

# **Planning Performance Framework Orkney Islands Council**

**PLANNING PERFORMANCE FRAMEWORK  
ANNUAL REPORT 2012-2013**



**1. National Headline Indicators (NHIs)**

<b>Key outcomes</b>	<b>2011-2012</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>7</p> <p>Yes</p>	<p>8</p> <p>No</p>
<p><b>Effective Land Supply and Delivery of Outputs</b></p> <ul style="list-style-type: none"> <li>effective housing land: 5-year supply (Y/N)</li> <li>effective housing land supply</li> <li>housing approvals</li> <li>effective employment land supply</li> <li>employment land take-up</li> <li>effective commercial floor space supply</li> <li>commercial floor space delivered</li> </ul>	<p>Yes</p> <p>1,222 units</p> <p>169 units</p> <p>119ha</p> <p>Not available</p> <p>Not available</p> <p>3,400m<sup>2</sup></p>	<p>Yes</p> <p>1,222 units</p> <p>167 units</p> <p>119 ha</p> <p>Not available</p> <p>Not available</p> <p>2,100m<sup>2</sup></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>33%</p> <p>0</p> <p>N/A</p> <p>96%</p> <p>92%</p>	<p>44%</p> <p>0</p> <p>N/A</p> <p>96%</p> <p>93%</p>
<p><b>Decision-making timescales</b></p> <p>Average number of weeks to decision:</p> <p>major developments</p> <p>local developments (non-householder)</p> <p>householder developments</p>	<p>5.9</p> <p>11.4</p> <p>9.2</p>	<p>0</p> <p>10.7</p> <p>9.7</p>
<p><b>Enforcement</b></p> <ul style="list-style-type: none"> <li>time since enforcement charter published / reviewed (full years) <i>Requirement: review every</i></li> </ul>	<p>17 months</p>	<p>29 months</p>

2 years		
• number of breaches identified / resolved	37/31	18/9

**Notes**

*Development Planning*

*The Orkney Local Plan was adopted by the Council in December 2004.*

*The latest annual Development Plan Scheme was approved by the Council in February 2013. The Scheme sets out a programme for the examination and adoption of the emerging Development Plan in 2013, whilst detailing the commencement of the review and monitoring processes that would lead to a revised Local Development Plan for Orkney in 2015.*

*The Orkney Local Development Plan was submitted to Scottish Ministers on 10<sup>th</sup> July 2013 for examination and the examination is estimated to take 6 months to complete. The target date of February 2013 for completing the Plan and submitting for examination has not been met due to the preparation of the schedule of representations taking longer than anticipated.*

*Development Management*

*The rate of development activity in Orkney shows no sign of abating with 2012/13 proving to be another record year in terms of numbers of planning applications received by the Council. The total number of planning applications received in 2012/13 was 610 which represents a 6% increase on the 2011/12 total. The key contributing factor to the rise in planning applications 2011/12 has been the large volume of applications for small scale single wind turbines. As a result of this volume of workload a Temporary Planning Assistant post was employed between September 2012 and June 2013 to deal with the large volume of applications. Despite the increased workload performance has remained on a par with the previous year with the overall average time of 10.7 weeks to determine a planning application in Orkney comparing favourably with the Scottish average of 12.5 weeks.*

## PLANNING PERFORMANCE FRAMEWORK

### 2. Defining and measuring a high-quality planning service

<i>Open for business</i>	<p>We provide a good quality free pre-application advice service to members of the public including a 5 day/week duty officer to deal with public queries. Details of pre-application advice are now recorded on our UNIFORM casework management system.</p> <p>We provide a single point of contact for development proposals throughout the planning application process.</p> <p>We also provide a duty officer service for the Development and Marine Planning service providing free advice 5 days a week, with no appointment needed.</p> <p>The Council has introduced a direct dial telephone system which allows improved and direct access to all Planning staff.</p> <p>In partnership with the Scottish Government we have a local protocol in place for determining development proposals in the Lyness and Hatston Enterprise Areas.</p>
<i>High quality development on the ground</i>	<p>Our new Council Plan 2013-18 establishes the requirement for a Placemaking Strategy to be developed, which will implement a design led approach to delivering locally distinctive streets and public realm.</p> <p>The Council has adopted Placemaking Principles to provide the foundation for the development of future policies and proposals for Placemaking in Orkney. A Placemaking Strategy Outline Project Plan has also been prepared.</p> <p>We have engaged Architecture+Design Scotland to hold a Design Forum on a national development for a proposed electricity sub-station and to consider proposals for a new hospital in Kirkwall.</p> <p>We have continued our major focus on the production of development briefs for key sites in order to promote high quality development. Two new development briefs were approved in 2012/13 - Eastbrae, Stromness and Crowness Business Park and draft briefs for Papdale, Kirkwall and Copeland's Dock, Stromness were prepared for public consultation.</p> <p>Through the Stromness Townscape Heritage Initiative we have continued to provide a major facelift to the town centre refurbishing and bringing back into use some of its oldest buildings, and replacing concrete paving slabs with traditional flagstones.</p> <p>We have undertaken a review on the 18 month trial operation of our Design of New Houses and Extensions in the Orkney Countryside Supplementary Guidance which has reviewed our experience in using the design guide, observations on whether</p>

	<p>it has been justified and helpful and identified examples of where it has helped to improve the final design of houses.</p> <p>We have developed guidance on an “Orkney Local List” to protect buildings and structures in Orkney which do not feature on the statutory lists of historic buildings but are nevertheless considered to make a significant contribution to the history character and appearance of Orkney.</p>
<p><i>Certainty</i></p>	<p>The new Council Plan 2013-2018 includes the revision of the Local Development Plan and review of the Housing Development in the Countryside Supplementary Guidance as key targets.</p> <p>We have continued to develop our range of supplementary planning guidance to support the emerging Local Development Plan. During the last 12 months we have approved Supplementary Guidance on Natural Heritage, Aquaculture, Affordable Housing, Wind Energy, and Housing Development in the Countryside.</p> <p>In response to complaints raised by members of the public regarding a lack of clarity on the use of Landscape and Visual Impact Assessments for wind turbine applications our revised Supplementary Guidance on Wind Energy has a new section confirming what supporting information is required.</p> <p>To assess the capacity of the landscape in Orkney to accommodate further wind energy development, we have commissioned a Wind Energy Noise and Landscape Capacity Study.</p> <p>Our most recently approved supplementary guidance covers Developer Contributions and Good Neighbour Agreements. This is the first time we have produced guidance on developer contributions and will ensure the application of a consistent and equitable policy for development where a developer contribution is anticipated.</p> <p>We are currently in discussions with a developer regarding the establishment of our first ever processing agreement.</p> <p>We have developed a standard set of model planning conditions following a benchmarking exercise with other Highlands &amp; Islands local authorities.</p> <p>We have regular liaison meetings with key agencies and specific stakeholders such as architects/builders and the fish farming industry.</p>
<p><i>Communications, engagement and customer service</i></p>	<p>We continue to meet with our key stakeholders through 6 monthly meetings of our Planning and Building Standard Forum. The latest Forum meeting in June considered the National Planning Framework, Housing in the Countryside and Place-making.</p> <p>We have taken advantage of key local events to engage with members of the public. In August this year the Development &amp;</p>

Marine planning team had a marquee at the County Agricultural Show which sought consultation feedback on marine planning, open space and conservation area management plans as well as any other general planning issues of concern.

We undertook community workshops in the four urban settlements with conservation areas in order to explain and allow for input into the development of an Urban Conservation Area Management Plan.

We held workshops with local builders, architects, surveyors, planning agents and elected members to get feedback on the operation of the Supplementary Guidance on the Design of New Houses and Extensions in the Orkney Countryside. All applicants and agents who submitted a planning application for a house in the countryside were also issued with a questionnaire to seek feedback.

We continue to encourage customers to submit planning applications electronically.

We are in the process of reviewing and updating all the planning information on our website in order to improve the quality of our website.

The Council has updated its Complaints Handling Procedure which provides a standard approach for dealing with customers who are unhappy with the service that they have received.

*Efficient and effective decision-making*

We have a Planning Committee dedicated to dealing with planning applications which meets on a monthly basis except in August which is the members recess. The Local Review Committee meets on a similar timescale (if required).

Whilst both Committees hold their meetings centrally, the last 12 months have seen both committees meet outwith Kirkwall for the first time ever with meetings for local proposals being held on the North Isles of Westray and Sanday.

A separate Development & Infrastructure Committee deals with all development and marine planning policy issues and meets 5 times per year.

The Development & Infrastructure Committee has commenced on a programme of touring the Isles to provide an opportunity for the Committee to meet with Isles communities as a group and to establish a direct channel for the Isles communities to communicate with Committee Members and the Service senior management team on issues which fall within the remit of the Committee.

We are currently reviewing our Scheme of Delegation as part of a wider review of the Council's Corporate Governance processes.

We have entered a Joint Working Agreement with Historic Scotland to enable the Council to grant listed building consent to B Listed buildings.

	<p>We have a Member – Officer Working Group set up to progress the Local Development Plan. This allows open discussion between Members and Officers and guides the strategic direction and policy approach of the Plan.</p> <p>A multi-disciplinary project team, comprising officers from the Planning, Roads, Design, Development and Engineering services, has been established to implement the Place-making Strategy and Policy .</p> <p>An internal procedure has been established to ensure internal planning application consultations are dealt with timeously between the two elements of the Planning service.</p> <p>We hold 6 monthly meetings between Committee Chairs and Vice-Chairs and Planning Managers to consider relevant issues.</p> <p>We are benchmarking our business support procedures with those of Highland Council.</p>
<p><i>Effective management structures</i></p>	<p>There are effective communication channels in place from the Senior Management Team, Corporate Management Team, Heads of Service down to individual teams. Heads of Service meet on a monthly basis with Development Management and Development &amp; Marine Planning team meeting every 2 months.</p> <p>We have re-structured the Development &amp; Marine Planning team to create two new Assistant Planner posts allowing more effective division and management of day-to-day workloads.</p> <p>We have re-structured the Development Management team to establish two senior posts allowing improved opportunities for career progression, and to make the management of junior posts more robust and effective.</p> <p>We have introduced a 6 monthly Development &amp; Infrastructure Managers Away Day to improve cross-service communication and awareness of cross cutting projects and professional capabilities.</p> <p>There have been strong working relationships developed internally with Architects, Economic Development and Marine Services in respect of the development of the Enterprise Areas and delivery of harbour improvements.</p> <p>Externally, strong working relationships have been developed with Marine Scotland and Highland Council in the preparation of the pilot Pentland Firth and Orkney Waters Marine Spatial Plan.</p>
<p><i>Financial management and local governance</i></p>	<p>We operate a monthly budget monitoring system which ensures managers are well aware of budgetary positions.</p> <p>Quarterly Revenue Expenditure Monitoring Reports on each service are presented to service committees on a quarterly basis.</p>

We have a Council process for allowing service growth bids on an annual basis plus an additional “Spend to Save” fund which allows for bids for projects which will allow future efficiency savings. Consideration is currently being given to whether there are any Planning projects that may be eligible for funding.

Recognition of the additional workload pressure being put on the Planning Service as a result of high numbers of planning applications for wind turbines allowed the Council to successfully bid for additional Scottish Government funding which contributed towards the employment of a temporary Planning Assistant and the employment of consultants to prepare a Wind Energy Landscape and Noise Capacity Study.

The Council is about to embark on a 2 year Change Management Programme aimed at transforming service delivery by exploring different options for delivering and, where feasible, improving services within the context of a reducing budget.

*Culture of continuous improvement*

Key performance indicators relating to the Planning service are monitored and reported to the relevant service committee every 6 months.

We supported members of staff to participate in the PDP Leading for Outcomes Programme to develop leadership capacity.

The Council has introduced a new Performance Review and Development system which is currently being implemented across Council services.

We are participating in the Council’s “How Good is our Council” performance self evaluation/assessment.

We continue to share information on work practices across other Highlands & Islands local authorities e.g. annual meeting on aquaculture.

We actively participate in Heads of Planning Group and sub-groups where issues of best practice are continuously being discussed.

We held a Placemaking training event for elected members and officers in October 2012, following which we produced a guidance document entitled “Placemaking Training for Elected Members – Street Design, Traffic and Movement”.

We hold regular training workshops for officers and members with our key agencies to focus and raise awareness of issues. In October 2012 we had a seminar with SNH on natural heritage designations and the planning process and in April 2013 we had a seminar with Historic Scotland on assessing and designating archaeological sites and monuments.

Planning staff undertook a tour of installed wind turbines in Orkney in order to collectively assess the impacts of

development e.g. colours and effects on the landscape, and to inform the development of revised Supplementary Guidance.

We have continued to develop our use of IT systems by purchasing the Uniform Module for Local Plans and implementing the Uniform Module for enforcement.

### **3. Supporting evidence**

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

- The Council's "How Good is our Council" performance self evaluation & assessment;
- Planning, Development & Infrastructure, and Policy & Resources Committee reports;
- Corporate Improvement Plan;
- The Council Plan 2013-2018;
- Development and Infrastructure Service Plan (April 2013-March 2016);
- Planning & Building Standards Stakeholders meetings;
- Planning Managers meetings; and
- Scottish Government Planning Liaison meetings.

### **4. Service improvements: 2013-14**

In the coming year we will:

- *Formally adopt the Local Development Plan thereby providing an up-to-date development plan for Orkney;*
- *Prepare a revised Development Plan Scheme to provide a firm timescale of the review of the Local Development Plan;*
- *Hold a Key Agencies & Interested Group and Councillor & Heads of Service Workshops to see if the Orkney Local Development Plan is fit for purpose;*
- *Review Development Planning consultation responses from the last 2 years to look for trends in comments and themes;*
- *Undertake an on-line Planning Matters survey to establish public opinions of the main issues which require to be considered in the review of the Local Development Plan;*
- *Review the Supplementary Guidance on the Design of New Houses and Extensions in the Orkney Countryside;*
- *Undertake an Officers/Members study trip to Poynton, Cheshire to view significant streetscape improvements implemented recently, and evaluate what has been achieved with a view to informing and developing proposals in Orkney;*

- Undertake a Place-making exercise in Broad Street, Kirkwall and Kirkwall Harbour to develop an action plan for proposed streetscape improvements;
- Complete the Customer Satisfaction Survey for users of the Development Management Service;
- Continue to update our website to provide improved planning information;
- Undertake a review of stalled planning application cases to understand delays – all planning application which have been on the system for more than 6 months will be reviewed;
- Review the Planning Scheme of Delegation and other procedural matters relating to committee business e.g. protocols for site visits, handling of representations received beyond committee deadlines);
- Develop Business Support Procedural Notes for the key processes in the handling of planning applications and the use of the UNIFORM system; and
- Ensure all Planning staff have an agreed Personal Development Plan.

Delivery of our service improvement actions in 2012-13:

<b>Committed improvements and actions</b>	<b>Complete?</b>
<p><b>Local Development Plan Review</b></p> <p>1. Progress the Local Development Plan to formal adoption by June 2013</p>	<p>No – The Orkney Local Development Plan was submitted to Scottish Ministers on 10<sup>th</sup> July 2013 for examination</p>
<p><b>Wind Energy</b></p> <p>2. Prepare revised Supplementary Guidance for Wind Energy by September 2013</p>	<p>Yes – public consultation on revised guidance undertaken October/November 2012 and formally approved as supplementary guidance in April 2013</p>
<p><b>Design</b></p> <p>3. Review the Supplementary Guidance on New Houses and Extensions in the Orkney Countryside by June 2013</p> <p>4. Provide design training for officer and members by June 2013</p>	<p>Yes – a comprehensive review of the guidance following an operational period of 12 months was undertaken in Sep – Dec 2012. The review highlighted significant issues regarding the content of the existing guidance and re-drafted guidance is currently being prepared for public consultation</p> <p>Yes- place-making training for officers and design training for members provided in October 2012</p>

	<i>by Willie Miller and Ben Hamilton Baillie</i>
<p><b>Developer Contributions</b></p> <p>5. <i>Prepare new Supplementary Guidance by June 2013</i></p> <p>6. <i>Provide officer/member training by June 2013</i></p>	<p><i>Yes, although slight delay – public consultation on new Developer Contributions &amp; Good Neighbour Agreements undertaken March/April 2013 and expected to be formally approved as supplementary guidance in October 2013</i></p> <p><i>Yes – training on planning gain provided to officers/members by Trevor Roberts Associates in November 2012</i></p>
<p><b>Customer Satisfaction</b></p> <p>7. <i>Design and introduce a Customer Satisfaction Survey for users of the Development Management service</i></p>	<i>Underway - delayed as a result of workload pressure and to allow consideration across wider Planning &amp; Regulatory Service</i>
<p><b>Marine Spatial Plan</b></p> <p>8. <i>In partnership with Marine Scotland and Highland Council prepare a Planning Issues and Options consultation paper for the Pentland Firth and Orkney Waters Marine Spatial Plan by April 2013</i></p>	<i>Yes – Public consultation on Planning Issues and Options paper undertaken in June/July 2013</i>
<p><b>Kirkwall Conservation Area</b></p> <p>9. <i>Prepare funding bids for a Kirkwall Conservation Area Regeneration Scheme and Townscape Heritage Initiative</i></p> <p>10. <i>Develop a Kirkwall Conservation Area Management Plan</i></p>	<p><i>Yes – application for a Kirkwall CARS submitted to Historic Scotland in August 2012 and to HLF for THI Stage 1 in October 2012. Both applications have been successful</i></p> <p><i>Underway- Draft Kirkwall Urban Conservation Area Management Plan prepared and issued for public consultation in July/August 2013</i></p>
<p><b>Planning Conditions and Section 75's</b></p> <p>11. <i>Provide officer/member training</i></p>	<i>Yes – In house training on Conditions, Planning Agreements and Planning Gain delivered by Trevor Roberts Associates in November 2012</i>
<p><b>Enforcement</b></p> <p>12. <i>Review the Planning Enforcement Charter</i></p>	<i>Underway – updated Planning Enforcement Charter presented to Committee in September 2013</i>
<p><b>Governance</b></p> <p>13. <i>Review Planning Scheme of Delegation including Local Review Body procedures</i></p>	<i>Underway - Delayed pending review of wider Council governance processes</i>

<b>Website</b> 14. <i>Develop website to meet customer needs</i>	<i>Underway - Working Group established to identify and implement improvements</i>
<b>Outstanding Actions from previous year</b>	
<b>Performance Indicators</b> 15. <i>Council performance indicators for dealing with planning applications in top quartile of Scottish councils</i>	<i>No – workload pressure has severely impacted on performance</i>
16. <i>Preparation of design statement templates for applicants/agents</i>	<i>Underway – Non-policy advice on the effective use of Design Statements currently being prepared</i>

## PLANNING PERFORMANCE FRAMEWORK OFFICIAL STATISTICS

### Decision-making timescales

Category	Total number of decisions 2012-2013	Average timescale (weeks)	
		2012-2013	2011-2012
<b>Major developments</b>	<b>0</b>	<b>0</b>	5.9
<b>Local developments (non-householder)</b>			
• Local: less than 2 months	226(44.1%)	6.8	6.9
• Local: more than 2 months	286(55.9%)	14.1	14.8
<b>Householder developments</b>			
• Local: less than 2 months	55(56.7%)	7.1	7.0
• Local: more than 2 months	42(43.3%)	13.2	15.7
<b>Housing developments</b>			
<b>Major</b>	<b>0</b>	<b>0</b>	5.9
<b>Local housing developments</b>			
• Local: less than 2 months	46(44.7%)	6.9	6.9
• Local: more than 2 months	57(55.3%)	14.1	13.9
<b>Business and industry</b>			
<b>Major</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Local business and industry</b>			
• Local: less than 2 months	18(52.9%)	6.3	6.1
• Local: more than 2 months	16(47.1%)	12.4	12.3
<b>EIA developments</b>	<b>4</b>	<b>44.2</b>	<b>45.1</b>
<b>Other consents*</b>	<b>82</b>	<b>8.8</b>	<b>8.5</b>
<b>Planning/legal agreements**</b>	<b>1</b>	<b>133.4</b>	<b>60.6</b>
<b>Local reviews</b>	<b>7</b>	<b>15.4</b>	<b>14</b>

\* 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

## Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2012-2013 No.	2012-2013 %	2011-2012 No.	2011-2012 %
Local reviews	7	2	29	9	50
Appeals to Scottish Ministers	3	1	33	1	50

## Enforcement activity

	2012-2013	2011-2012
Cases taken up	18	31
Breaches Identified	13	17
Cases Resolved	9	11
Notices served***	4	6
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.



## WORKFORCE AND FINANCIAL INFORMATION

As at 31 March 2013

Please note - The figures do not have to be exact - we are looking for a snapshot of each authority

Head of Planning Service (1)	Tier 3								
	Managers (2)		Main Grade Posts		Technician Posts		Office support/Clerical		Totals
	No. Posts	Vacant	No. Posts	Vacant	No. Posts	Vacant	No. Posts	Vacant	
Development Management	1.0	0	3.8	0	2.0	0	2.0	0	8.8
Development Planning	1.0	0	6.0	0	2.0	0	1.0	0	10.0
Enforcement Staff			0.5	0					0.5
Cross Service/Other Planning			1.0	0					1.0



Staffing profile	Number
Under 30	4
30-39	8.5
40-49	2.8
50 and Over	5

Committees & site visits (3)	No. per year (2012)
Full Council committees	0
Planning Committees	12
Area Committees (where relevant)	n/a
Committee site visits	8
LRB (4)	6
LRB site visits	4

Budgets Planning Service	Budget	Costs		Income (7)
		Direct (5)	Indirect (6)	
Development Management	£440,200	£382,200	£58,000	£269,000
Development Planning Enforcement (inc. within Development Management)	£406,400	£317,100	£89,300	0

**Notes:**

- 1 In relation to service structure, 1st tier post holders are Chief Executives, 2nd tier are Directors, 3rd tier are Heads of service and 4th tier are managers.
- 2 Managers are those people who are responsible for the operational management of a team/division. They are not necessarily line managers.
- 3 References to committees also include National Park Boards. Number of site visits are those cases where were visits carried out by committees/boards
- 4 This related to the number of meetings of the LRB, application numbers going to LRB are reported elsewhere.
- 5 Direct staff costs covers gross pay, including overtime, national insurance and the superannuation contribution. The appropriate proportion of the direct cost of any staff member within the planning authority concerned 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)
- 6 Indirect costs include all other costs attributable to determining planning applications. Examples (not exhaustive) are: Accommodation, Computing Costs, Office machinery/Equipment Stationery, - Telephone charges, Print, Advertising, T&S, Committees, Elected Members' expenses, The relevant apportionment of Support Service costs
- 7 Income - include planning fees for applications and deemed applications. (exclude income from property and planning searches)