

2015

PLANNING
Performance Framework





Heads of Planning Scotland

Shetland Islands Council

PLANNING PERFORMANCE FRAMEWORK

**DEADLINE FOR SUBMISSION OF PPF4 REPORTS TO THE
SCOTTISH GOVERNMENT IS 31st JULY 2015**



Introduction

The Planning Performance Framework is entering its fourth reporting year in a strong position, largely due to the commitment to continuous improvement and high quality reporting shown by authorities. Heads of Planning Scotland remains committed to the effective use of the framework in the drive towards consistently high quality planning services across the country.

The PPF has been designed to be flexible and to evolve as experience grows. The updates incorporated into this guidance and the 2014/15 template are the outcome of Scottish Government's assessment of 2013/14 reports and wider discussions about performance between HoPS and the Scottish Government. The most significant additions are the expansion of the indicators relating to development planning and a new indicator relating to legacy cases.

The guidance provided in Section 2 covers the PPF report and Performance Markers. These markers were agreed in 2013 through the Ministerial High Level Group on Performance and it is essential that your PPF report provides the information needed by the Scottish Government to consider your performance against the markers. This is your opportunity to provide the evidence and explanations in support of the performance story illustrated by the statistics. The text box at the end of Part 1, and section D in Part 5 are available for presenting this evidence.

HoPS is supporting performance improvement through benchmarking, particularly in terms of the eight elements of high quality planning services set out in Part 2. Authorities are encouraged to work within their SOLACE Benchmarking Family¹ and to refer to this work and associated outcomes in their PPF report. Notes of benchmarking meetings are available on the Heads of Planning Scotland Members Forum (Knowledge Hub Group).

If you have any comments on the Planning Performance Framework or the guidance, or would like information about how to access the Knowledge Hub, please email hops@improvementservice.org.uk



¹ Family 1 – Eilean Siar, Argyll & Bute, Shetland Islands, Highland, Orkney Islands, Dumfries & Galloway, Aberdeenshire, Scottish Borders (Cairngorms NPA are also part of this group)
Family 2 – Perth & Kinross, Stirling, Moray, South Ayrshire, East Ayrshire, North Ayrshire, East Lothian, Fife (Loch Lomond & Trossachs NPA are also part of this group)
Family 3 – Angus, Clackmannanshire, Midlothian, South Lanarkshire, Inverclyde, Renfrewshire, West Lothian, East Renfrewshire
Family 4 – North Lanarkshire, Falkirk, East Dunbartonshire, Aberdeen City, City of Edinburgh, West Dunbartonshire, Dundee City, Glasgow City

Local Context

Application types

Once again, We have seen a significant increase in the number of applications whilst dealing with some of the most significant developments in the country. We have been dealing with consultations, applications or the discharge of conditions for two major developments at Sullom Voe (and related developments), a new High School, and development related to the Viking Energy wind farm. The latter has the potential take up a significant amount of time over the coming years.

Development Management Review

Last year we committed to undertaking a review of our Development Management team. Members have continued to query our ability to undertake meaningful monitoring and enforcement with only one enforcement officer at a time when we are dealing with some of the biggest developments in the country.

We decided to delete an existing vacant post elsewhere in the service and move it in to Development Management to provide enforcement support and to allow us to continue to grow our own by committing to fully training the post holder.

Staffing issues

In the space of a few months,

- 3 experienced development plans officers left from a team of 3.5. and
- 2 experienced development management officers left from a team of 5

We will need to increase support from Development Management in to the next Local Development Plan process, though this will have an impact on planning application time scales.

We will still have to look at reviewing the timetable we committed to in our Development Plan Scheme.

We have had significant problems in recruiting experienced officers across the whole of the Planning Service. To try and address this, and to further commit to growing our own, we have reshaped the career grade to provide more flexibility during recruitment.

We have also committed to supporting two Business Support officers on the long journey to becoming fully qualified planning officers through the distance learning route.

We have also reviewed our application decision making processes and have delegated a wider range of applications further down the chain to free up team leader time.

The staffing situation has meant we have not been able to deliver on a number of areas to the extent we would have wished including supplementary guidance and development briefs.



SECTION 1

Part 1: National Headline Indicators (NHIs)

| Key outcomes | 2014-2015 | 2013-2014 |
|--|--|------------------|
| Development Planning: <ul style="list-style-type: none"> • age of local/strategic development plan(s) (years and months) at end of reporting period <i>Requirement: less than 5 years</i> • Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? (Y/N) • Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? (Y-earlier/Y-later/N) • Were development plan scheme engagement/consultation commitments met during the year? (Y/N) | <p>6 months</p> <p>Y</p> <p>N</p> <p>Y</p> | <p>8</p> |
| Effective Land Supply and Delivery of Outputs <ul style="list-style-type: none"> • Established housing land supply • 5-year effective housing land supply • 5-year housing supply target • 5-year effective housing land supply • Housing approvals • Housing completions over the last 5 years • Marketable employment land supply • Employment land take-up during reporting year | <p>1512 units 1113 units 710 units 7.8 years</p> <p>101 units 589 units</p> <p>143.26 ha 9.96 ha</p> | <p>118 units</p> |

1. Remaining land on sites with development potential (SWDP) not yet developed using density calculations
2. Remaining land on SWDP with Short term development scale - convert into units using density calculations
3. Taken from LHS - 142 per year - 710 for 5 years
4. 5 year effective land supply/5 year house supply target x 5
5. Taken from HLA
6. Taken from HLA
7. Figure recorded in Employment Land Audit
8. Figure recorded in Employment Land Audit

| | | |
|--|--|---|
| Development Management Project Planning <ul style="list-style-type: none"> Percentage of applications subject to pre-application advice Number of major applications subject to processing agreement or other project plan Percentage planned timescales met Decision-making <ul style="list-style-type: none"> Application approval rate Delegation rate | 7.7% 1 100% 97.9% 95.4% | 12.5% 0 N/A 98% 94.7% |
| Decision-making timescales Average number of weeks to decision: <ul style="list-style-type: none"> Major developments Local developments (non-householder) Householder developments | 23.5 weeks 9.8 weeks 8.6 weeks | 14 weeks 11.7 weeks 7.8 weeks |
| Legacy Cases <ul style="list-style-type: none"> Number cleared during reporting period Number remaining | 0 To be determined | |
| Enforcement <ul style="list-style-type: none"> time since enforcement charter published / reviewed (months) <i>Requirement: review every 2 years</i> number of breaches identified / resolved | 1 year 74/66 | 4 years |

The low number of pre-apps converting to applications was highlighted by the Scottish Govt in their feedback last year. The number has reduced. Having discussed this with the DM team, some of this can be explained by:

- Agents tend not to use the service as the newly adopted LDP gives them more confidence;
- The majority of pre-apps are requesting a free assessment whether their proposals are permitted development;
- On a few instances there were numerous pre-apps on one site and they were either confirming PD rights or one application has been received incorporating everything into one application;
- We are considering refusing to give informal opinions on permitted development. Developers can pay for a formal determination under current regulations, or employ private sector agents to undertake that assessment.

PLANNING PERFORMANCE FRAMEWORK

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

Open for business

- We continue to offer a free pre-application service for all developments.
- We are currently working on the Staneyhill site, potentially one of the biggest developments for housing in Shetland since the post war house building boom. We have given a commitment to the Hjaltland Housing Association that we will convene and co-ordinate regular meeting of a project team which will include statutory stakeholders and the developer's team from project inception. The first meeting is to identify non-negotiables and outcomes
- Officers are assigned to a case and are single point of contact throughout the case and have discretion to negotiate developers without permission from team leaders
- Where delays occur, the applicant can contact the officer or line manager to seek an explanation. All documentation is on our web site so all parties can see where delays occur, and what needs to be done to resolve them.
- We organise meetings, often at short notice, for visiting and local agents and architects
- We aim to have all consultation responses in within 2 weeks, thereby allowing an early assessment of all key factors
- Duty officers are available at set times.
<http://www.shetland.gov.uk/planning/DutyOfficerTimes.asp>
- We continue to work on improving our web site, and have been working closely with our Communications Team to improve the access and quality of information, referencing the SOCITM report.
- Aquaculture is a key economic driver locally and nationally. We have a team dedicated to Marine Planning. We have incorporated our ground breaking Marine Spatial Plan as Supplementary Guidance in the LDP. The National Marine Plan is under consultation at present, and our approach will ensure that the regional marine plan can dovetail seamlessly with the LDP.
- The LDP action programme specifies timetables for progression of individual sites – we will be working with developers to make it happen.

High quality development on the ground

Our "Shetland House" and associated design guidance has one of the highest hit rates on the Council web site. It has served its purpose by assisting in the noticeable improvement in design, and raised public interest in the matter. Design workshops with A+DS, discussions and engagement

with local architects and workshops led us to taking a step back and start from first principles. We are now firmly committed to engaging in the Place Making agendas a first step in tackling the quality of development. We are one of a handful of authorities piloting Place Standard for Scotland . We will be using it at pre-MIR stage. We will also be using the PSS as the main tool for our on going community engagement across Development Services (which includes Housing, Transport, Economic Development and Community Planning).

Certainty

- The adoption of LDP in the reporting year will provide greater certainty for developers.
- We are still working on protocols with other agencies
- We have signed up to the aquaculture protocols under the Streamlining the Planning System for aquaculture project
- Our development plan scheme sets out our timescales, though staffing matters may lead to a review of this commitment
- We now actively encourage the use of processing agreements with major and large developments. It has become part of our standard pre-application advice, and is highlighted on our website

Communications, engagement and customer service

- To encourage feedback, we now send out our customer survey to all those involved in a planning application.
- Our customer survey, sent out with all decision letters and associated documentation, continues to show that that all respondents are either “satisfied” or “very satisfied “ with all aspects of the service including the quality of advice and style of communication.
- We have been working with our Comms team to try and identify new ways of engaging with the community, particularly with regard to the development plan. We send tweets to our Comms team for vetting and re-tweeting.
- Proportionate advice in relation to applications is provided on our web site <http://www.shetland.gov.uk/planningcontrol/advicenotes/>
- We have built up a good working relationship with other Council services, particularly Housing. We participate in the Future Housing Supply and Investment Group with Housing, Scottish Govt housing officials, the Hjaltland Housing Association. We are working closely on the Strategic Housing Investment Plan, the Housing Land Audit, and the Housing Needs and Demands Assessment.
- We have updated our Enforcement Charter <http://www.shetland.gov.uk/planningcontrol/PlanningControl-Enforcement.asp>
- As part of a review of development management team, we moved a vacant post in to the team with the remit of additional support to enforcement officer whilst undertaking training to become a fully fledged planning officer.

- Last year's Knab Visioning project was inspired and led by the Planning Service and A+DS. One of the results was the recording and sharing by service providers internal and external to the Council of their assets and future needs. We have started to identify opportunities for sharing existing or proposed facilities.
- The whole of the Planning Service had the opportunity to participate in the Influencing Skills training event initially promoted by the Scottish Government Improvement Service
- In response to feedback, we have changed the format of our Developers' Meeting
- We are organising our regular aquaculture meetings
- The Council now has a new complaints procedure. Statistics are now reported to Corporate Management team, and Development Services Management team. They are discussed at the fortnightly Planning Service team leader meeting
- We have undertaken a bench marking survey with our Rural Authorities group to compare the uptake of e-planning and identify best practice
- Planning has taken a leading role in performance reporting to the public as a whole and we will continue to contribute to articles in "Our Performance Matters" public document
http://www.shetland.gov.uk/about_performance/documents/AnnualPerformanceReport.pdf
- We are taking a stand at the local Ideal Homes exhibition to engage with our customers

Efficient and effective decision-making

- We have been trying to progress protocols with our colleagues in Roads Services and Environmental Health to ensure better understanding and closer working relationships through better understanding. This is being progressed slowly.
- We have a Planning committee once a month, when the normal Council Committee cycle is 2 months. The Planning Committee sits as the Local Review Body when needed. Default position is for a site visit, followed by a hearing to streamline the decision making processes.
- We have had two experienced officers leaving the Development Management team and the positions filled by relatively inexperienced officers. This will have a negative impact on the performance of the team as a whole while they are given the proper support
- The Planning Service is part of Development Services who now have a virtual team tasked with co-ordinating information collection and sharing

Effective management structures

- Applications are assigned to officers who have the appropriate level of experience and authority to make decisions. We have to balance this with our continued commitment to "growing our own."
- As part of our mini review, final decision making has been delegated further down the line on more applications.

- We have been assigning some applications to our business support staff
- Some terrestrial applications are dealt with by our marine planning officers
- The Council undertook a Viewpoint survey on all staff, resulting in action plans in all levels of the Council structure.
- We have regular meetings with our statutory stakeholders

Financial management and local governance

- Budget setting has been augmented by Building Better Business Cases training across the Council at Executive Management level.
- Resources are allocated as per our service plans

Culture of continuous improvement

The transition to “outcomes, not process” continues.

- We are currently supporting two business support people to study to become qualified planning officers
- Fortnightly team meetings focus on positive actions and outcomes
- Fortnightly meetings between development management and development plans teams foster closely working and cooperation
- We are benchmarking e-planning
- We are using the 15 PPF markers as a local indicator, reported to members and staff, and use the national figures for benchmarking purposes
- The workshops on the Knab Visioning exercise were a new way of engaging with stakeholders and were well received. We are now working on using a more structured version of this approach in Place Standard for Scotland
- We now use the Planning Performance Framework Indicators as performance monitoring tool and report to our quarterly performance committees

Part 3: Supporting evidence

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

- Performance indicators
- Customer Survey
- PSS Feedback

Part 4: Service Improvements 2015-16

In the coming year we will:

- Complete protocols with Roads Services and Environmental Health

- Place Standard for Scotland – we will continue to progress use in house, and continue to work with the PSS partners as the tool evolves
- New versions of e-planning and e building standards will provide an opportunity to review processes and procedures. This is a significant undertaking for a small service, but will undoubtedly streamline the processes.

Workloads and staffing matters make other significant planned improvements unlikely

Delivery of our service improvement actions in 2014-15:

| Committed improvements and actions | Complete? |
|---|------------|
| The Planning Service proposes to produce Non-Statutory Planning Guidance on Developer Contributions. | <i>No</i> |
| <p>Focus on our LDP review and improvements to our process with our interview and questionnaire consultation with all key stakeholders</p> <ul style="list-style-type: none"> • Whilst we focussed on our LDP process and review, we did not proceed with the questionnaire beyond internal consultation. Feedback indicated that the time lag from initial engagement meant there was little merit in discussing “historic “ events with people who were possibly not part of the previous process. | <i>No</i> |
| <p>We will engage Councillors at the pre MIR stage</p> <ul style="list-style-type: none"> • not at that stage yet | <i>No</i> |
| <p>Our increase in application numbers and fee income indicates a review of development management and enforcement resources – this will be undertaken</p> <ul style="list-style-type: none"> • Further delegation of decision making • New career grades • Training of business support with long term aim to create qualified planning officers • turned empty post in to an enforcement/trainee planner role | <i>yes</i> |

PLANNING PERFORMANCE FRAMEWORK
Part 5: Official Statistics

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

| Category | Total number of decisions 2014-2015 | Average timescale (weeks) | |
|--|-------------------------------------|---------------------------|-------------|
| | | 2014-2015 | 2013-2014 |
| Major developments | 5 | 23.5 | 14 |
| Local developments (non-householder) | 242 | 9.9 | 11.7 |
| <ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months | 53.3(%) 46.7(%) | 6.6 13.5 | 7.1 16.6 |
| Householder developments | 52 | 8.6 | 7.8 |
| <ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months | 75(%) 25(%) | 5.6 17.4 | 6.1 14.9 |
| Housing developments | | | |
| Major | 2 | 23 | 5.3 |
| Local housing developments | 83 | 10.7 | 13.4 |
| <ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months | 49.4(%) 50.6(%) | 6.7 14.6 | 7.2 17.8 |
| Business and industry | | | |
| Major | 0 | 0 | 18.7 |
| Local business and industry | 44 | 9.3 | 11.0 |
| <ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months | 50(%) 50(%) | 6.3 12.3 | 6.3 18.1 |
| EIA developments | 0 | 0 | 12.1 |
| Other consents* | 49 | 8.2 | 7.9 |
| Planning/legal agreements** | | | |
| <ul style="list-style-type: none"> Major: average time Local: average time | | | - - |
| Local reviews | 6 | 19.2 | - |

* 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 | | | |
|-------------------------------|---------------------------|--------------------------|----|-----------|---|
| | | 2014-2015 | | 2013-2014 | |
| | | No. | % | No. | % |
| Local reviews | 6 | 2 | 33 | 0 | - |
| Appeals to Scottish Ministers | 0 | 0 | - | 0 | - |

C: Enforcement activity

| | 2014-2015 | 2013-2014 |
|------------------------------|-----------|-----------|
| Cases taken up | 0 | 19 |
| Breaches identified | 74 | n/a |
| Cases resolved | 66 | 66 |
| Notices served*** | 0 | 1 |
| 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

High percentage of staff turnover has impacted on ability to deliver on some policy and supplementary guidance commitments. Perhaps we were too ambitious anyway.

Early engagement resulted in us dropping the questionnaire approach after customer feedback indicated this was not a best use of resources

Our mini review of development management has helped us to keep stable performance levels. However, we now have two new, and relatively inexperienced, people in that team

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 |
|---------------------------------|--------|--------|--------|--------|
| Head of Planning Service | | | | |

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

| | | DM | DP | Enforce- ment | Other |
|--------------------------------|-----------|-----|------|------------------|-------|
| Managers | No. Posts | 2 | 1 | | |
| | Vacant | 0 | 0 | 0 | |
| Main grade posts | No. Posts | 8 | 6.32 | 1 | |
| | Vacant | 0 | 0 | 0 | |
| Technician | No. Posts | 2 | 1.65 | 0 | |
| | Vacant | 0 | 0 | 0 | |
| Office Support/Clerical | No. Posts | 1.5 | 1.5 | 0 | |
| | Vacant | 0 | 0 | 0 | |
| TOTAL | | | | | |

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 | 5 |
| 30-39 | 7 |
| 40-49 | 7 |
| 50 and over | 4 |

| Committee & Site Visits* | Number per year |
|-------------------------------------|------------------------|
| Full council meetings | 0 |
| Planning committees | 10 |
| Area committees (where relevant) | |
| Committee site visits | 6 |
| LRB** | 3 |
| LRB site visits | 3 |

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 are reported elsewhere.

| | Total Budget | Costs | | Income*** |
|------------------------|---------------------|----------------|-------------------|------------------|
| | | Direct* | Indirect** | |
| Development management | | | | |
| Development planning | | | | |
| Enforcement | | | | |
| Other | | | | |
| TOTAL | | | | |

Notes:

Unfortunately at time of submission, figures were not available. However, due to vacant posts, the overall costs are lower than last year

