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**PLANNING PERFORMANCE FRAMEWORK
ANNUAL REPORT 2011 - 2012**

MIDLOTHIAN COUNCIL

September 2012

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Introduction

Midlothian is one of Scotland's smaller local authority areas, extending to some 355 square kilometres and with a population of about 82,000. It lies directly to the south of Edinburgh stretching from the City boundary southwards to a rural upland hinterland which bounds the Scottish Borders. The settlement pattern is one of a concentrated range of small towns in the northern part of the area of which Dalkeith is the main centre, with Penicuik lying towards the south-west of the district. The economy of Midlothian has changed markedly over the past twenty years, with traditional industries such as deep coal mining and carpet manufacturing being replaced by a wider range of new businesses. The key sectors of life sciences and animal biosciences have developed rapidly to become major parts of the Midlothian economy and world leading centres of excellence.

Following the Scottish local government elections in May 2012 Midlothian Council is run by a coalition of the Scottish National Party and an Independent. The Council has a Planning Committee on which all 18 Members sit: and a Local Review Body comprising 9 Members. The Council's corporate management structure comprises, under the overall authority of the Chief Executive, three divisions each headed by a director. The Planning Service lies wholly within the Corporate Resources Division: under the Head of Planning and Development, the service comprises the functions of development management, planning policy and environment, building standards, economic development, estates, and property strategy.

**PLANNING PERFORMANCE FRAMEWORK
ANNUAL REPORT 2011-2012**

1. National Headline Indicators (NHIs)

| Key outcomes | 2011-2012 | |
|--|---|--|
| <p>Development Planning:</p> <ul style="list-style-type: none"> age of local/strategic development plan(s) (full years) <i>Requirement: less than 5 years</i> development plan scheme: on track? (Y/N) | <p>3 years</p> <p>N *¹</p> | |
| <p>Effective Land Supply and Delivery of Outputs</p> <ul style="list-style-type: none"> effective housing land: years supply effective housing land supply housing approvals effective employment land supply employment land take-up effective commercial floor space supply commercial floor space delivered | <p>5 years</p> <p>4,631 units *²</p> <p>985 units *³</p> <p>175 ha (124 ha if 'safeguarded' land is excluded) *⁴</p> <p>0 ha*⁵</p> <p>2,900 m²*⁶</p> <p>9,470 m²*⁷</p> | |

*¹ Development Plan Scheme for Midlothian No. 4 (DPSP4), published in March 2012 included a timetable which aimed to publish the Midlothian Local Development Plan Main Issues Report (MIR), Monitoring Statement and Environmental Report in September 2012, with consultation Sept.-Nov. 2012. This has not proved possible for a number of reasons, as follows:

a) the submission to Scottish Ministers of the Proposed Strategic Development Plan for Edinburgh and South East Scotland (SESplan) in August 2012 for approval has introduced a significant degree of uncertainty and risk as regards the basis for consultation on the MIR (i.e. prior to the SESplan strategy and policies being confirmed) with some advice emerging from Scottish Government that it may be advisable to await confirmation of the SESplan requirements before proceeding with this key consultation stage;

b) the timetable for confirming and consulting on the MIR had to take cognisance of the outcome of the Local Government elections in May 2012; and

c) a new online development planning portal for Midlothian, which will deliver significant efficiencies in the plan-making process and a much improved customer experience, was acquired in Spring 2012 and is currently being implemented.

DPSP4 indicates that the next DPSP may be published in advance of the annual review date (March 2013), especially once details of the consultation programme for the MIR becomes available. It is currently anticipated that the MIR and related documents will be published later in 2012, depending on advice from Scottish Government; the target date for SESplan approval is March-May 2013 and this will continue to have a bearing on the publication date.

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*² Draft figure for Housing Land Audit (HLA) 12 (as at 31 March 2012), awaiting confirmation by housebuilders, incorporation into Lothians-wide HLA and agreement with Homes for Scotland (anticipated around November 2012). Comparative figure for 31 March 2011 (HLA11), as agreed with Homes for Scotland, was 4,058 units.

*³ Housing units remaining on sites with planning permission total around 3,100 units, of which around 985 were granted permission during 2011-12. There is scope for some double-counting as parts of larger housing sites are re-submitted with amended detail, etc. Sites which are at 'minded to consent' stage but await a Section 75 agreement (e.g. Shawfair) have not been included. As context, the total capacity of Local Plan allocations comprise 11,264 units, of which 1,425 units had been completed by 31 March 2012. Completions achieved in 2011-12 amount to 424 units. Sites for a further 2,450 units are currently being identified through the Midlothian Local Development Plan.

*⁴ Figure comprises 45.7ha immediately available land plus 78.4ha with minor constraints plus 50.7ha safeguarded land (life science sites/ Bush Technopole). 36.9ha of employment land with major constraints has been excluded. The categories/ descriptions are as agreed through SESplan, i.e.

a) immediately available - land judged to have no significant constraints and considered to be effective;

b) minor constraints - land with some constraint(s) but could be made available within a 5-year period and considered to be effective;

c) safeguarded - normally subject to constraint(s) which may or may not be removed within a 5-year period: includes land identified in development plans for specialist uses or company expansion purposes such as life sciences; and

d) major constraints - land with constraint(s) of a significant nature which would not be available within a 5-year period and not considered to be effective.

*⁵ This nil return belies actual development activity on the ground which includes subdivision of existing industrial plots as well as redevelopment of existing plots within established industrial estates. Unfortunately, this type of development cannot be classed as take-up. Also excludes Scottish Qualifications Authority relocation to Shawfair Park, which commenced construction prior to 1 April 2011 and was therefore included in employment land take-up for 2010-11.

*⁶ Retail floorspace only included, source - Scottish Property Network website; alternative information base not currently available.

*⁷ Comprises two developments completed during 2011-12 - Asda Superstore, Straiton and Premier Inn, South Melville. New information base to be established.

| | | |
|--|--|-------------------------|
| | | |
| Development Management | | |
| Project Planning | | |
| <ul style="list-style-type: none"> • percentage of applications subject to pre-application advice | | 8.11% |
| <ul style="list-style-type: none"> • number of major applications subject to processing agreement or other project plan | | 0*⁸ |
| <ul style="list-style-type: none"> • percentage planned timescales met | | N/A*⁸ |
| Decision-making | | |
| <ul style="list-style-type: none"> • application approval rate | | 92% |
| <ul style="list-style-type: none"> • delegation rate | | 92.6% |

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| <p>Decision-making timescales Average number of weeks to decision:</p> <ul style="list-style-type: none"> • major developments • local developments (non-householder) • householder developments | <p>71 18 9</p> | |
| <p>Enforcement</p> <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 | <p>28 154/150</p> | |
| <p>Overall performance with regard the time periods for determining planning applications has steadily improved when compared to previous years. This is a result of improved performance management, the introduction of new processes and procedures and the restructuring of the Development Management service. The introduction of a formal pre application advice service in 2010 has helped to improve the management of this service and the advice given.</p> <p>Since the establishment of the LRB in 2009 the number of '<i>notices of reviews</i>' submitted has steadily increased and is projected to increase further over the coming years.</p> <p>With regard enforcement it is the priority to continue negotiating resolution to breaches of planning control, rather than serving formal notices unless as a final resort.</p> | | |

*8 Formal processing agreements have not, to date, been used, the timetabling and processing being communicated more informally to applicants. This is currently under review. The pressure from applicants has not been for formal processing agreements but rather for improvement on the time taken to conclude Section 75 legal planning agreements. Accordingly, this is one of the improvement targets for 2012-13.

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PLANNING PERFORMANCE FRAMEWORK

2. Defining and measuring the quality of the Midlothian Planning Service

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| <i>Open for business</i> | <p>The Council places a strong emphasis on encouraging, supporting and enabling new development, particularly in the employment and housing sectors. Central to this is a positive up to date development plan (Midlothian Local Plan adopted 2008) backed by effective supplementary planning guidance and site development briefs/masterplans. This has allowed for more certainty in the implementation process, and for a pragmatic approach to be taken in accounting for the economic viability constraints acting upon many allocated development sites. A particular case is that of the major allocated land release at Shawfair, details of which are explained in Part 3 of this report. The development management section was restructured in 2010 to provide a more effective service to customers. There is an extensive scheme of delegation for the determination of planning applications, with around 92% of applications being decided at officer level. Pre-application discussion is encouraged, applications handled by a single named planning officer, and a duty officer system ensures prompt and effective service to enquiries throughout each working day. The bringing together of the planning and economic development functions within one service in 2010 has proved to be beneficial both in terms of synergy of policy, and in the implementation process where business and industry have received direct support in gaining the necessary statutory consents under planning and building standards legislation.</p> |
| <i>High quality development on the ground</i> | <p>Detailed design guidance in the Council's up to date adopted Local Plan, substantial masterplans and design guides for major development schemes such as those at Bonnyrigg (Hopefield) and Shawfair, and development briefs for many allocated sites provide a strong agenda for prospective developers to consider in coming forward with proposals and also informs subsequent detailed discussions with planning officers. This framework has also enabled the Planning Service to liaise effectively with colleagues in Housing Services who are responsible for the implementation of the Council's major (over 1200 units) social housing programme: and to thereby establish a benchmark of good quality layout and design across Midlothian. Examples of high quality schemes in which Council officers have played a key role are referred to in Part 3 of this report. Town centres are a key focus and the Council is in the latter stages of implementing with its main partner, Dalkeith Business Renewal, the 'Dalkeith Townscape Heritage and Conservation Area Regeneration Scheme': which has resulted in substantial improvement to many historic significant buildings, a transformational improvement to the public realm, training and employment opportunities, and awareness raising amongst owners and occupiers of buildings in the town centre. A bid to build on this success with a further scheme at Gorebridge, in partnership with the local community development trust, has been submitted to Historic Scotland.</p> |
| <i>Certainty</i> | <p>As noted above, an up to date development plan together with a regularly updated development plan scheme, extensive supplementary planning guidance (most notably on affordable housing and developer contributions) together with a suite of masterplans, design guides and development briefs provides a sound</p> |

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| | <p>basis for applicants and prospective developers. Indeed, major housebuilders through Homes for Scotland have acknowledged the good quality of the Council's engagement on its supplementary planning guidance for affordable housing and developer contributions. Potential investors can also draw confidence from the Council's 'Economic Development Framework' and its seven Sector Action Plans, the terms of which are closely allied to the provisions of the statutory development plan. Similarly, applicants and developers can have confidence in the Council's statutory building warrant process through the customer charter and 'balanced scorecard' commitments provided by the Building Standards section. There is regular contact with all key agencies as part of local plan/local development plan preparation, with emphasis on agencies responsible for areas of particular relevance to Midlothian such as Transport Scotland and Scottish Water.</p> |
| <p><i>Communications, engagement and customer service</i></p> | <p>The rollout of the e-planning system in Midlothian has been supported by the appointment at the outset of a full-time e-planning systems administrator. This member of staff has had a major role in arranging and delivering training to Councillors, Community Councils and others, receiving feedback, amending the system in response, providing additional refresher training and troubleshooting where necessary and acting as a well-publicised first point of contact for the e-planning system. The recent addition of online local development plan function has further enhanced accessibility for customers and the quality of engagement. At a wider level customer feedback is well-established within the building standards part of the Service through its customer charter, feedback surveys and regular liaison with specific groups such as the Midlothian Access Panel. A demonstrably stronger customer focus through greater engagement is a primary improvement action for the development management part of the Service, although a notably successful innovation has been the liaison meeting between Councillors and the major housebuilders/developers in Midlothian, giving Members a first hand account of the challenges faced by the industry. The Council operates a well-established and publicised procedure for the handling of complaints: the performance of services in adhering to this procedure is monitored on a quarterly basis through reports to the Council's Performance, Review and Scrutiny Committee.</p> |
| <p><i>Efficient and effective decision-making</i></p> | <p>A comprehensive scheme of delegation for the determination of planning applications is in place, resulting in only a small minority of applications (8%) needing to be reported to the Planning Committee. For applications which are the subject of a request for a review by the Local Review Body the number of appointees to the LRB (nine) has ensured that it has always been quorate, with only one case of a review extending beyond the timeframes set out in the approved procedures for the operation of the LRB. Mandatory site visits by the members of the LRB in respect of all reviews coming before them has provided additional confidence to applicants and all other parties. The up to date adopted Local Plan coverage across Midlothian provides a sound basis for relevant and consistent decision making. Stalled cases are almost exclusively the result of protracted negotiations on the required Section 75 legal planning agreement: the backlog has been substantially reduced in 2011-12 by a targeted use of resources, a pragmatic approach to resolving points of conflict, the preparation of revised supplementary guidance on developer</p> |

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| | <p>contributions, and new streamlined processing procedures co-ordinated through a restructured 'Developer Contributions Steering Group' of officers led by the Planning Service. The relatively small size of planning teams and their location in a single office provides for adaptability to prioritise the handling of planning applications for developments that will have major benefits to communities in Midlothian.</p> |
| <i>Effective management structures</i> | <p>At a corporate level the Council's Corporate Resources Division brings together under one Director a full range of inter-related services comprising Planning and Development, Property and Facilities Management, Commercial Operations (primarily roads, waste and parks/countryside recreation), Finance and Human Resources, and Customer Services (inc. customer focus and IT support). That range of services within one management team has provided, since its instigation in 2010, for close working across that range of functions to the benefit of frontline services such as those provided by Planning and Development: examples being the delivery of key Council development projects such as social housing, new schools and new waste facilities, customer focus activity by building standards team, and e-planning development in conjunction with IT services. The Council has a well-established service planning and performance structure from overall corporate objectives through service and team plans to individual workplans which are required for all staff under the terms of the Council's 'Competency Framework' programme. To enhance management expertise senior managers in the development management and planning policy and environment sections have recently achieved the professionally recognised Executive Diploma in Management. Monitoring of performance of service plans is undertaken by the Corporate Management Team, and reported quarterly to the Performance, Review and Scrutiny Committee. Details of the extent of collaborative groups with specific objectives to further the effectiveness of the Planning and Development Service are summarised in Part 3 of this report.</p> |
| <i>Financial management and local governance</i> | <p>Service planning and budget setting are concurrent activities to provide a structured approach to financial planning and management. Budget management is devolved to individual managers, with monitoring by the Head of Planning and Development in consultation with the designated accountant taking place on a monthly basis. The Council has a strong approved Council wide procurement strategy to which all services are required to adhere. Effectiveness of budget spend is assessed as part of service performance review at financial year end.</p> |
| <i>Culture of continuous improvement</i> | <p>For elected members a full programme of training takes place after each local government election. In addition major matters such as the emerging development plan, large developments such as Shawfair and new systems such as e-planning are the subject of separate seminars/briefings on an occasional basis as needed. The overall culture of continuous improvement is communicated to services and teams through regular meetings at various levels: the Head of Planning and Development is a member of the Council's Strategic Leadership Group of directors and heads of service, chaired by the Chief Executive; third tier managers are members of the wider Leadership Forum. At an individual level training and development is structured through the Council's 'Competency Framework'</p> |

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programme. Senior officers within the planning service have attended in 2011/12 the Improvement Services' Leading for Outcomes programme. An annual employee survey is analysed by service so that employee engagement sessions on a team by team basis can seek to address specific issues. Performance on improvement actions is covered in Part 4 of this report.

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3. Supporting evidence

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

Midlothian Local Plan 2008:

http://www.midlothian.gov.uk/downloads/198/planning_policy

Shawfair Masterplan and Design Guide:

<https://planning-applications.midlothian.gov.uk/OnlinePlanning/simpleSearchResults.do;jsessionid=60E367C1C295AB7EED27A865F1863BAF?action=firstPage>

Development Plan Scheme No 4:

http://www.midlothian.gov.uk/downloads/198/planning_policy

Supplementary Planning Guidance on Affordable Housing:

http://www.midlothian.gov.uk/downloads/198/planning_policy

Supplementary Planning Guidance on Developer Contributions:

http://www.midlothian.gov.uk/downloads/198/planning_policy

Midlothian Economic Development Framework:

http://www.midlothian.gov.uk/downloads/1/business_and_trade

Animal Biosciences Sector Action Plan:

http://www.midlothian.gov.uk/downloads/1/business_and_trade

Building Standards Customer Charter:

http://www.midlothian.gov.uk/downloads/file/1145/building_standards_customer_charter

Scheme of Delegation for the Determination of Planning Applications:

<http://www2.midlothian.gov.uk/meetingsdetails.aspx?t=Midlothian%20Council&d=26/05/2009>

Approved Procedures for the Local Review Body:

http://www.midlothian.gov.uk/meetings/meeting/128/local_review_body

Planning and Development Service Plan 2011-2012:

http://www.midlothian.gov.uk/downloads/file/1011/planning_and_development_service_plan_2011-12

EBRC(Easter Bush Research Consortium) –

<http://www.roslin.ed.ac.uk/easterbush/> <http://www.hdrinc.com/portfolio/the-roslin-institute-building-at-the-university-of-edinburgh>

Royal (Dick) School of Veterinary Studies –

<http://www.bdgmcoll.com/portfolio/rsovs.html>

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Glencorse Water Treatment Works –
<http://www.scottishwater.co.uk/glencorse>

Newbattle Gardens –
<http://www.scotland.gov.uk/Topics/Built-Environment/AandP/InspirationalDesigns/ProjectType/Conversionurban/NewbattleGardens>
<http://www.craigamy.com/a/newbattle.html>

Hope –
<http://www.scotland.gov.uk/Topics/Built-Environment/AandP/InspirationalDesigns/ProjectType/Singlehouserural/Hope>

Chapel Loan, Roslin –
http://www.reiachandhall.co.uk/project/residential/tait_01.htm

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Three other matters are referred in Part 2 of the report for further explanation in this section.

Open for business: Shawfair Development Area

The Shawfair development is a major allocation in the north-eastern part of Midlothian comprising a new community of some 4,000 new dwellings with associated employment and a full range of retail, leisure, commercial, education and other community services including a railway station on the new Borders Rail Line which will pass through the development. Progress towards implementation was being made until late 2007 with general accord between the applicants and the Council on the heads of terms of the prospective legal planning agreement. However, the economic downturn in 2008 meant that the agreement was not concluded and the matter fell into abeyance. From 2009/10 there has been a collaborative effort on the part of the Council working with prospective developers to recognise the new climate of economic site viability and to restructure the terms of the agreement in a pragmatic way that provides for development to commence without diluting the planning vision of a properly serviced and well-designed new community. The expectation is that the planning agreement will be concluded in 2012, with development commencing in 2013.

High quality development on the ground

Council planning officers have taken a positive view of good modern design which has seen striking examples such as the new Roslin Institute (EBRC) building, and the new University of Edinburgh Vet School, both at the Bush Campus near Roslin: as well as the new SQA headquarters building at Shawfair. This approach has also been maintained at a smaller scale, examples of which are shown in the photographs attached to this part of the report.

In recent years there has also been a greater focus on the landscape content of new developments, not just in the provision of new elements but also, in many instances, retention of existing landscape features. Photographic examples are attached as part of this report.

Effective management structures: collaboration with others

Other business areas within the local authority: examples are the Developer Contributions Steering Group which is a cross-service group which includes representatives of the Council's education and housing services, and which contributes to co-ordinated local plan preparation and implementation: the Climate Change and Sustainability Group is run by the Planning Service and is a cross-service group charged with providing a coherent approach to these matters in the delivery of all services; and also links to representation on the Council's Community Planning Working Group.

Neighbouring authorities: examples are the Strategic Development Plan (SESplan) Board and Steering Group with the five other constituent councils: the South East Scotland Economic Community (SESEC) which comprises those six councils of south-east Scotland together with the three Forth Valley Councils: and the Shared

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Services Group of the six south-east of Scotland Councils meeting at officer level to seek efficiencies and benefits through sharing common areas of planning activity.

Other generally: the economic development part of the Planning and Development service is particularly active through collaborative partnerships including SESEC, the Edinburgh Science Triangle (with neighbouring councils, the science industry sector and the higher education sector), Midlothian Tourism Partnership (with a range of industry representations) and the Midlothian Enterprise Trust: all directed towards the overall objective of seeking to maximise sustainable economic development in Midlothian.

The environment group within the Planning Service also operates in partnership with other local authorities and key agencies, principally through the Lothians and Fife Green Network Partnership, the Central Scotland Green Network Support Group, and the Edinburgh and Lothians Greenspace Trust.

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4. Service improvements: 2012-13

The Council operates a rolling two year improvement plan, the current version being the *Planning and Development Service Improvement Plan 2011-2013*. All of the specified actions in that Plan are included in this part of the report.

In the coming year we will:

- re-establish the local forum of architects and agents, and other regular users of the development management service;
- further develop direct customer feedback surveys for users of the development management and building standards services;
- review and streamline procedures for the preparation and conclusion of Section 75 legal planning agreements;
- introduce a 'charrette' approach as part of stakeholder engagement in the preparation of the Midlothian Local Development Plan.
- conclude the legal planning agreement and issue planning consent(s) to enable development at the Shawfair Development Area to commence.

Delivery of our service improvement actions in 2011-12:

| Committed improvements and actions | Progress | Complete? |
|---|---|-----------|
| Further implementation of community council workshops and other stakeholder liaison as set out in the Development Plan Scheme | Implemented at Main Issues Report stage of the Strategic Development Plan | Yes |
| Maintaining and extending liaison with other potential partner Councils in the development of shared services | Group of six (SESplan) Councils has met regularly since 2009: recent focus on housing data/audits/HNDA/research and training – meetings to resume in Nov-2012 | Yes |
| Extension to e-planning to develop the e-building standards system | Still in preparation | No |
| Procure effective back-office system to meet programme targets for preparation of the Midlothian Local Development Plan | 'Objective' back-office system procured and being implemented | Yes |
| Complete review of standard conditions for planning applications | Completed | Yes |
| Complete process mapping for the preparation of the Midlothian Local Development Plan | Project management process mapping completed | Yes |
| Review of extent and structure of the administrative support for the development management and building standards services | Review complete, although resource challenges remain | Yes |

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| Prepare and implement prioritised programme of development/design briefs for major development sites | Most major development sites have development/design briefs but resources available have not allowed for all sites to be covered | No |
| Lead on (in 2011) and contribute to remaining stages of SESplan SDP No.1: and initial preparation of SESplan SDP No.2 | SESplan No.1 submitted to Scottish Government in August 2012: work on SESplan No.2 has commenced | Yes |
| Preparation of Midlothian Local Development Plan in accordance with Development Plan Scheme timetable | (explanation of slippage given in * ¹ note at Part 1 of this report) | No |
| Complete the Open Space Strategy for Midlothian | Final draft ready for submission to Council for approval to be published for public consultation | No |

**PLANNING PERFORMANCE FRAMEWORK
OFFICIAL STATISTICS**

Decision-making timescales

| Category | Total number of decisions 2011-2012 | Average timescale (weeks) | |
|---|-------------------------------------|---------------------------|-----------|
| | | 2011-2012 | 2012-2013 |
| Major developments | 8 | 94.1 | |
| Local developments (non-householder) | | | |
| • Local: less than 2 months | 56(%) | 7.3 | |
| • Local: more than 2 months | 44(%) | 32.5 | |
| Householder developments | | | |
| • Local: less than 2 months | 80(%) | 7.3 | |
| • Local: more than 2 months | 20(%) | 16.2 | |
| Housing developments | | | |
| Major | 4 | 159 | |
| Local housing developments | | | |
| • Local: less than 2 months | 43.2(%) | 7.7 | |
| • Local: more than 2 months | 56.8(%) | 47.3 | |
| Business and industry | | | |
| Major | 1 | 12.3 | |
| Local business and industry | | | |
| • Local: less than 2 months | 77.3(%) | 7.0 | |
| • Local: more than 2 months | 22.7(%) | 26.1 | |
| EIA developments | N/A (see note) | N/A (see note) | |
| Other consents* | 91 | 17.8 | |
| Planning/legal agreements** | 9 | 115.2 | |
| Local reviews | 20 | 8.6 | |

* 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

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Decision-making: local reviews and appeals

| Type | Total number of decisions | Original decision upheld | | | |
|-------------------------------|---------------------------|--------------------------|----|-----------|---|
| | | 2011-2012 | | 2012-2013 | |
| | | No. | % | No. | % |
| Local reviews | 20 | 13 | 65 | | |
| Appeals to Scottish Ministers | 4 | 2 | 50 | | |

Enforcement activity

| | 2011-2012 | 2012-2013 |
|------------------------------|-----------|-----------|
| Cases taken up | 154 | |
| Breaches identified | 12 | |
| Cases resolved | 150 | |
| Notices served*** | 12 | |
| Reports to Procurator Fiscal | 0 | |
| Prosecutions | 0 | |

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

Context

Although overall performance with regard the time periods for determining planning applications, in particular householder and local developments, has steadily improved when compared to previous years, Midlothian faces challenges when determining major applications, in particular the concluding of legal agreements to secure developer contributions.

Information on EIA developments has not been recorded to date, but is being recorded from 1st April 2012.

Enforcement activity: as noted at Part 1 of this report it is the priority to continue negotiating resolution to breaches of planning control, rather than the serving of formal notice, although this option is still considered.

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Appendix II

WORKFORCE AND FINANCIAL INFORMATION

Planning and Development Service

| Section | Staff (No. of) | Approved Budget 2011-12 (to nearest '000) |
|---------------------------------|------------------------|--|
| Building Standards | 9 | 96,000* ¹ |
| Development Management | 14 | 427,000* ² |
| Economic Development | 10 | 416,000* ³ |
| Estates | 5 | 185,000* ⁴ |
| Planning Policy and Environment | 14 | 634,000* ⁵ |
| Property Strategy | 2 | 186,000 |
| Total | 55*⁶ | 1,944,000 |

*1 Includes income projection of £363,000

*2 Includes income projection of £357,000

*3 Includes income projection of £113,000

*4 Includes income projection of £31,000

*5 Includes income projection of £20,000

*6 Includes post of Head of Planning and Development