

Comhairle nan Eilean Siar

Planning  
Performance  
Framework

**ANNUAL REPORT  
2013-2014**



**PLANNING PERFORMANCE FRAMEWORK  
ANNUAL REPORT 2013-2014**

**Part 1: National Headline Indicators (NHIs)**

<b>Key outcomes</b>	<b>2013-2014</b>	<b>2012-2013</b>
<p><b>Development Planning</b></p> <ul style="list-style-type: none"> <li>• age of local/strategic development plan(s) (full years) <i>Requirement: less than 5 years</i></li> <li>• development plan scheme: on track? (Y/N)</li> </ul>	<p><b>2</b></p> <p><b>yes</b></p>	<p><b>1</b></p> <p><b>yes</b></p>
<p><b>Effective Land Supply and Delivery of Outputs</b></p> <ul style="list-style-type: none"> <li>• effective housing land: years supply</li> <li>• effective housing land supply</li> <li>• housing approvals</li> <li>• effective employment land supply</li> <li>• employment land take-up</li> </ul>	<p><b>5 years</b> <b>659 units</b> <b>158 units</b> <b>51,199 ha</b> <b>0.9555 ha</b></p>	<p><b>5 years</b> <b>641</b> <b>146 units</b> <b>51,199 ha</b> <b>0.4 ha</b></p>
<p><b>Development Management</b></p> <p><b>Project Planning</b></p> <ul style="list-style-type: none"> <li>• percentage of applications subject to pre-application advice</li> <li>• number of major applications subject to processing agreement or other project plan</li> <li>• percentage planned timescales met</li> </ul> <p><b>Decision-making</b></p> <ul style="list-style-type: none"> <li>• application approval rate</li> <li>• delegation rate</li> </ul>	<p><b>53%</b></p> <p><b>0%</b></p> <p><b>n/a</b></p> <p><b>98.4%</b> <b>93.5%</b></p>	<p><b>49%</b></p> <p><b>0%</b></p> <p><b>n/a</b></p> <p><b>98%</b> <b>94.2%</b></p>
<p><b>Decision-making timescales</b></p> <p>Average number of weeks to decision:</p> <ul style="list-style-type: none"> <li>• major developments</li> <li>• local developments(non-householder)</li> <li>• householder developments</li> </ul>	<p><b>44.9 wks</b> <b>10.5 wks</b> <b>7.8 wks</b></p>	<p><b>No cases</b> <b>11.3 wks</b> <b>8.2 wks</b></p>
<p><b>Enforcement</b></p> <ul style="list-style-type: none"> <li>• time since enforcement charter published / reviewed (months) <i>Requirement: review every 2 years</i></li> <li>• number of breaches identified / resolved</li> </ul>	<p><b>&lt;1 year</b></p> <p><b>10/24</b></p>	<p><b>1 year</b></p> <p><b>16/17</b></p>

The Outer Hebrides has a profile of application type consistent with its location, geography, relatively sparse population and abundant reserve of natural resources. A high percentage of its landmass and marine areas is under Nature Conservation designation, while the landmass of North Uist, Benbecula and South Uist is heavily constrained by: MoD assets, in particular Defence radar, for renewables; and flooding constraints for housing and commercial development.

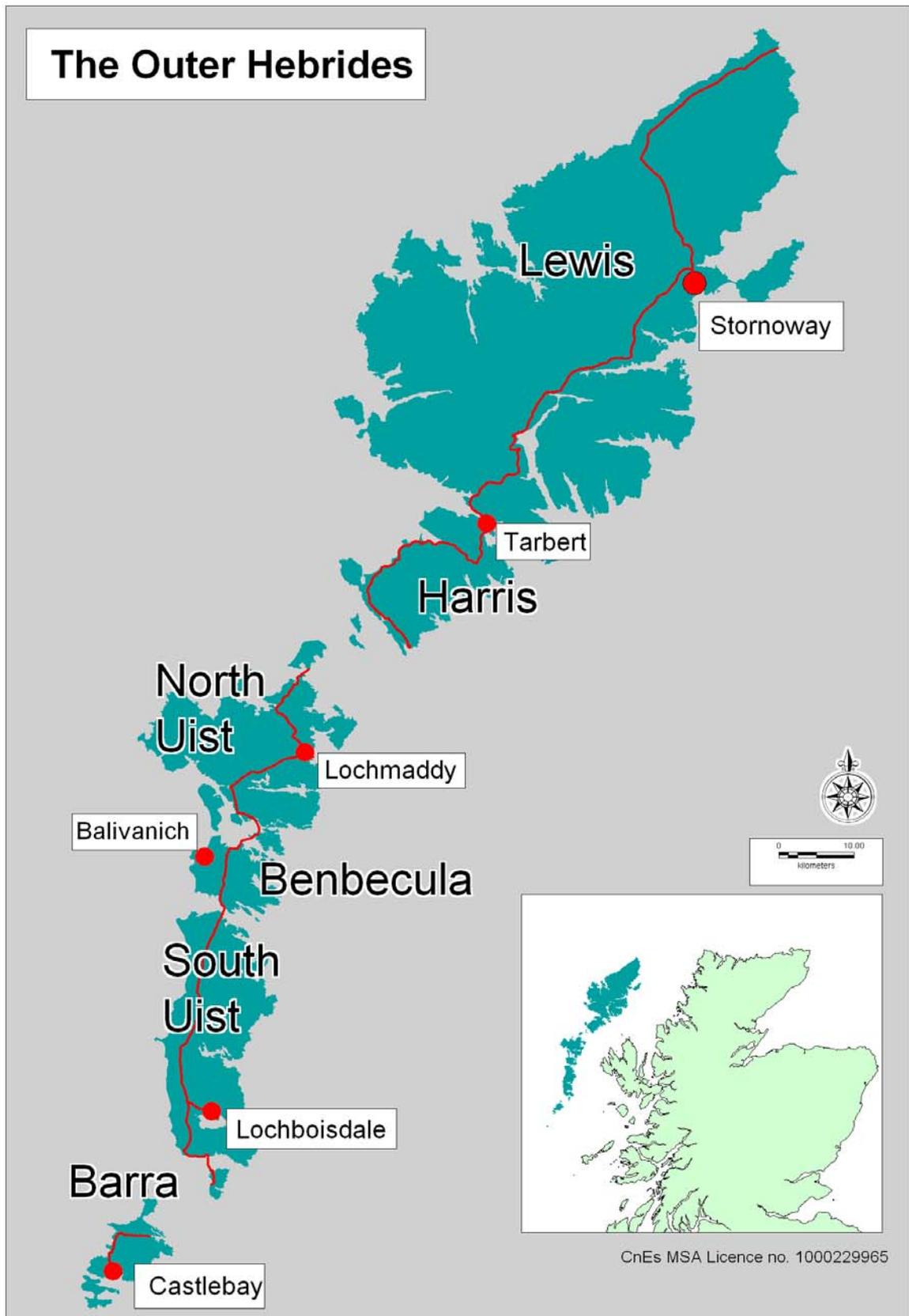
Approximately 70% of housing is delivered through individual private houses with others through affordable house building. These individual house sites are not reflected in the Local Development Plan (LDP) allocations which are generally identified to deliver affordable housing.

In the 2013/14 year there was one planning application (Druim Leathann, Tolsta) which reached planning decision stage and fell into the category of 'Major'. Electricity generation (primarily wind energy) accounted for 40 planning decisions (10%); householder developments 97 (19%), while housing developments accounted for 103 (25%) of decisions.

Due to the high level of designations most wind turbine applications require EIA screening, adding considerably to non-fee earning workloads. In addition, the MoD has increasingly raised objection on the grounds of wind turbine impact on its radar infrastructure with a resultant high level of political interest, high levels of interaction with MoD and developers and subsequent uncertainty/delay in decision making. The post-consent processing of wind energy proposals has continued to draw heavily on resources during 2013/14.

The Outer Hebrides has the second highest number of Marine Atlantic Salmon Farms in Scotland, and with marked expansion in the sector to satisfy global demand, applications in this sector in the 2013/14 year totalled four EIA applications (determined in an average of 19.5 weeks) with 12 finfish and shellfish planning applications (determined in an average of 13.2 weeks); some of which raised challenging issues. Each of these applications has involved pre-application discussions. In addition, the service dealt with 12 EIA screening and scoping cases relating to aquaculture and a further four EIA screening cases, all of which is resource intensive and non-fee earning. When taken together with 16 Scottish Government cases on the Audit/Review of pre-2007 fish farm development consents (these cases do not form part of the cases counted in the return, nor do they carry a fee), there is clear evidence once again on the extent to which the sector draws on the resources of a small team.

Vacant posts have had a noticeable impact on the workload and performance of a small team. In addition, the physical geography and dispersed nature of settlement in the Outer Hebrides often presents challenges in efficiencies of scale and in terms of service delivery.



## PLANNING PERFORMANCE FRAMEWORK

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

*Open for  
business*

The Comhairle's Planning Service is based in the Development Department's 'Development Services' section. The Department also deals with Economic Development, Business Gateway, Environmental Health, Trading Standards, Building Standards and Housing Services.

The 'Development Services' mission *'is committed to providing forward thinking, professional and effective planning, building standards and housing services to facilitate sustainable economic growth, environmental and social development in the Outer Hebrides'*.

Business planning is carried out jointly within the Department, and Heads of Service and the Director work to develop integrated approaches to service provision.

The Planning Service offers free pre-application advice and actively promotes pre-application discussion in relation to all development. Pre-application engagement is high across the development types of housing; householder and marine fish farming with 53% of all cases subject to pre-application discussion to some degree.

Planning Officers are available to speak to customers during office working hours each week day. Due to the dispersed nature of the population, customers who visit the Stornoway and Balivanich offices are seen by a Planning Officer if at all possible but customers who phone the dedicated Planning number (or the Comhairle's customer service team) are encouraged to make an appointment at a mutually convenient time for a phone call or person to person visit.

The Service organises multi-agency pre-application meetings where appropriate, which helps to identify and resolve issues early in the application process. This approach has been particularly helpful regarding marine fish farming and renewables applications.

The Comhairle's Planning Service, along with the Stornoway Trust, the Stornoway Port Authority, Stornoway Amenity Trust, Stornoway Historical Society, Lews Castle College UHI, Lews Castle Trust and HIE, continues to implement an action programme for the Regeneration of the main centre of Stornoway.

The Comhairle has established a Local Planning Protocol for determining development proposals at Arnish Low carbon/Renewable North Enterprise Area so that planning applications and related consents can be dealt with in a co-ordinated and streamlined manner.

*Open for  
Business*



*Arnish Enterprise Area – Development Area Expansion 2013*



*Crane ship at Arnish. Photo: John J MacIennan*

During 2013/14 there has been an increased focus on decision making and a targeting of legacy cases to reduce the disproportionate impact these small number of cases have on performance in Development types; where there are, relatively speaking, a small number of applications.

Regular monitoring of individual cases has helped improve decision making times, with Householder Developments falling from an average of 8.2 weeks to 7.8 weeks. Analysis of those with particularly long determination times highlighted the need to change a historic protocol of not issuing a Planning Application Planning Decision where a parallel Listed Building application was pending. A new protocol was established for these cases.

Processing times for local non-householder developments fell from 11.3 weeks to 10.5 weeks aided by officer and management focus on quality pre-application advice, early site visits and following up on late consultation responses and early negotiations.

*High quality development on the ground*

The Comhairle's Local Development Plan promotes a fresh approach to design standards in the Outer Hebrides. 2010 saw the launch of a new initiative to promote good design throughout the Islands, including the publication of the Outer Hebrides Design Guide which was delivered in partnership with the Scottish Government. This led to the inauguration of the first Design Awards in 2012. Along with the Service's continuous promotion of good design through the Comhairle's policies and Design Guide, the preparation for Outer Hebrides Design Awards 2014 started at the end of 2013.

The Outer Hebrides Design Awards are held every two years to recognise and celebrate high quality design in new developments throughout the Outer Hebrides. Awards are presented for Housing; Business/Non-Domestic and Conservation categories.



*2014 Outer Hebrides Design Award Winners*

The Awards make evident the commitment to recognising good design in new developments, and that the planning of new houses (in particular) needs careful consideration for the future. 2014's Awards winners are on the Comhairle's webpages providing aspirational examples to developers. All the winners are part of an on-line resource which promotes good design in the Outer Hebrides to our customers. This resource can be accessed at:

<http://www.cne-siar.gov.uk/planningservice/designguide/index.asp>

Planning Officers continue to actively promote good design, providing pre-application advice to potential applicants and through

*High Quality  
Development on  
the Ground*

negotiation and promotion of design, influencing final design proposals to achieve the highest quality possible.

In 2013/14 three Development Management Planning Officers attended the 'Drawing Places' workshop and field visits run by the Scottish Government and Prince's Foundation, to raise their confidence and develop their skills in challenging and negotiating changes in design. This initiative has been valuable in building on the momentum established on driving improved design standards in rural housing in the Outer Hebrides, enabling new developments to better relate to the surroundings.



*Architect designed House Award Winner: Eagle Cottage, Keose, Isle of Lewis, by Stuart Bagshaw & Associates*

The Townscape Heritage Initiative (THI) within the heart of the Stornoway Conservation Area was successfully completed in 2012 with final sign off from the Heritage Lottery Fund in 2013; revitalising many historic buildings in Stornoway Town Centre and raising awareness of the town's historic assets.

In order to build on the legacy of the THI, the Comhairle has preserved its Conservation Area Grant budget for painting within the Stornoway Conservation Area and small works within all our Conservation Areas for 2013/14. Proprietors took advantage of that, having seen the improvements in the fabric and the streetscape in Stornoway in particular.

The Nicolson Institute, one of the six schools developed as part of the £70 million redevelopment programme throughout the Outer Hebrides, won a commendation in the 'Development on the Ground' category of the Scottish Quality in Planning Awards.

The judges recognised the importance of community engagement with regard to locating the new school within the heart of the original site. The project team succeeded in maintaining links with the heritage of the School and retaining a sense of place. Three listed

*High Quality  
Development  
On the Ground*

buildings have been incorporated within the overall design. The development has regenerated the urban fabric in this part of Stornoway and has re-established appropriate contexts for the heritage elements: the clock-tower, Matheson Hall and the combined Pentland Building and gymnasium. Instead of a dispersed group of buildings, the school facilities are now under one roof.

A once in a generation opportunity, The Nicolson Institute was part of the single largest Capital programme ever undertaken in the Outer Hebrides. The role of the planning process as a mechanism for creating a high calibre outcome has been recognised by this Planning award, resulting in a vibrant integrated campus which has provided a major enhancement for the wider townscape of Stornoway and has had a positive impact on the community.



*The Nicolson Institute commended in the Scottish Awards for Quality in Planning*

A LDP Monitoring Framework is currently being developed (as stated in the 2014 Development Plan Scheme) to set out the approach for reviewing the effectiveness of LDP policy. The influence of the design policy in development can be assessed through the monitoring process.

*Certainty*

The Comhairle works with both internal and external consultees, monitoring their performance to ensure timely responses and has over the year sought dialogue and agreed interventions and changes to processes and approaches on both the part of the Service and the Consultees to address concerns.

The 2013/14 Improvement Plan included an action to develop a protocol for consultation with a range of internal consultees.

In 2014 the Planning Service introduced the protocol for internal Consultees, which provides information on the appropriate detail required in responses and an agreed timescale to adhere to with regard to providing consultation responses.

The Local Development Plan (adopted in November 2012) includes a Development Strategy (Policy 1) which provides a clear indication for developers of where development will/will not be acceptable and the requirements for levels of design quality in line with the development strategy.

Within the current LDP, the Development Strategy is supported by policies, allocations and Supplementary Guidance that provide information on what is expected of developers in preparing and submitting applications.

The nature and context of development does not require lengthy policy cover on developer contributions. However, Policy 2 sets out our approach for infrastructure. Policy 3 requires the submission of a Sustainability Statement with applications. Policy 8 defines the instances where a site specific waste management plan will be required. Policy 10 clarifies requirements when developing on deep peat. Policy 18 requires a supporting retail impact assessment for development proposals over 2,500sq.m. In relation to mineral proposals, Policy 21 indicates a requirement for developer contributions subject to the scale of the development. Policy 32 sets out detailed requirements for applications affecting Conservation Areas.

Sites that are allocated in the Local Development Plan set out specific requirements to be addressed by any developer e.g. the submission of a Retail Impacts Assessment, Flood Risk Assessments and or phasing plans.

Detailed guidance and specific requirements have been deemed necessary to be provided to developers through Supplementary Guidance for:

- Car Parking and Roads;
- Caravans and Temporary Buildings;
- Conservation Area Management Plans;
- Marine Fish Farming;
- Wind Energy Development;
- Melbost Farm East Planning Brief (including developer contributions to roads infrastructure).

<p><i>Certainty</i></p>	<p><b>Melbost Farm East Planning Brief -Case Study – Realising Development and Developer Contributions:</b></p> <p>The Planning Brief for the Melbost Farm East sets out guidance for the development of a major housing site to the east of Stornoway. The Brief seeks to:</p> <ul style="list-style-type: none"> <li>• <i>assist the Comhairle in its considerations to progress development including the assessment of planning applications;</i></li> <li>• <i>assist the achievement of a quality design and coordinated development outcome which integrates with the surrounding area;</i></li> <li>• <i>provide applicants with a clear guide as to what will be required in the development of the site and between each phase of development; and</i></li> <li>• <i>ensure constraints are identified and need for mitigation directed.</i></li> </ul> <p>Focused around the themes of Designing Places, Designing Streets and Designing Homes the Brief sets out a spatial strategy and development approaches to realise a phased development of new housing. In addition to requirements to set out regarding phasing, and open/play space allocations, the Brief seeks details on schemes for design, traffic management, landscaping, etc. as part of any development applications.</p> <p>The outcomes in 2013/14 have been that:</p> <ul style="list-style-type: none"> <li>• A developer’s Masterplan was prepared setting out a site layout and pedestrian and open space provision. It was agreed as a basis for further applications.</li> <li>• Through the presence of the Brief improvements to adjacent roads infrastructure including an upgrade of a pedestrian crossing have been secured during the consideration and determination of a planning application.</li> <li>• Forward planning for the whole of the site is now aligned with the Brief and has enabled the installation of a phased waste water treatment system which can be brought on stream as development phases are progressed.</li> <li>• A variety of house designs and site layouts have also been realised on the ground based on the requirements of the Brief and the agreed Masterplan.</li> </ul>
<p><i>Communications, engagement and customer service</i></p>	<p>As a statutory function within the Comhairle, it is considered important that members of the public and customers clearly understand what they can expect from the Planning Service and the areas of work the Service is responsible for. In March 2011, the first Planning Service Charter was prepared and published, which set out how the Service is delivered and defines the standards to be met. The Charter describes:</p> <ul style="list-style-type: none"> <li>• the Planning Service and what you can expect;</li> <li>• the Local Development Plan;</li> </ul>

*Communications, engagement and customer service*

- the planning application process, including pre-application discussion, representations and reviews;
- provides information on planning enforcement;
- the Comhairle's complaints procedures; and
- the standards customers can expect.

The Customer Charter for the Planning Service was reviewed in 2014 and is located on the Comhairle webpages at: <http://www.cne-siar.gov.uk/planningservice/other-information.asp>

The Planning Service has in place a Customer Satisfaction Survey which was reviewed and updated in 2014. This Survey is available in paper and online formats and promoted at key stages in the planning process. The results of the Survey are analysed on a quarterly basis and published annually. Any improvements required as a result of customer feedback are to be implemented on an ongoing basis. A copy of the Customer Survey analysis for 2013-14 has been submitted with this Report.



*Online Local Development Plan*

Under the Scottish Government's e-planning Programme, in 2013 the Planning Service launched an interactive version of the Local Development Plan. The Comhairle was one of the first Local Authorities in Scotland to publish an interactive Local Development Plan. The plan can be viewed at: <http://oldp.cne-siar.gov.uk/oldp-web/docSelectAction.do> The interactive on-line system has a search function for individual policies and proposals, text to map relationships, and a facility for people to make electronic comments and representations during consultation periods.

The adoption of the Supplementary Guidance for Wind Energy Development in April 2013 concluded a significant public and stakeholder engagement process in the preceding months, involving several iterations and associated consultations of the Guidance.

Communications,  
engagement and  
customer service



Pentland Wind Farm, Isle of Lewis

## OPEN DAY AND INFORMATION EVENT Sandwick Hall, Monday 29th April, 3-8pm



Following the development of Mackenzie Park at the former Melbost Farm site, Comhairle nan Eilean Siar is looking to see how the rest of the site might be developed. The land is earmarked for housing and to help us with the future development of the site we would value your input.

This is a drop in event so you can call in anytime to give your views on how new housing development is shaped and what associated facilities might be appropriate.

If you are unable to attend and would like to have your say please contact the Development Plan Team, details below.

Comhairle staff will be there to discuss options with you and seek your views.

### Outer Hebrides Local Development Plan

If you require further information please contact the Development Plan Team, Comhairle nan Eilean Siar, Sandwick Road, Stornoway, Isle of Lewis, HS1 2BW, tel: 01870 604990 or 01851 822690 or e-mail: [localdevplan@cne-siar.gov.uk](mailto:localdevplan@cne-siar.gov.uk)



Printed on recycled paper

Community engagement flyer - Melbost Farm East Planning Brief.

*Communications, engagement and customer service*

A variety of engagement and communication activities were deployed in the preparation and adoption of a Planning Brief for the Melbost Farm East Housing proposal site. Through targeted flyer drops to local residents, local postering, attendance at Community Council meetings and an open day event, the Comhairle sought to glean local opinion in identifying issues and opportunities, and input in determining policy approaches.

A specific electronic survey was sent out in December 2013 to stakeholders (via the quarterly Stakeholders Update) to gauge early feedback on the LDP and whether the policies were found to be robust and relevant. A Customer Satisfaction form was also retained online for feedback on the overall LDP process.

The biennial Housing Land Audit was approved in November 2013. Its preparation was informed by stakeholder engagement with housing partners; including Hebridean Housing Partnership, developers, utility providers and internal and external interests.

Stakeholders (including agents and developers) receive electronic updates on a quarterly basis. This update is designed to keep Stakeholders informed of relevant issues at both national and local level. A copy of the May 2014 update has been submitted with this Report.

The Comhairle continues to host an annual meeting with the Aquaculture industry – in conjunction with the Scottish Salmon Producers Organisation (SSPO).

The Comhairle also follows corporate standards for handling service complaints.

The Comhairle's planning web pages are kept up-to-date and have recently been reviewed as part of the 2012/13 Business Improvement Plan.

Planning staff are involved in several joint forums for the sharing of ideas and exchange of good practice, including the North of Scotland Development Plan Forum, HOPS Development Management sub-committee, and the joint Local Authority Aquaculture Planning group.

Particular challenges have emerged in relation to wind energy development in the southern landmass of the Outer Hebrides due to the high level of Military Radar Infrastructure present in the area which also has a high resource for wind energy. The Planning Service is working in conjunction with the MoD to better understand the issues in order to improve its pre-application advice and, in turn, developer certainty as to the likelihood of issues arising. The Planning Service continues to have to deal with the difficulties in resolving the issues between the pressure for wind energy development in the Uists and the MoD. Whilst acknowledging the expertise of the MoD, and the importance of not compromising the operation of its infrastructure, the Comhairle has expressed support of this type of development. The Planning Service continues to be

involved with negotiations, consultations, and meetings with the MoD at Officer and Member level in order to resolve the difficulties.

*Efficient and effective decision-making*

The Comhairle has an up-to-date Scheme of Delegation (2013) to Officers as well as clear arrangements for Committee Delegation. The level of delegation is high (94.2%). As of May 2012, the Comhairle has delegated decision making powers to the Service Committee in order that decisions can be made without reference to the full Comhairle when necessary. The Local Review Body meets as required – although the case load is very low (1 in 2013/14).

Planning application case load is monitored by the Development Management Planning Manager and Officers are enabled to manage their caseload through issue of a weekly progress report to Officers of their own caseload, arranged by development type and colour coded to highlight time taken/available against targets. A traffic light system is used and monthly issue of cases determined given to all Officers.

The Head of Service and the Planning Manager regularly review caseloads to assess and respond to changes in the pattern of applications received, largely by re-allocating duties within the team to meet delivery of priority developments and larger/more complex cases.

At the start of the business year the Planning Service had a number of long-term ‘legacy cases’, many of which were stalled through lack of information. A traffic light system has been used to highlight cases with those over 1 year old being highlighted as red on Officer and Management reports circulated weekly and those over 100 days in pink.

N06A: Electricity Generation - Major	12/00298/PPPM	830 Days
N06B: Electricity Generation - Local	13/00447/PPD	362 Days
N08B: Electricity Generation - Local	13/00552/PPD	306 Days
N08B: Electricity Generation - Local	14/00020/PPD	242 Days
N08B: Electricity Generation - Local	14/00026/PPD	236 Days
N08B: Electricity Generation - Local	14/00062/PPD	214 Days
N08B: Electricity Generation - Local	14/00063/PPD	213 Days
N08B: Electricity Generation - Local	14/00061/PPD	208 Days
N10B: Other Developments -	14/00199/PPD	117 Days

*Case Management – Traffic Light System*

*Efficient and effective decision-making*

Together with a drive to get applicants and agents to understand that the Planning Service cannot sit with applications undetermined long-term, the traffic light system has given individual Officers ownership of their own timescale targets.

Certain changes, such as the practice of holding back decision on a planning application where there was a concurrent Listed Building Application pending has been altered in favour of an informative on the Planning Permission.

It should be noted that while the purge on legacy cases has largely removed long term cases from the system, the difficulties arising from MoD objection to micro-turbines on the grounds of adverse effect on radar in the Southern parts of the Outer Hebrides, and the Comhairle's wish to explore all avenues to establish the extent of that impact, has resulted in the creation of a number of new legacy cases in the category of N06 – Electricity Generation Local.

The Druim Leathann Wind Farm was the only major application dealt with by the Planning Service in the Business Plan year. The application was an EIA Application that addressed a number of complex issues including impact on Golden Eagle population, Drinking Water Protected area, proximity to a community and resultant noise impacts. The determination period of 44.9 weeks reflected the need for additional bird survey information and impact analysis, (submitted part of the way through the planning process) to be treated as an addendum to the EIA and re-advertised and re-consulted upon as required by regulations. The determination period also included a period for review of the proposed conditions, in conjunction with the Consultees and the Applicant's legal team, following the delegation of the preparation of conditions to the Director for Development on a Decision to approve the application by Committee, contrary to Officer recommendation.

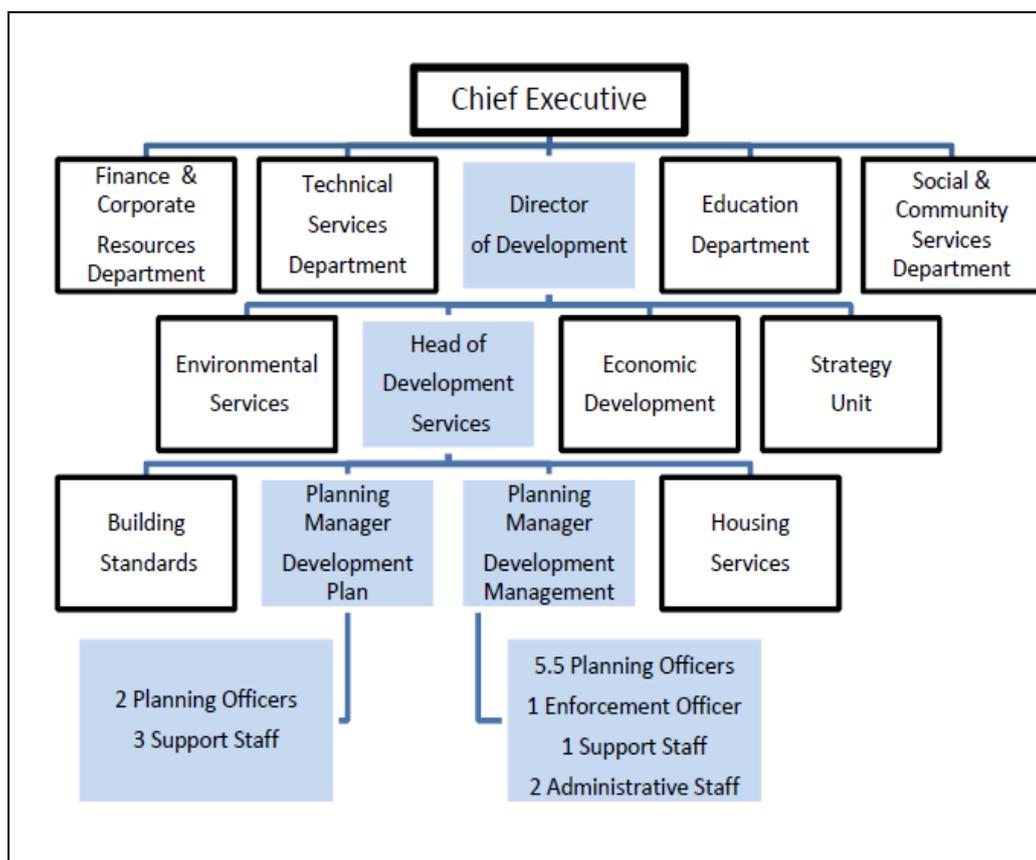
The Planning Service, in determining planning applications for wind generating developments, has finalised Section 75 Agreements securing a range of objectives. The Planning Service has actively pursued early engagement on consultation, and conclusion, of Section 75 Agreements, with the Section 75 Agreement for the Druim Leathann Wind Farm being concluded within weeks of the Planning Decision being taken and that for the North Uist Community Turbine Scheme (called in by Ministers for Determination) being concluded ahead of the Planning Decision.

As Planning Agreements require negotiation and agreement between all parties to accept the terms, there is the potential for long delays. With the benefit of valuable experience, the Comhairle is now more proficient in finalising such agreements within reasonable timescales.

With the planning application for the Druim Leathann Wind Farm, a draft agreement was produced by the Comhairle's Legal Services on 7 October 2013, the application was considered by the Environment and Protective Services Committee on

	<p>26 November 2013. The agreement was signed on 7 March 2014.</p> <p>Similarly, a Section 75 agreement for the community wind turbines in North Uist (Ref 13/00702) was concluded on time, finalised in the period between being considered by Committee and the application being called in by the Scottish Ministers (less than one month).</p> <p>A Major application case, on which the Comhairle has made a decision, but for which no decision has been issued, is highlighted in the case management table above in red. The determination, period now running to over 800 days, is stalled through the Section 75 Agreement; being held up by landowner and finance issues and not through any delay on the part of the Planning Service or the Comhairle. This Section 75 once signed will result in an adverse impact on determination timescale, for reasons over which the planning system has no control.</p>
<p><i>Effective management structures</i></p>	<p>The Planning Service is led by a Head of Service and delivered by two business units: Development Management and Development Plan Team– each business unit is headed by a Planning Manager. The Head of Service and Planning Managers work collaboratively and across teams to deliver on service priorities.</p> <p>Planning Service teams hold team meetings to review progress. Performance is monitored using appropriate systems within teams, Development Management use its case work system and weekly progress reports, while Interplan is used to record more strategic actions and tasks and reviewed at quarterly Departmental Management meetings. At every Comhairle Committee series the Department reports on quarterly performance.</p> <p>Planning Officer posts are generally career grade posts and the Comhairle has agreed to move to generic job descriptions for all planning posts. This encourages officers to progress up the career grade scale until they have obtained professional membership of the RTPI. This helps with succession planning in that there are potentially fully qualified staff who would be eligible to apply for a management post if it became available. Four members of staff are currently undertaking RTPI certified Planning Courses and will be working towards MRTPI.</p> <p>In 2013/14 the Comhairle has also entered into a service agreement with Orkney Islands Council to provide Conservation advice to the Comhairle. The Comhairle now receives built heritage and conservation advice for applications in Conservation Areas and for Listed Buildings, along with advice on more general policy matters from Orkney Islands Council. In 2013/14 this arrangement was piloted and at the end of the year it was agreed that the pilot was successful and the Comhairle entered into the arrangement in a more formal capacity for 2014/15. This is providing to be an effective use of resource for both Authorities.</p>

**Development Department Organisational Chart 2012-13**



*Financial management and local governance*

Budget setting is on annual basis and team budgets are monitored on a monthly basis.

The Planning Service finances are monitored on a monthly basis by the Service Managers. If income or expenditure deviate significantly from the budgeted amount, this is reported on. Planning fee income is recorded in the case management System. The service manager is able to query the database via a standard set of reports to enable an ongoing monitoring of income.

Corporate procurement policies ensure value for money.

To enable the Comhairle to monitor and report its performance it has adopted 'Interplan' as its electronic performance management system. Since August 2009, Interplan has been used to track the progress of the Comhairle service business plans and to report on progress made. Because it provides a real time integrated business planning and performance monitoring system within the Comhairle, it facilitates more frequent and flexible reporting. A commitment has been made to provide quarterly reporting of business plans and performance to Committee, as noted above. Service improvements put forward in the PPF are monitored through the Interplan performance management system.

*Culture of continuous improvement*

The Development Department promotes an ethos of openness and continuous improvement. In 2012, Investor in People 'bronze' status was achieved and retained through a highly satisfactory mid-term review. This is to be replaced by the 'How Good is Our Council' tool and the departmental Business Improvement Action Plan exists to drive forward departmental improvements across the services.

The Department's Staff Forum also continues to develop ways in which staff can be fully involved in developing the business of the Department.

Opportunities to develop existing staff is sought and acted upon when they present themselves - enabled through the Comhairle's twice yearly Staff Development Assessment process. Agreed training needs are recorded, and progress reported in the Departmental Training Plan.

Staff input to business planning exercises through regular events and are encouraged to bring forward ideas for service improvement.



*Development Department business planning workshop 2013*

Provision of training from other agencies is sought and delivered both directly to Comhairle staff and through joint training initiatives with other local authorities.

Planning Managers and Officers attend Development Plan and Development Management forums for the sharing and exchange of information and good practice with others.

The Head of Service meets with other Heads of Planning in the Highlands and Islands to benchmark and learn from good practice across a range of topic areas, taking part in the HoPS rural authorities benchmarking family.

The Planning Service has taken an active role in the ongoing development of customer services and customer contact, with the Head of the Service sitting on a corporate Customer Services Steering Group. This Group continues to deal with customer 'channel shift',

<i>Culture of Continuous Improvement</i>	web site development and customer surveys. The Planning Service therefore helps shape the Comhairle's wider corporate approach to dealing with customer contact.
	In addition, the Planning Service has opened up its client contact area for corporate use as part of a better utilisation of space within the main council offices in Stornoway.
	Outcomes from the Planning Service customer survey have also been fed into the Comhairle's corporate improvement actions on customer feedback.
	Further, in 2013 the Head of the Service is now part of the Comhairle's asset management process, advising on any planning issues affecting proposals for Comhairle assets as well as shaping future asset and property decisions based on the Local Development Plan. This also allows the Head of Service direct involvement in proposals for investment in assets, land and Comhairle property. This move has reduced tensions and ensures that planning considerations are dealt with early on in the disposal or development of Comhairle land and property.

### **Part 3: Supporting evidence**

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

- *Development Plan Scheme 2014*
- *Development Department Business Plan Report 2013/14*
- *Development Department Business Plan 2014/15*
- *Development Department Management Structure 2014*
- *Planning Service Charter 2014*
- *Stornoway Regeneration Action Plan*
- *Planning Service Customer Survey Results 13/14*
- *Stakeholder Engagement Newsletters*
- *Planning Service Internal Consultee Protocol 2014*

#### Part 4: Service Improvements 2014-15

In the coming year we will:

- Employ a Service Improvement Officer within the DM service for a temporary period;
- Review and improve customer/business friendliness of the Comhairle’s Marine Fish Farming Guidance Notes;
- Implement a fresh approach and system for dealing with customer feedback;
- Review the pilot approach for processing agreements and make advice/templates available on the website;
- Implement a series of actions to improve the robustness and clarity of Committee governance arrangements for planning applications;
- Implement a series of procedural changes to improve the process and clarity of neighbour notification;
- Introduce a guide to Permitted Development rights and when planning permission is required on the Comhairle’s Planning Service web pages; and
- Work with the Ministry of Defence to promote and tailor the MoD pre-application service for turbine proposals in the Outer Hebrides.

Delivery of our service improvement actions in 2013-14:

Committed improvements and actions	Complete?
<p><i>Introduce a Protocol for internal consultees to the planning process</i></p> <p>The Comhairle Planning Service, committed to a range of Service Improvements to deliver more certain, proportionate and timeous planning decisions.</p> <p>The introduction of a Protocol for Internal Planning Consultation is one of the improvement measures set out in the Comhairle’s Plan for 2013/14.</p> <p>The aim of a Protocol on Planning Application consultation is to improve efficiency on the part of the Planning Service and that of internal consultees to the process through gaining a better understanding of the requirements and challenges of both parties, identification of improvements and efficiencies and thereafter implementation of a range of pre-agreed measures e.g. identifying circumstances in which a consultee would not wish to be consulted but could provide standing advice.</p> <p>Increasing efficiency in the process will release time to drive quality in development and to reduce Planning Decision timescales to the benefit of delivering developments on the ground across the Outer Hebrides.</p>	

As well as the actual Protocol the following has been actioned to support its implementation:

- DM Procedure Guidance Note – When to Consult – Part 1 – Internal
- Updated file Cover – Space for Officer to identify ‘Reason for Consultation’
- Adoption of Standard ‘external’ template’ which has a field where the Reason will appear.
- The protocol has helped officers clarify the need and purpose of their consultation and reduced the response timescale for some consultation responses.
- The success of the protocol in driving down response times will be monitored over the coming year.

#### *Review Planning Service Customer Charter*

Early in 2014, the Planning Service Charter was reviewed and consultation took place with stakeholders in relation to the content of the Charter.

The consultation responses received in relation to the existing charter were positive and only minor suggestions were put forward and where possible, these suggestions were fed into the new charter. Otherwise, no significant changes have been made to the Charter other than the addition of the Comhairle’s most recent complaints procedure, which was introduced on 25 March 2013. The Planning Service Charter was approved on 04 February 2014 and has been placed on the Planning Service web page at: <http://intranet/internet/planningservice/other-information.asp> with hard copies also being made available at the Comhairle Offices in Stornoway, Tarbert, Balivanich and Castlebay.

#### *Review Planning Enforcement Charter*

Planning Enforcement, in accordance with the provisions of Section 27 of the Planning etc (Scotland) Act 2006, requires that Authorities review, update and re-publish Planning Enforcement Charters on a regular basis, or whenever they think it appropriate to do so, but in any event within 2 years after last publishing (or re-publishing) it. In February 2014, the Planning Service reviewed and updated the Comhairle’s version of the Planning Enforcement Charter. The Comhairle first approved and adopted the Planning Enforcement Charter in June 2007, and has since approved revised versions of the Planning Enforcement Charter in April 2010 and March 2012.

The Scottish Government has issued Guidance on the form and content of the Charter. This Guidance, together with the Comhairle’s existing adopted Planning Enforcement Charter, Enforcement Policy and Complaints Procedure, has been taken

into account when preparing the revised Charter. On this occasion, there were no statutory or procedural changes to the Enforcement Charter, other than the addition of the Comhairle's most recent complaints procedure, which was introduced on 25 March 2013.

The Enforcement Charter was approved on 04 February 2014 and was implemented immediately. The Charter was then published on the internet and made available at Comhairle Offices and at public libraries in the Planning Authority's area, as required; therefore satisfying the timescales and requirements of both the provisions of Section 27 of the Planning etc (Scotland) Act 2006 and as a service improvement.

*Use the LDP monitoring process to identify ways of improving engagement in the development planning process.*

Formulating an approach to monitoring has encouraged Development Plan Team staff to explore new engagement options and methods.

A survey with more scoring and narrative feedback options has enabled Development Management colleagues to make comments on all Plan policies and submit their responses electronically. This survey approach, with a similar line of questioning was subsequently rolled out to wider stakeholders and Key Agencies in Nov/Dec 2013.

Ongoing LDP Monitoring and broader Plan activities (e.g. preparation of Supplementary Guidance) has highlighted the success or otherwise of different scales and types of engagement models. For example, the success of locally targeted, on-the-ground engagement in the preparation of a Planning Brief for the Melbost East Housing Site in 2013 resulted in the smooth progress and swift adoption of that Policy document by October 2013.

Whilst in contrast, the evolution of various editions of the Supplementary Guidance for Wind Energy Development reflected the complexity and wider variety of interests in that document.

*Consider how Uniform can be better used for LDP monitoring purposes.*

Currently (reports from) the Uniform system provides largely quantitative data on the types and location of development. This relies on consistency of data entry and population of the requisite data fields by all officers to ensure the outputs are robust. There is scope for staff training on consistency of terminology (and definition) and data entry to improve the robustness of the system. Wider use of the data fields which record the use of particular Plan Policies and Proposals would advance LDP Monitoring. The requisite spatial data sought by Uniform (e.g. Co-ordinates, UPRNs etc.) has been essential in enabling data to be mapped or extrapolated into other presentational formats.

By plotting data spatially on house builds, the Comhairle can effectively demonstrate the high incidence and distribution of individual self builds on 'windfall sites' as compared to the larger house builder developments constructed elsewhere. Equally the spatial data or postcode checkers can highlight deficiencies in housing stock provision. This aids in identifying and planning for potential new housing Development Plan allocations.

By using Uniform to identify concentrations or clusters of failed, withdrawn or unsuccessful planning applications, issues of potential constraints on development can be identified e.g. infrastructure provision, sensitive environments etc. By identifying constraint 'black spots', developers, key agencies and the Planning Service can investigate possible measures to address or mitigate constraints.

*Review performance management approaches with Development Management to reduce average times for processing planning applications.*

The performance management improvements carried out by the Department are discussed under Efficient and Effective Decision-Making above.

In addition, the reasons behind the need for efficient and effective decision making have been the subject of discussion at the quarterly meetings of the DM team, in order that officers and support staff understand the importance to the customer and the wider public, of decisions being progressed in good time.

*Complete a review of Planning conditions*

The Planning Service has, through the process of consulting upon and delivering a consultation protocol, actively engaged with each of the internal consultees to promote a better understanding of the purposes and limitations of planning conditions and informatives, and the need for planning conditions to satisfy both the legal tests and the policy tests for Conditions (as set out in the Circular on the Use of Planning Condition).

This process identified that the conditions most in need of review were those being advised by the Archaeology Service, and the Environmental Health Service in relation to wind turbine noise.

The Planning Service has engaged with both these consultees and each has been taking further guidance from their own professional bodies and peer services in benchmarking authorities. The Condition review has therefore taken longer than expected and is still in progress.

*Publish our customer survey results for 2012/13 and 2013/14*

The Planning Service has in place a Customer Satisfaction Survey.

The results of the Survey are analysed on a quarterly basis and are published annually. This has been done for both 2012/13 and 2013/14. Any improvements required as a result of customer feedback are implemented on an ongoing basis. The survey results can be viewed on the Comhairle's web pages at: <http://intranet/internet/planningservice/customer-surveys.asp>

*Review how effective our Customer survey is for implementation in April 2014*

It was felt that the previous questionnaire did not provide the Planning Service with quality feedback which would inform us with a view to improving customers' experience of the Planning Service.

The Survey was reviewed and updated for implementation after year end 13/14. This Survey is available online and in paper format. The questions have been revised so that the two formats are aligned and to allow for more constructive feedback.

The Survey is promoted at key stages in the planning process (ie: at issue of Decision Notices). The Survey is also promoted through the regular Stakeholder update, and is now available at Comhairle Reception areas in Stornoway and Balivanich, with plans to re-organise the space at the Development Department reception area to allow for better promotion of relevant material.

The change to the revised Customer Satisfaction questionnaire was communicated to Stakeholders and also to the teams within the Planning Service.

The results of the Survey are analysed on a quarterly basis and published annually. Any improvements required as a result of customer feedback are to be implemented on an ongoing basis.

*Pilot the use of Processing Agreement for selected large or complex development in the category of Local Development (in the absence of any 'Major' development cases).*

A pilot of the Processing Agreement project management tool was adopted in relation to the planning application for the Proposed development of the North Uist Primary School. The project, while not falling within the category of major as defined in the Hierarchy is, nevertheless, a large scale project in the Western Isles Context.

- The target application date was 20 June 2014. Application submitted 24 Jun 2014
- Decision target was 27 Aug 2014: Decision issued on 28 Aug 2014
- Target Date for Decision issue 2 September 2014: Decision issued 28 Aug 2014

The Processing Agreement identified three targets relating to information submission:

- Flood Risk assessment Due 20/06/2014 – Target met

- Development Impact Assessment - Due on 11/07/2014 – Target not met (Submitted 27/07/2014)
- Otter Survey due on 18/07/2014 – Target not met (Submitted on 03/09/2014).

The Processing Agreement helped all parties keep a focus on the project and, with the exception of delay on applicant clarification on queries in relation to roads and parking all consultee responses and queries were addressed on time.

The pilot proved to be a useful exercise. Learning points include the need to document the success/failure to adhere to timescales at each point in the process and circulation of a note on impact of slippage to all parties.

## PLANNING PERFORMANCE FRAMEWORK

### Part 5: Official Statistics

#### A: Decision-making timescales

Category	Total number of decisions 2013-2014	Average timescale (weeks)	
		2013-2014	2012-2013
<b>Major developments</b>	0	0	0
<b>Local developments (non-householder)</b>			
• Local: less than 2 months	160(52.8%)	6.5	7
• Local: more than 2 months	143(47.2%)	15	16.5
<b>Householder developments</b>			
• Local: less than 2 months	82(84.5%)	5.8	6.5
• Local: more than 2 months	15(15.5%)	18.5	13.7
<b>Housing developments</b>			
<b>Major</b>	0	0	0
<b>Local housing developments</b>			
• Local: less than 2 months	59(57.3%)	6.7	7.3
• Local: more than 2 months	44(42.7%)	13.1	15.7
<b>Business and industry</b>			
<b>Major</b>	0	0	0
<b>Local business and industry</b>			
• Local: less than 2 months	9(75%)	7	7.1
• Local: more than 2 months	3(25%)	19.2	18.5
<b>EIA developments</b>	4	19.5	34
<b>Other consents*</b>	58	3.8	8.8
<b>Planning/legal agreements**</b>	1	44.9	158.9
<b>Local reviews</b>	1	5.4	0

\* 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**

Type	Total number of decisions	Original decision upheld			
		2013-2014 No.	%	2012-2013 No.	%
Local reviews	1	1	0%	0	0
Appeals to Scottish Ministers	0	0	n/a	0	0

**C: Enforcement activity**

	2013-2014	2012-2013
Cases taken up	10	11
Breaches identified	10	16
Cases resolved	24	17
Notices served***	11	9
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**

As previously mentioned, due to the high level of nature conservation designations, most wind turbine applications require EIA screening which adds considerably to non-fee earning workloads of the service. In addition, the MoD has increasingly raised objection on the grounds of wind turbine impact on its radar infrastructure in the Uists with a resultant high level of political interest, high levels of interaction with MoD and developers and subsequent uncertainty/delay in decision making. The 'post decision' processing of wind energy proposals has continued to draw heavily on resources during 2013/14 as there has been three Judicial Review cases and 4 'Called In' applications to deal with regarding wind turbines. This also involved the preparation for a Planning Hearing, which all draws heavily on the resources of a small planning service.

Furthermore, the Outer Hebrides has the second highest number of Marine Atlantic Salmon farms in Scotland, and with marked expansion in the sector to satisfy global demand. There is clear evidence once again on the extent to which the sector draws on the resources of a small team.

Vacant posts have also had a noticeable impact on the workload and performance of a small team during 2013/14.

**Part 6: Workforce and Financial Information**

*The information requested in this section is an integral part of providing the context for the information in parts 1-5. Staffing information should be a snapshot of the position on 31 March. Financial information should relate to the full financial year.*

	Tier 1	Tier 2	Tier 3	Tier 4
<b>Head of Planning Service</b>			1	

*Note: Tier 1= Chief Executive, Tier 2= Directors, Tier 3= Heads of Service, Tier 4= Managers*

		DM	DP	Enforcement	Other
<b>Managers</b>	No. Posts	1	1		
	Vacant	0	1		
<b>Main grade posts</b>	No. Posts	5.5	3	1	
	Vacant	1			
<b>Technician</b>	No. Posts	0	2		
	Vacant	0	0		
<b>Office Support/Clerical</b>	No. Posts	3	0		
	Vacant	0	0		
<b>TOTAL</b>		<b>9.5</b>	<b>6</b>	<b>1</b>	

*Note: Managers are those staff responsible for the operational management of a team/division. They are not necessarily line managers.*

Staff Age Profile	Number
Under 30	2
30-39	4
40-49	5
50 and over	5

<b>Committee &amp; Site Visits*</b>	<b>Number per year</b>
Full council meetings	5
Planning committees	5
Area committees (where relevant)	N/A
Committee site visits	0
LRB**	1
LRB site visits	0

*Notes:*

\* *References to committees also include National Park Authority Boards. Number of site visits is those cases where visits were carried out by committees/boards.*

\*\* *This relates to the number of meetings of the LRB. The number of applications going to LRB is reported elsewhere.*

	<b>Total Budget</b>	<b>Costs</b>		<b>Income***</b>
		<b>Direct*</b>	<b>Indirect**</b>	
Development management	273	499	136	410
Development planning	322	217	73	0
Enforcement	40	37	3	0
Other				
<b>TOTAL</b>	<b>635k</b>	<b>753k</b>	<b>212k</b>	<b>450k</b>

*Notes:*

\* *Direct staff costs covers gross par (including overtime, national insurance and superannuation contribution). The appropriate proportion of the direct cost of any staff member within the planning authority spending 30% or more of their time on planning should be included in costs, irrespective of what department they are allocated to (for example, legal advice, administration, typing). Exclude staff spending less than 30% of their time on planning.*

\*\* *Indirect costs include all other costs attributable to the planning service. Examples (not exhaustive) include accommodation, IT, stationery, office equipment, telephone charges, printing, advertising, travel & subsistence, apportionment of support service costs.*

\*\*\* *Include fees from planning applications and deemed applications, and recharges for advertising costs etc. Exclude income from property and planning searches.*



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