemes being subject to review and subsequent change prior to the submission of planning applications. Over the course of the reporting period seven schemes were considered, including a session on design considerations for city centre sites which has provided very useful feedback to the team responsible for preparing the Inverness City Centre Development Brief (**Performance Marker 3**).

A series of [town centre masterplans](#) for Nairn, Fort William and Tain were completed during the course of 2015/16. The plans focus on the key priorities to make town centres more active, attractive and accessible. These include environmental improvements, making better use of land and existing buildings, and improving access and movement networks. This has resulted in communities taking a more proactive approach to regeneration and investment, including a [Fort William Town Team](#) that has made several significant improvements to the condition and appearance of the Town Centre environment (**Performance Marker 11**).

2. QUALITY OF SERVICE AND ENGAGEMENT

During the course of 2015/16 we issued 586 formal pre-application advice packs for local developments and 28 advice packs for major developments. This approach to pre-application advice is absolutely fundamental to our customer service. Our response times met the target of achieving 70% of local pre-application advice packs within 6 weeks and 100% of major pre-application advice packs within 4 weeks (Case Study 4 shows the information provided to applicants to ensure that clear and proportionate requests for supporting information are made). All of our local pre-application requests and enquiries relating to permitted development are now submitted electronically using an on-line form (See [here](#)). This is designed to make it easier for the correct information to be submitted and to ensure an efficient workflow through to the relevant case officers. Our aim is to achieve as close as possible to 100% of such requests being made electronically during 2016/17. In terms of success from pre-application processes and policy in practice the newly opened 3 Wise Monkeys climbing and bouldering centre is a great example (Case Study 5) (**Performance Marker 3, 11, 12, 15**). .

Case Study 4 - Major Developments Pre-application Advice



During 2015/16 28 meetings were held with developers seeking pre-application advice for major developments. These meetings are held monthly and are attended by colleagues representing different teams within the Council (e.g transport planning, forestry, environmental health, contaminated land, education) and by colleagues from Key Agencies (e.g. SEPA, SNH). Feedback is provided at the meeting to the prospective applicant and this is followed up with a detailed response within 4 weeks. 100% of the pre-application packs were issued within this 4 week timescale, demonstrating our commitment to supporting growth.

The pre-application pack includes a specific section on **developer contributions**, which draws specific reference to the relevant Supplementary Guidance documents relating to contributions along with an overview of what the purpose of such contributions would be.

15. Developer Contributions

This assessment is made against the Highland Wide Local Development Plan Policy 31: Developer Contributions, the Highland Council's Developer Contribution Supplementary Guidance 2013 and the Torvean and Ness-side Development Brief 2013.

Developer contributions are a method to mitigate the impact of a development that cannot otherwise be mitigated through the planning application process and the use of planning conditions.

Please refer to the development brief which details the infrastructural requirements to support the development of the Torvean and Ness-side sites. Estimated costs per unit have been calculated (based on 100sqm unit). The contributions would be towards the provision of Education, West Link, Public Transport, Sports facilities and Public Art.

It is expected that a Section 75 Obligation would be entered into to secure the contributions.

Planning Application Submission Checklist

If there is a tick next to one of the following documents then we will require you to submit it along with your application for planning permission. If you choose not to follow our advice and do not submit one of the required documents then we will expect a justification for this. A form for this which should be submitted with your application is available to download from <http://www.highland.gov.uk/>

Natural Heritage	Landscape and Visual Impact Assessment	✓
	Landscape Plan (supported by design conceptual information)	✓
	Landscape Maintenance/Management Plan (proposals & objectives)	✓
	Contour Plans and Cross-sections	✓
	Protected Habitat Survey	✓
Design	Design Brief and/or Master Plan	✓
	Design and Access Statement	✓
	Sustainable Design Statement	✓
Amenity	Contaminated Land Report	✓
	Dust Survey	✓
	Noise Impact Assessment (for construction phase)	✓
Transport and Wider Access	Waste Strategy	✓
	Transport/Traffic Impact Assessment	✓
Water	Scottish Transport Appraisal Guidance (STAG)	✓
	Flood Risk Assessment	✓
	Drainage Impact Assessment	✓
Built and Cultural Heritage	Sustainable Urban Drainage System Plan	✓
	Archaeological Evaluation	✓
Public Consultations	Conservation Statement	✓
	Structural Survey	✓
Miscellaneous	Pre-application Consultation Report	✓
	Minerals (mitigation and restoration management plan)	✓
Any other appropriate document	Retail Assessment	✓
	Extent of any potential diversion to the Great Glen Way and core path(s). Need for Ministerial and Planning Authority approval.	✓
	Access management Plan submitted with application	✓

The guidance also gives a detailed response from each of the relevant services/key agencies along with an appraisal of the supporting studies that will be required with the planning application – giving certainty at an early stage as to the information requirements.

Case Study 5 - Supporting sustainable economic growth - 3 Wise Monkeys, Fort William



The site was a disused church Category C(s) Listed Building. In 2012 a pre-application enquiry was submitted for the reuse of the building as a climbing centre. Supportive pre-application advice was given to the proposal and guidance provided on the how to take the proposal forward, covering heritage, amenity, design and operational issues.

In 2013 planning permission and listed building consent applications were submitted for the alterations and change of use from church to indoor climbing sports centre including changing rooms and café. These were granted in 2013. Further applications were submitted in 2015 for internal changes as the scheme advanced and developed.

The scheme is a very welcome example of benefits of early pre-application discussions, positive planning policy towards economic development, support town centres and reuse of listed buildings, the power of an enthusiastic, positive, and focussed developer.



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The planning teams in Highland have a positive working relationship with the teams responsible for the delivery of affordable housing. Planning officers attend regular meetings of the local housing development forums (involving Council Services, Scottish Government and other agencies) which inform Local Development Plan preparation and take an active part in working with the same colleagues on identifying new sites for development. A new Highland Housing Hub has recently been established which seeks to unblock site development problems in the area – our planners play a full and active role in the hub process. We are also heavily engaged with colleagues in Education on the preparation of annual School Roll Forecasts and a corporate Developer Contributions Working Group which ensures that spend of developer contributions is monitored and managed **(Performance Markers 3, 10, 12, 15)**.

Regular meetings are held with our key agency partners, including bi-annual meetings with SNH and SEPA. It has been very beneficial to build relationships and share expertise in an environment where there is more set guidance and less direct engagement **(Performance Marker 10, 12)**.

Processing agreements are offered for all major applications and availability is publicised on our web-site (see [here](#)), with the option of having these in place for local developments where appropriate. Take-up has been strong with 32 used last year **(Performance Marker 2)**.

Validation of planning applications remains an area where we are seeking to improve. We have a validation checklist (see [here](#)) that is used to maintain consistency across the area and set out clearly to developers the standards we expect – we use different standards for the various types of planning application to ensure that this is proportionate. This will be strengthened when the national guidelines are agreed in due course **(Performance Marker 3, 11)**.

Project management arrangements for development planning have now been in operation for over a year, allowing a much clearer programme of work to be delivered. A Project Board is held monthly to determine next stages and to identify any slippage against the Development Plan Scheme ([here](#)). This Board identifies and oversees risks to delivery and ensures that if changes to the Development Plan Scheme are required, these are reported to Members and publicised at regular intervals **(Performance Marker 8)**.

Case Study 6 – Delivering Improvement to Project Management of Consents Required for Council Projects

A conditions tracker has been established for developments associated with the West Link Road project in Inverness, including the rugby pitches and canal parks. The conditions tracker sets the agenda for regular group working meetings involving all relevant parties. The overall aim is to deliver high quality and responsible development and sharing skills from a range of disciplines within the Council. A Specified Officer is responsible for taking the lead in ensuring that pre-commencement conditions are attended to, that the site is being monitored and that the other consultants as required are in place. It is a task the case officer or enforcement team (if necessary) would normally undertake, but this approach allows for a dedicated officer to take ownership of the project and monitor and discharge conditions providing a first class service to the developer.

This is also beneficial for staff development providing the opportunity to collaborate with other officers of differing specialisms and to gain understanding of the issues in delivering development from other perspectives. It also highlights time pressures attached to delivering development. An added benefit with this approach is that on site contractors are better informed of the terms of the conditions, particularly important where there are environmental issues.

Our Enforcement functions continue to operate well, with our enforcement charter being available on the Council web-site [here](#). A more pro-active approach has led to remedies being put in place without the need for formal enforcement action (**Performance Marker 5**).

As outlined in last years report we record all Section 75 Agreements that are concluded. During this financial year we monitored progress on **32** S75's being concluded. Seven of these related to major applications and 24 to local developments. A large proportion of these were to safeguard the delivery of affordable housing. This monitoring exercise has helped identify improvements to the way in which legal agreements are instructed, monitored and recorded (**Performance Marker 4**).

Time to conclude S75	Number	%
0 – 3 months	8	26%
3 – 6 months	5	16%
6 – 9 months	5	16%
9 -12 months	9	29%
1 year +	4	13%

3. GOVERNANCE

Local Governance of development plans is a key commitment for the Council. Over the course of the last year, changes have been made to the Council's Scheme of Delegation which ensures that all decisions which relate to place or area specific Local Development Plans or Supplementary Guidance/masterplans are taken by the relevant Local Committees. Councillors representing Wards within the Plan area together with Key Agencies and community planning partners have played an integral role in the preparation of the West Highland & Islands Local Development Plan Main Issues Report (known as [West Plan](#) for short). Local Members have been involved from inception. The Council's fortnightly ward business meetings have been used to brief and seek ideas from local councillors on the Plan process, proposed consultation methods and timing, and the Plan content. They have shaped all of these matters in particular the Call for Sites phase publicity and methods and more obviously, the Plan's outcomes, spatial strategy and site preferences. Similarly, the Plan's outcomes form the vision for the plan, and, together with strategic priorities, have been debated and agreed with key agency and community planning partners through a mix of face to face meetings, phone calls and workshops. An effective Plan is one that is based on an informed local input and a broad consensus on outcomes in particular from those involved in that Plan's delivery. We believe that West Plan's initial stages methodology and practice has achieved these aims **(Performance Marker 9)**.

Two area planning committees ([North](#) and [South](#)) meet on a six weekly cycle, and a Planning Review Body meets every 6 weeks. Committee dealt with 123 applications during the reporting period, with 83% of these being approved. The Planning Review Body dealt with 44 cases. All of our committee meetings are webcast and [archived](#).

Decisions on Highland wide planning documents are made by the Planning, Development and Infrastructure Committee, and as noted area specific planning policy issues are referred to the relevant local committee. During the reporting period the Service continued to operate successfully and efficiently within this committee structure. The Highland Council [Scheme of Delegation](#) provides the full list of powers and duties of Council committees and is kept up to date on the Council's website. During 2015/16 just over 96% of applications were determined under our scheme of delegation. This includes 110 delegated refusals. The consistency of approach provides confidence and certainty for applicants and developers alike.

We are encouraged by the performance figures for 2015-16, which have seen a reduction in the average times taken for major and local developments. The reduction in major development timescales has been greatly assisted by the previous (and ongoing) work on legacy cases – removing these older planning applications from the system. As noted elsewhere in this report, a total of 61 “legacy” cases were dealt with during this reporting period. We continue to take a proactive approach to tackling the issue of legacy cases to ensure applications are managed effectively and that developers are confident in our service. Legacy cases now amount to less than 5% (39 no) of all current live applications. Of these 39 applications, 12 are between 1- 2 years old. Processing agreements are a key tool to help the project management of large scale and major applications **(Performance Markers 1, 3)**.

As set out in last year's report, to further “front-load” the major planning application process, the Council now reports the basic details (Proposal of Application Notices) of major development pre-application proposals to the relevant Planning Application Committee. This allows the community and councillors as much advance warning as possible about significant developments and with their input helps to streamline the later stages of the decision making process. At each area committee an update is also provided of current major applications which are undetermined.

Case Study 7 – Outcome based approach - Development Plans and Community Planning

Local Development Plans (LDPs) now have a much greater degree of integration with the objectives of the Council's community planning partners. We have adopted a unique outcome-based approach to the preparation of all our Local Development Plans which has been recognised with a commendation at last year's Scottish Awards for Quality in Planning. From the outset of preparing our plans, we work with partners to draw up shared outcomes based on the Single Outcomes Agreement, and each partner's priorities for the area. These outcomes are tailored to each Local Development Plan and are aimed at setting the framework for any development decision or investment activity within the plan area. Key stages of our LDPs, including the shared outcomes, are considered by the Community Planning Partnership to ensure there is a joint approach to implementing the LDP and addressing the shared outcomes identified. In terms of implementation, work continues to achieve co-ordination of community planning partner capital programmes via the LDP Action Programmes (**Performance Marker 9, 10**).

Our [developer contributions guidance](#) dates from 2013, and is regularly reviewed to ensure compliance with national policy and guidance such as Circular 3/2012. This guidance is used to inform the assessment of all of our planning applications and is always referred to within the pre-application advice we offer (see Case Study 4). This approach to developer contributions is supplemented where appropriate by site specific developer contribution guidance. The ongoing development of the West Link by the Council is opening up a major strategic area of land for the development of housing to the south of Inverness – an integral part of the delivery of this project was the preparation of the [Torvean and Ness-side Development Brief](#) which identified the specific developer contributions on a proportionate basis for the different sites within the area (**Performance Markers 11, 13**).

There has been a degree of rationalisation of staff over the course of the last year, in the face of wider Council savings proposals. This leaner structure will encourage the Service to concentrate on its core statutory functions. Opportunities have been and will continue to be taken provide much more functional linkages across the Council to ensure a joined up approach to the various consenting regimes. One of the most important of these will be the further integration of transport planning with both development planning work and fostering greater co-ordination between planning applications and Road Construction Consent. (**Performance Marker 12**).

We operate our Development Management service across seven Area Offices. Our team structures are shown in the appendix. We continue to maintain flexibility across our Area Offices, and ensure that when workload is high in one office, the burden is spread across other offices. This process is facilitated by our commitment to maintaining good communications and feedback within and between teams, with six-weekly Team Leader and Area Manager Meetings and fortnightly manager meetings. We strive to ensure the needs of our business are met through a flexible approach to work locations.

We meet regularly with neighbouring local authorities and share responsibility for hosting the North of Scotland Development Plans Forum (a collaboration of eight Local Authorities), where we exchange knowledge on emerging planning issues, our approaches to them, and deliver a programme of tailored training. Our Development Plans team have strong working relationships with both statutory and non-statutory consultees. Benchmarking meetings with our SOLACE partners have been held over the course of the year, including one in Broxburn and one in Inverness.

We also attend joint meetings with aquaculture authorities, and have representation on all of the Heads of Planning Scotland groups and sub-groups.

4. CULTURE OF CONTINUOUS IMPROVEMENT

We are constantly seeking to improve our customer service and have a Performance and Systems Support team based in Inverness, which liaises with the Corporate Improvement Team and area teams to carry out business process Improvement on an ongoing basis. Some examples of these are given below.

One of our service innovations over the course of last year was the implementation of a value added service to project manage the discharge of conditions for large scale developments, in the context of a Processing Agreement. This was implemented for two developments – a wind farm and a large scale mixed use development – and is seen as an important area for further development over the coming years to ensure full life-cycle service can be provided.

A simple but effective approach to business process improvement over the last year was a review of our neighbour notification process for both planning application and Development Plans consultations (Case Study 8 for Development Plans). As a consequence it has been redesigned on to one double side of A4, which is clearer for the public and helps reduce waste and save money. Through continual review of existing practices we are reducing the amount of paper generated unnecessarily for planning applications, development plans and Committee items by printing less and promoting electronic consultations with all consultees. We continue to review our flexible working arrangements and promote hot desking to make best use of existing fixed assets. We have also now introduced charging for the provision of local development pre-application advice. We continue to review measures to safeguard the cost of the delivery of our services.

CASE STUDY 8 – Development Plans Consultation Portal

Early on in the 2015/16 financial year we procured new 'Objective' consultation software for the preparation, publication and consultation of our Development Plan documents, creating a public facing [Development Plans consultation portal](#). The introduction of this system has enabled customers to more easily coordinate and submit their consultation comments, and has resulted in consistent improvements in the proportion of comments being submitted online. In our most recent consultation 90% of comments were made online through the new consultation portal. This has led to a corresponding reduction in the time spent on administrative tasks and the manual handling of comments, as well as introducing a consistent back office system to manage customer records. Regular team meetings and 1-2-1 sessions have also assisted with the delivery of plans.

A new electronic case process has been introduced to facilitate customer queries on permitted development resulting in consistency of advice and reduced response times and benefits of comprehensive planning property history integrated with existing IDOX and UNIFORM systems. Collaboration with building standards provides one combined response to the customer (Case Study 8). Our mobile solution remains a critical part of our improvement plan and we continue to seek Scottish Government support to highlight the potential at a national level.

CASE STUDY 9 – Development Enquiry Forms

We have implemented web based forms for permitted development and building warrant enquires for householder, non-householder and utilities providers. This replaces a paper based form which only covered householder enquires. The web form is accessible from the Planning and Building Standards pages of our website. A collaborative project approach between Planning and Building Standards and the Councils Corporate Improvement Plan Team enabled this project to be successfully delivered in a short time scale. The form was tested extensively prior to implementation. The web form has many advantages:

- Submitted forms are received by our Electronic Processing Centre and registered on Uniform and Idox in a case file. Thereafter the response is also recorded in the case file associated with the site, providing a complete property history in Uniform and Idox.
- Faster processing of enquires as the submitted form is instantly received, improving customer service.
- The web form filters the questions relevant to the specific enquiry, which makes the form easier for the customer to complete.
- Increased efficiency in processing time as the web form requires each section of the form to be completed before moving on to the next section. This reduces officer time in requesting further information from customers.
- Reduction in printing/paper use
- Covers householder, non-householder and utilities

Case Study 10 – eDevelopment Mobile

In order to improve the reduction of paper resources in the ePlanning process, and to eliminate the need for printing electronic documents when eBuilding Standards is launched on 24 August 2016, we are introducing a mobile working solution for Development Management and Building Standards staff.

At present all Planning and Building Standards officers undertake site visits and site inspections with paper copies of drawings and documents. It is proposed to reduce the reliance on paper documents through the introduction of tablets.

The introduction of the tablets will be on a two stage programme: stage 1 will be limited to 'read only' information while staff familiarise themselves with the new procedures, followed by stage 2 where on site information will be recorded and 'synced' back to update the casefile. At each stage, site notes can be recorded whilst on site. This will reduce duplication of workload and enable both planning and building standards staff to undertake site notes and details on a 'live' system. The tablets will also enable on site photographs and short videos to be produced, to aid discussion during assessment and for clarification for those cases which are subsequently the subject of a Review.

Part 3: Supporting evidence

Part 2 of this report was compiled, drawing on evidence from the following sources:

- Local and major pre-application advice service feedback questionnaire results
- A broad range of Council committee reports
- Results of both formal and informal monitoring, data and information gathering and internal auditing, primarily undertaken by our Performance and Systems team
- Various in-house reports, minutes, meeting agendas and briefing notes

The supporting evidence highlighted above are key information. The list is not exhaustive. Wherever supporting evidence used is publicly available it has been hyperlinked in the body of the report.

Part 4: Service Improvements 2016-17

In the coming year we will:

- **Improve the project management of consents required for Council projects (including development of affordable housing) to assist with the delivery of the overall Capital Programme during 2016/17.**

A capital programme monitoring group meets regularly and raises issues about regulatory matters as part of this process. This continues and has expanded to include West Link road, Wick School Campus and Inverness Royal Academy school projects. A key part of this is aligning consents and collaboration between Services.

- **Fully implement Enterprise for Development Management by end 2016/2017.**

The full implementation of IDOX Enterprise (which assists with workflow and day to day management of tasks) has not taken place due to prioritising the introduction of eBuilding Standards which is due to go live in August 2016. The Enterprise system is currently available for limited use but will be fully implemented over the course of 2016/17. In the meantime we are working towards producing all reports of handling from Uniform which will enable better and more efficient use of resources across Area offices for both checking and signing decision notices.

- **Carry out further benchmarking exercises with our benchmark family authorities (and other local authorities) during 2016/17.**

Benchmarking meetings take place with our SOLACE Benchmarking family and other local authorities. This will include further discussion on Validation Checklists to improve the quality of submissions and subsequent determination.

- **Improve efficiency, quality, certainty and consistency in delivering Aquaculture and Listed Building permission and consents, and delivery of development on the ground through creation of specialist teams and project focussed training.**

We have established teams with particular specialisms and training is ongoing at present. This has the benefit of ensuring resources are used effectively with the capability to provide specialist advice to the industry throughout the planning process. Teams currently in place involve validation, aquaculture and listed buildings. This is carefully managed to ensure that resources are used effectively and to produce high quality results.

- **Establish cross boundary working on validation of all applications to maximise best use of specialist staff and to ensure consistency.**

This is specifically targeted and managed to broaden skills, ensure an even distribution of workload and minimise delays in processing of applications. Three specialist area teams have now been established to better co-ordinate validation processes and manage caseloads.

- **Introduce a formal process for handling of requests for Non Material Variations to manage customer expectations in terms of timescales and improve efficiency and recording.**

An application form for all proposals involving Non Material Variation requests will be developed and appropriate training provided for staff. This will ensure a full and comprehensive electronic casefile is retained and available for public inspection via the eplanning website. It is proposed to introduce an administration fee for processing Non Material Variation requests which will enable resources to be targeted towards the efficient processing of these requests.

- **Continue to support and provide opportunities for continuing professional development**

We have arranged a training day for all Planning staff for September. Training needs are identified through Employee Development Reviews. We support staff attending external training. We also work closely with the Highlands and Islands Chapter of the RTPI to provide relevant CPD opportunities and training and have arranged 'in house' training sessions for the coming year, for example on upgrading shopfronts in town centres.

Looking back at the Service Improvements we identified for 2014/15 we are proud of the progress made against the vast majority of these:

Service Improvements 2015/16		Complete?
Implement new mobile working arrangements through the eDevelopment project.	Progress has not been as fast as we would have liked this year to enable the roll-out of a mobile solution which is integrated into our back office UNIFORM system. We will continue to work with IDOX (our supplier), Scottish Government and other local authorities to seek the delivery of such a solution as soon as possible. In the meantime, we will be putting in place a tablet based solution which will reduce printing costs in the short term.	No – ongoing
Review restoration bond arrangements for minerals and other developments and ensure that procedures are fit for purpose.	This work is underway with a survey of all active sites and bonds having been undertaken. The scale of the work involved has meant that this has not been completed as yet, but remains an important project moving forward.	No – ongoing
Deliver e-templates for delegated reports and decision notices.	This has been completed and has delivered significant time savings in respect of the issue of decision notices	Yes
Put in place a Project Board for the delivery of Development Plans and associated documents.	This has been put in place and continues to operate well.	Yes
Deliver a programme of targeted training and career development events	This was completed for 2015/16 and remains an important part of our service improvement.	Yes – ongoing

Part 5: Official Statistics

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

Category	Average timescale (weeks)		
	Total number of decisions 2015-2016	2015-2016	2014-2015
Major developments	15	20.6	24.9
Local developments (non-householder)	1770	11.9	12.3
• Local: less than 2 months	1092	6.9	6.8
• Local: more than 2 months	678	20.0	21.7
Householder developments	717	7.3	7.1
• Local: less than 2 months	614	6.1	5.8
• Local: more than 2 months	103	14.9	16.1
Housing developments			
Major	2	46.1	23.4
Local housing developments	925	13.2	13.3
• Local: less than 2 months	523	7.2	7.1
• Local: more than 2 months	402	21.2	23.3
Business and industry			
Major	2	13.9	18.9
Local business and industry	293	10.7	9.9
• Local: less than 2 months	200	6.8	6.6
• Local: more than 2 months	93	19.0	17.7
EIA developments	1	59.7	
Other consents*	274	10.1	14.0
Planning/legal agreements**	53	29.3	
• Major: average time	3	27.7	34.1
• Local: average time	50	29.4	16.3
Local reviews	44	8.6	16.3

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

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

B: Decision-making: local reviews and appeals

Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2015-2016		2014-2015	
		No.	%	No.	%
Local reviews	44	39	88.6	9	26.5
Appeals to Scottish Ministers	25	10	40.0	24	33.3

*Figure is calculated from dismissed and refused appeals to Scottish ministers

C: Enforcement activity

	2015-2016	2014-2015
Cases taken up	136	251
Breaches identified	136	251
Cases resolved	282	188
Notices served	33	73
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

*** Enforcement notices; breach of condition notices; planning contravention notices; stop notices; temporary stop notices; fixed penalty notices, and Section 33 notices.

D: Context

Performance has been maintained over the course of the year and we have seen year on year improvement in average timescales. We continue to identify improvements to the way in which consents are managed, with particular emphasis on aligning consents and ensuring legal agreements are completed timeously.

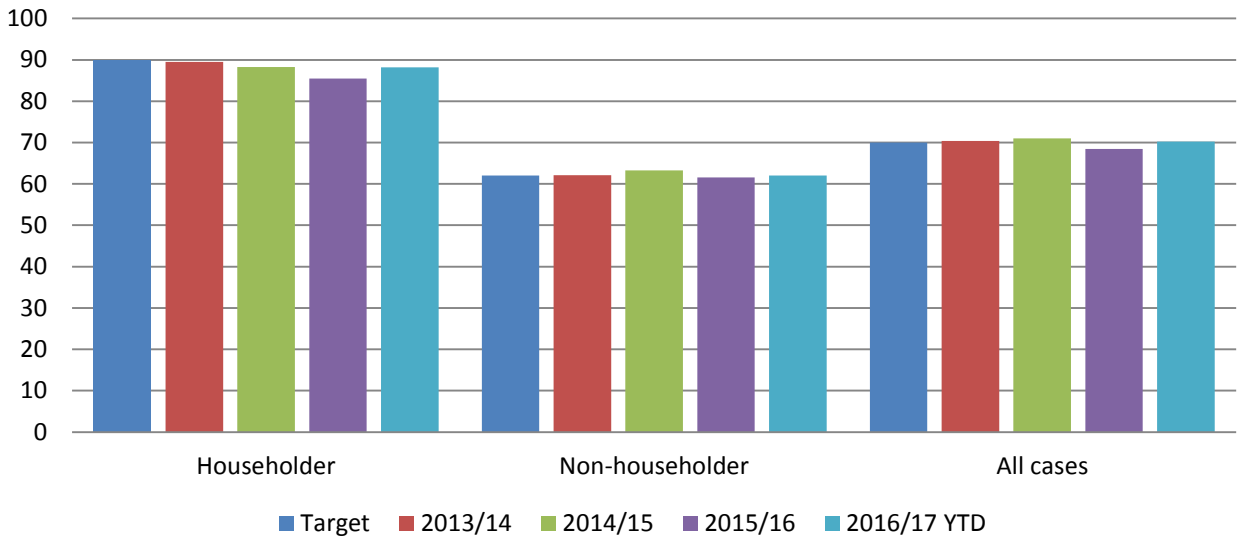
**Appendix 2
Performance Statistics**

**Highland
Quarter 1 2016/17**

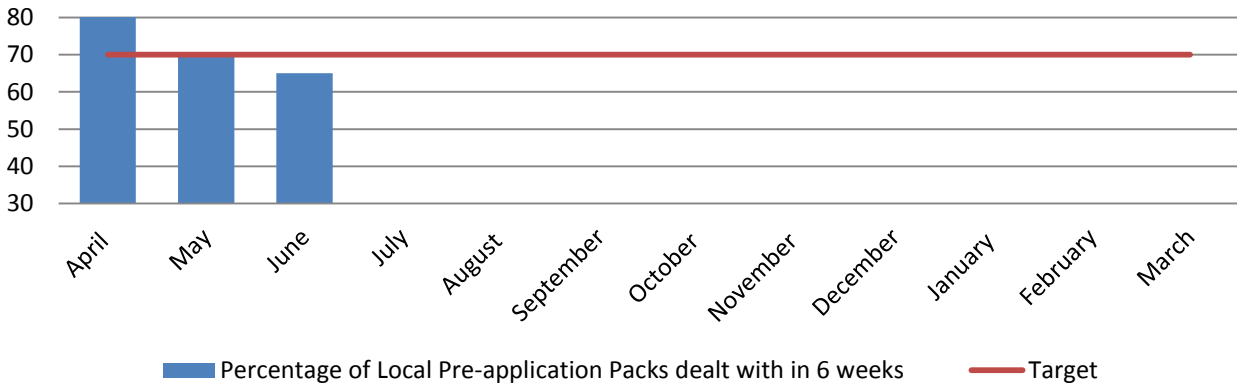
Planning Applications			
Category	Total Number of Decisions	% Within Agreed Timescales	
Processing Agreements	2	100.0%	
Major Applications	2	100.0%	
Local Applications			
EIA developments			
Other Applications			
	Total Number of Decisions	% within timescales*	Average Time (Weeks)
All Major Developments	7	14.3%	28.6
All Local Developments	567		11.0
Local: less than 2 months	398	70.2%	
Local: more than 2 months	169	29.8%	
Local developments (non-householder)	389		12.5
Local: less than 2 months	241	62.0%	
Local: more than 2 months	148	38.0%	
Local developments (householder)	178		7.3
Local: less than 2 months	157	88.2%	
Local: more than 2 months	21	11.8%	
Other Consents	77		9.6
Other : Less than 2 months	53	68.8%	
Enforcement Activity			
	Number		
Cases Taken Up	42		
Notices Served	4		
Reports to Procurator Fiscal	0		
Prosecutions	0		
Pre-Application Advice			
Major Packs within 4 weeks	100.0%		
Local Packs within 6 weeks	73.0%		

* 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

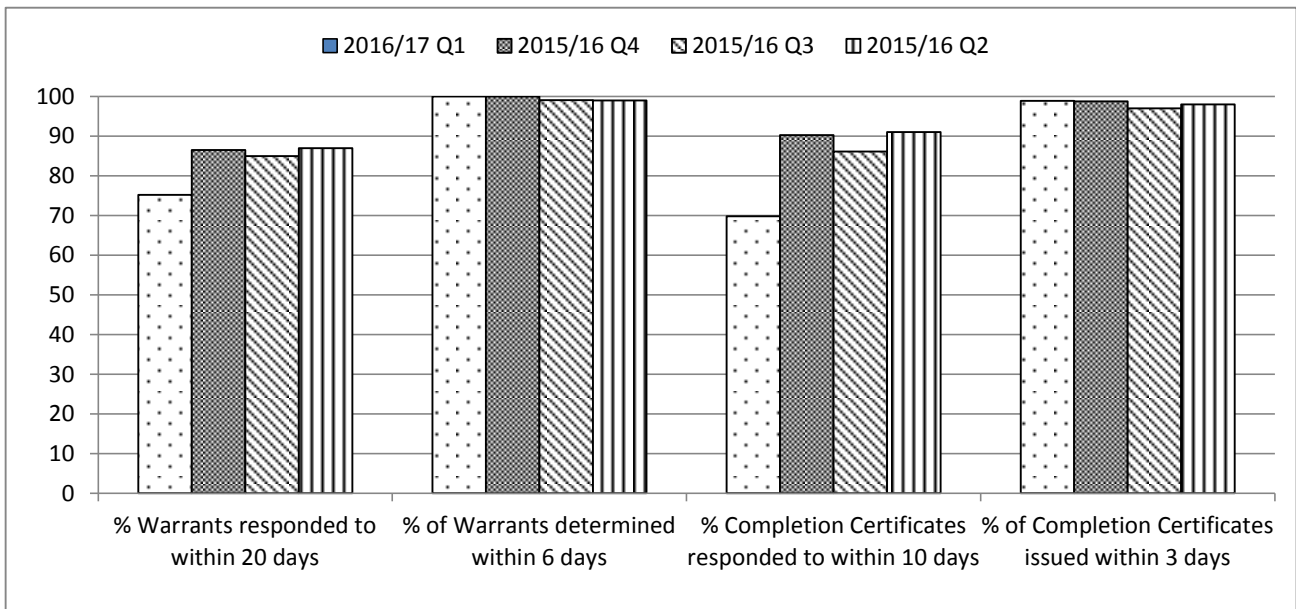


Percentage of Local Pre-application packs in 6 weeks



Appendix 3 Building Standards Performance 2016/17 Quarter1

	% 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
2016/17 Q1	75.2	100	69.8	98.9	90
2015/16 Q4	86.54	100	90.3	98.8	90
2015/16 Q3	85.00	99.04	86.10	97.00	90
2015/16 Q2	87.00	99.00	91.00	98.00	90



Building Standards Volumes and Income (Last 4 Quarters)

	2015/16 Q2	2015/16 Q3	2015/16 Q4	2016/17 Q1
Warrants Decided	876	677	660	772
Compl. Certs	795	743	666	1097
Income (£000)	363	582	437	479

Extract from 'Empowering Planning to Deliver Great Places'

Recommendations: Strong and flexible development plans

1. The primacy of the development plan should be retained.

Aligning with community planning, development plans should be recognised as a central and powerful driver of the place agenda. To achieve this there is a need to focus on outcomes, rather than policy and procedure.

2. To simplify the system, strategic development plans should be replaced by an enhanced National Planning Framework.

The NPF should be strengthened and prepared collaboratively, to address long term city-region development and infrastructure issues more fully and effectively. We propose that strategic development plans are no longer prepared. Instead, strategic development planning authorities should be repurposed to pioneer a different way of working where planners proactively co-ordinate development with infrastructure delivery at the city-region scale. By working with others to take forward commitments set out in a live action programme for the city region, they would also support housing delivery and co-ordinate cross-boundary thinking to inform local development plans. They should be given a statutory duty to co-operate with the Scottish Government in producing the NPF.

3. The National Planning Framework should be more fully integrated with wider government policies and strategies.

This includes the National Transport Strategy, Strategic Transport Projects Review, Land Use Strategy, National Marine Plan, Infrastructure Investment Plan, climate change programme and the national housing strategy and action plan.

4. The role of the Scottish Planning Policy (SPP) should be expanded to avoid the need for policy to be repeated in development plans.

Local development plans should only set out where these policies are being varied to reflect local circumstances. Further consideration should be given to integrating the SPP with the National Planning Framework, with both being afforded the same statutory weight as the development plan. Scope for updating it between 5 year review cycles should also be considered.

5. The plan preparation process should be simplified.

The main issues report should be removed and replaced with a single, full draft plan, providing that there is a renewed commitment to early engagement. The proportionality of supporting information, including environmental assessment, should be addressed. Complexity can also be reduced by removing or limiting the scope to produce supplementary guidance. Action programmes are essential for supporting delivery and should be retained.

6. Local development plans should move to a 10 year cycle.

Local development plans should set out a 20 year vision and focus on place, rather than policy. The preparation process should be streamlined to a 2 year period, leaving the remainder of the time to focus on implementation and work with local areas to build in community led plans (Diagram 1.1).

7. There should be scope for flexibility and updating local development plans (whole or in part) within the 10 year period.

This will allow plans to be more responsive to opportunities and evolve over time to reflect much fuller collaboration with communities.

8. Development plan examinations should be replaced with a frontloaded 'gatecheck' of the plan.

Earlier independent involvement could take the form of mediation, a gateway or peer review. This could focus on key aspects of the plan, including the housing land requirement. Only after agreement is reached on key parameters for the plan, should a fuller, locally driven discussion on place and development sites move forward. It is important to ensure that all those with an interest are involved at an early stage. Where early agreement is achieved there should be no need for further scrutiny or intervention at this later stage. (Diagram 1.2)

9. A statutory duty for the development plan to be aligned with community planning should be introduced.

Whilst we heard evidence that there is a willingness to achieve this, we believe that real integration requires statutory weight, rather than just sharing of good practice. This will help to ensure the role and added value of planning is properly recognised within local authorities and should also create efficiencies through joined up working.

10. An IT task force should be established to explore how information technology can make development plans more accessible and responsive to 'live' information.

Digital innovation, such as the use of big data, specialist systems (such as for minerals and aggregates), Geographic Information Systems and 3D visualisations, should be actively rolled out across all authorities. We strongly recommend that we start a co-ordinated investment in technology now to ensure we are responsive to future advances.

11. Given their special circumstances, the island authorities should be given more flexibility where this would better reflect the distinctive local context for planning in an island setting.

An example of this could include encouraging broader and more creative use of schemes of delegation. Scope for the islands, and any other relevant authorities, to bring forward integrated terrestrial and marine plans should also be considered further.

Recommendations: The delivery of more high quality homes

12. The National Planning Framework should define regional housing targets as the basis for setting housing land requirements in local development plans.

Given the national significance of housing delivery, a stronger steer on requirements would allow for fuller Parliamentary debate on this important subject. The first steps towards this can make use of data available from HNDAs undertaken across the country. In time, this could be informed by real-time modelling, and we would expect it to replace the need for the fuller HNDAs within the planning system. Projections of need and demand must be more closely linked with deliverability. Locally, housing land audits should evolve to become a transparent and 'live' register of housing sites which is kept up to date and linked with GIS systems. Local authority housing strategies should also have greater prominence and stronger linkage to the production of local development plans.

13. There is an urgent need to establish a clearer definition of effective housing land so that local development plans can move on from this to take a positive and flexible approach to addressing the housing land requirement for their area.

Much of the problem with defining whether or not land is suitable for housing development arises from ongoing confusion about what is needed to unlock development and specifically the definition of 'effectiveness'. Understanding development viability is essential to allocating effective land, requiring an open book approach by developers which is properly scrutinised. This will require planning authorities to have fuller access to expertise in development economics. Independent adjudication on effective housing land, much earlier in the plan preparation process, could significantly reduce conflict.

14. The SPZ concept should be rebranded and evolved into a more flexible and widely applicable zoning mechanism which identifies and prepares areas to make them 'investment ready.'

We were inspired by the flexibility provided by Simplified Planning Zones and propose that their principles could inform an adaptable approach to zoning areas of land for development including housing. These areas would be identified to incentivise development by creating greater certainty as well as flexibility and should be rolled out across Scotland. This approach could help to kick start high quality housing development at a large scale in the immediate future, but their impact would be much greater if pump priming of funding was made available to help establish them. We recommend that the new approach would relax current restrictions on SPZs in Scotland to allow for greater flexibility in their timescales, reduce procedure and enable them to come forward for schemes which fall under the EIA Regulations.

15. Mechanisms for planning authorities to take action to assemble land and provide infrastructure upfront should be established as soon as possible.

Land reform has a pivotal role to play in unlocking land for development. Planning must become more central to this debate and mechanisms for land value tax, majority land assembly, compulsory purchase orders and compulsory sale orders have particular potential to support the aspirations for planning set out here.

16. A programme of innovative housing delivery should be progressed in a way which is fully aligned with local development plans.

Planning needs to become more responsive to the diverse housing needs of Scotland's current and future population. This could drive a step-change in affordable housing provision and drive forward alternative models including self build, private rented sector, off-site construction and energy efficient homes. Work with disabled people's organisations and building standards to innovate and embed accessible housing, and a proactive approach to expanding homes for the elderly are key priorities. It is, however, important to ensure that support for new sectors does not inadvertently provide opportunities to build mainstream homes which do not meet established needs. Where special measures are introduced to promote the private rented sector, an assurance of the retention of use in perpetuity would therefore, in our view, be essential.

Recommendations: An infrastructure first approach to planning and development

17. A national infrastructure agency or working group with statutory powers should be established, involving all infrastructure providers as well as planning representatives.

There is a disconnect between established investment programmes and the sub regional infrastructure gaps that are emerging in development plans across the country. There is a need for a single body to have an overview of the strategic business case for front funding infrastructure as a specific element of the planning service at a city-region and local level. To guide this, a national infrastructure agency or working group should be established and tasked with providing a clearer, cross cutting overview of planning and infrastructure provision. This group will bring together all relevant infrastructure agencies including the key agencies, electricity, heat and telecommunications providers. Scottish Enterprise, Highlands and Islands Enterprise and the re-purposed strategic development planning authorities will also have a crucial role to play at the city-region scale.

18. Options for a national or regional infrastructure levy should be defined and consulted upon.

This should draw on the lessons learned from the Community Infrastructure Levy in England and Wales and capture land value uplift. We recognise that there are both strengths and weaknesses in this model, but given the limitations of Section 75 agreements, there is much that could be gained from a well-designed mechanism which properly reflects market circumstances and takes into account development viability. Given variations in market confidence and its influence on the ability to charge for necessary infrastructure, scope to build a fund that has a redistributive role should be investigated further.

19. A development delivery infrastructure fund should be established.

Such a fund could be partly resourced by a mechanism to capture land value uplift. The Scottish Futures Trust could play a role in this and should also explore the use of government guarantees to support an infrastructure first approach. With regard to housing delivery, we welcome the additional funding that is being made available under the More Homes Scotland scheme and would suggest it should be prioritised to assist the delivery of stalled proposals that have been identified in development plans.

20. A corporate structure requiring all key infrastructure providers to co-operate in delivering the local development plan should be introduced.

This should include the existing key agencies, but extend to other bodies including those responsible for delivering electricity, heat, telecommunications and digital networks. Linking with external infrastructure providers, a corporate partnership should be established which commits to delivering plans at all scales from the National Planning Framework and its proposals for city-regions to local development plan action programmes.

21. A review of transport governance should be undertaken to address the gap between this key aspect of infrastructure and development planning.

Our view is that transport agencies at the national and regional scales should be given a clearer mandate to directly support the delivery of development in accordance with the development plan.

22. Future school building programmes should address the need for new schools in housing growth areas.

There would be significant benefit in the Scottish Futures Trust working with local authorities to set out a long term strategy for school building in strategic planned housing growth areas across the country. This should reflect future demand as defined in land allocations and development plans, and should be integrated with the SFT replacement schools programme.

23. Local authorities and their partners need to become much bolder in their approach to infrastructure investment.

A return to an 'infrastructure first' approach is recommended, particularly to support large scale housing initiatives. Planning can and should lead this, by defining the future of our places and identifying the infrastructure required to support development. In local development plans, certainty is key – for infrastructure providers, developers and communities. As part of this, development plans should provide a clear schedule of infrastructure costs. Work to build models and methods for this should be undertaken as a priority.

24. Section 75 planning obligations should be retained but their use should be minimised and the process streamlined.

In housing developments the use of Section 75 contributions for ancillary infrastructure should be staged or calibrated with housing occupations to avoid disproportionate up-front costs which could stall development. A national standard template should be introduced and the Scottish Government should pursue further improvements with certain planning authorities. Scope for using conditions rather than planning obligations in some circumstances could create further efficiencies and should therefore be explored further. More diverse housing types, including the Build to Let sector and homes for older people could be incentivised where requirements are more finely differentiated to reflect their different impacts. Arrangements to share resources and expertise in this specialist area should also be established.

25. New approaches to low carbon infrastructure planning and delivery should be taken forward through a programme of innovation.

Decarbonising and future proofing of our infrastructure requires a much more ambitious and innovative approach by planning authorities. There are many emerging technologies which require a different perspective to inform future development patterns. We should proactively work together to achieve the aims and objectives set out in the 'Making Things Last – A Circular Economy Strategy for Scotland'. Planning should innovate and lead the way into embedding new infrastructure into development to ensure that climate change targets are met.

Recommendations: Efficient and transparent development management

26. Timescales for decision making remain critical in creating certainty and should remain part of the performance monitoring framework.

Speed of decision making is an important part of performance monitoring. Whilst we recognise that a quality service relies on a wide range of factors, timely decision making is required to provide certainty for investors. To support this, processing agreements should be required for all major developments. Planning authorities should be given new powers to remove inactive legacy cases from the system.

27. The certainty provided by the development plan in development management should be strengthened.

To incentivise this, allocated sites should be afforded planning permission in principle, could be exempted from pre-application consultation requirements and could benefit from fast-tracked appeals. Conversely, where non allocated sites are being proposed for development a charrette or similar fuller consultation or mediation exercise could be required.

28. The quality and effectiveness of pre-application discussions with planning authorities and consultation by developers should be significantly improved.

Training, sharing of good practice, more transparent reporting and criteria for assessing quality could contribute to this. It may also be useful to strengthen specific requirements – for example if the applicant is required to hold at least two community consultation events there would be opportunities for fuller dialogue, negotiation and feedback in every case. Aligned with development plan engagement, non-statutory pre-application involvement ahead of this formal stage could also be encouraged. In addition, to increase public confidence in consultation on major applications, repeat applications should be managed more effectively.

29. National guidance on minimum requirements for validation is required.

A more detailed standard approach to setting out minimum requirements for validation would improve certainty for all parties and minimise delays. This should build on existing minimum requirements to provide a more comprehensive and therefore consistent list that can be applied by all planning authorities.

30. The Scottish Government should work with local authority enforcement officers to identify and/or remove any barriers to the use of enforcement powers.

We acknowledge that there are concerns about planning authorities not taking enforcement action. Our understanding is that the legislation already allows for a wide range of action to be taken and that there are already options to respond quickly to a breach including fixed penalties and interim stop notices. We also propose that this work considers whether fixed penalties and fees for retrospective applications should be substantially increased to provide a more effective deterrent.

31. Planning authorities should work together to identify the scope for significantly extending permitted development rights.

We believe there is significant scope to remove uncontroversial minor developments from the system and use this to incentivise developments which support policy aspirations such as low carbon living and digital infrastructure. We would suggest that Heads of Planning Scotland establish a working group to define this in more detail and establish the options for the Scottish Government to take forward to consultation.

32. A fuller study of the scope for combined consents, particularly planning, roads and drainage consents, should be carried out.

This may also be beneficial for aquaculture, given difficulties in reconciling planning and marine licensing matters. Higher fees could be payable where combined consents are offered. Given the importance of timing for investment decisions, applicants should be able to choose between individual or combined consents. Scottish Government consenting and decisions involving its agencies should form part of this review.

33. As with development planning, the use of information technology to improve accessibility and allow for more real-time data to inform decisions.

This may seem like a technical change but could have a game changing impact overall if pursued with ambition. Over time, this could be used to replace current costly and resource intensive methods of advertising and neighbour notification, and significantly improve access to information.

34. We recommend that the scope of powers of the Cairngorms National Park Authority is reviewed.

We heard evidence that, in contrast with Loch Lomond and The Trossachs National Park Authority, the specific arrangements for planning that are in place for the Cairngorms National Park Authority are causing confusion.

35. A stronger mechanism for a collective community perspective to be built into the matters explicitly addressed by Reporters in appeals, could go some way towards bridging the gap between local and central decision making.

The involvement of Reporters in appeals appears to be a cause for concern for some, but is viewed as an essential check and balance in the system by others. This would help to achieve a shift in the role of the Reporter from a late scrutiniser to an early facilitator. In the case of appeals, greater consistency in the operation of local review bodies is also required. This can be supported through training, as well as more consistent national standards.

Recommendations: Stronger leadership, smarter resourcing and sharing of skills

36. Planning services should aspire to become leaders and innovators within the context of public service reform and the Scottish Government and key agencies should lead by example.

A planning service should be viewed as a central function of a local authority that is of direct relevance to a wide range of other services. To ensure this happens, we propose that Local Authority Chief Executives have a statutory responsibility for signing-off the local development plan before it is approved by full council. Planning and Architecture Division should be recognised as a leader and co-ordinator of the place agenda within the Scottish Government and adequately resourced to reflect this. The Improvement Service also has an important role to play in this.

37. Planning fees on major applications should be increased substantially, so that the service moves towards full cost recovery.

A revised cap should be considered to better reflect the level of resource they demand. An increase of fees for developments requiring an Environmental Impact Assessment would also be helpful. Whilst we accept that ring-fencing fees is not an optimal solution, local authorities must accept that all increases in fees must be directly linked with improved performance and that this will require investment in the resourcing of planning authorities. We also recommend a new means of measuring service quality which builds on performance frameworks, and a mechanism for penalties such as a refund in the planning fee to be incurred where this is not achieved.

38. Scope for further discretionary charging, for example for pre-application processes, should be considered further.

Innovative mechanisms to penalise negative behaviour and incentivise productive relationships, whilst also reflecting varying workloads should also be explored. Examples include higher fees for retrospective applications and combined consents, higher enforcement penalties and discounted fees for sites which are already allocated in the development plan. Charging by key agencies is also supported but must also be directly linked to improved service provision.

39. Alternative mechanisms to support improvements should be found and the threat of the penalty clause removed.

Given that the link between fees and performance continues to be critical, we recognise that positive intervention is required in cases of continuing poor performance. We therefore propose more solutions-based mechanisms are explored by the High Level Group on Performance. Building on the work by Heads of Planning Scotland for peer review, options could include a requirement to take forward independently defined solutions, or reinstatement of auditing by the Scottish Government or another party. Alternatively, Reporters, high performing authorities or an appointed expert could be tasked with redesigning processes where there are performance issues arising. To further deter poor performance, any such measures should be paid for by the planning authority concerned.

40. Skills development is required in a number of priority areas.

Project management, development finance, mediation and information technology are of critical importance. This applies to all those involved in planning, including the key agencies, developers and their agents as well as local authority planners. Training of elected members should be mandatory, monitored and enforced. A programme of training in community engagement for the development sector should also be rolled out.

41. Local authorities should pursue the establishment of shared services.

Radical solutions to resources need to be realised. Shared services would be particularly helpful in specialist areas such as minerals, aquaculture, GIS, environmental assessment and conservation where it is unrealistic to expect all local authorities to maintain a high level of expertise in-house. Arrangements for this should therefore be actively pursued and led by Heads of Planning Scotland in collaboration with the Scottish Government and potentially with other bodies such as COSLA, RTPi, RICS, the Improvement Service and the key agencies.

42. A planning graduate intern programme should be established.

To help invest in the long term future of the profession in Scotland, the Scottish Government, Heads of Planning Scotland and RTPi Scotland should establish an intern programme for planning graduates. Evidence suggests that there is a greater need for such a scheme to attract and retain staff in the public sector and to provide a broader resource of planning professionals with experience of both the public and private sectors.

Recommendations: Collaboration rather than conflict – inclusion and empowerment

43. There should be a continuing commitment to early engagement in planning, but practice needs to improve significantly.

Front loading engagement remains a valid and attainable goal and must be at the core of the planning system. Planning authorities and developers need to promote innovation which empowers communities to get actively involved in planning their own places. Much smarter use of information technology, including 3D visualisation and social media could support a step change in the transparency of planning decisions.

44. Communities should be empowered to bring forward their own local place plans, and these should form part of the development plan.

Communities are best placed to define the future of their place and this may emerge from community planning as locality plans, or could be driven by land reform or charrettes. These plans should be given statutory status by forming part of the local development plan where it can be demonstrated that they play a positive role in delivering development requirements. Communities should also go beyond plan preparation and be supported to actively enable their delivery. Community development trusts, community councils and other community groups will play an increasingly important role in this.

45. Community councils should be given a statutory right to be consulted on the development plan.

This right should bring with it a responsibility to demonstrate that the wider community, including young people, have been involved. Given their limited resources, their existing statutory role in development management could be limited to major developments.

Improved resourcing of community councils is required. More creative approaches to fees and wider work to build community infrastructure funds through developer contributions could support this.

46. We are not persuaded that third party rights of appeal should be introduced.

Effective planning depends on building positive and productive relationships. The evidence shows that a third party right of appeal would add time, complexity and conflict to the process, and have the unintended consequence of centralising decisions, undermining confidence and deterring investment. We believe that using time and resources to focus on improved early engagement would provide much greater benefits.

47. A working group should be established to identify barriers to greater involvement in planning, taking account of measures contained in the Community Empowerment Act and the Land Reform Act.

More effective and continuous engagement in the planning system is required. At present, the majority of Scotland's public are unaware or uninterested in planning, even although it affects everyone's quality of life. Although we expect that there are examples of good practice, during this review we saw little evidence that disabled people, young people, minority ethnic groups, or disadvantaged communities are being effectively and routinely involved in the planning system. We recommend a short life working group is established to follow up on this and if necessary to identify how engagement can be broadened and diverse groups can be more fully included in planning.

48. A new statutory right for young people to be consulted on the development plan should be introduced.

This would engender much stronger participation in place planning to realise the terms of Article 12 of the UN Convention on the Rights of the Child. It is also important that active citizenship is underpinned by education – place planning should be built into the Curriculum for Excellence and the Place Standard should guide much wider discussions on place in schools. Community council membership could be transformed where involvement of young people is a requirement rather than an exception. A mechanism for direct engagement between young people and elected members which focuses on place is also recommended. Training will be required in this area as well as a measure for monitoring inclusion.