

# SCOTTISH BORDERS COUNCIL PLANNING PERFORMANCE FRAMEWORK 2022-2023

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**AUGUST 2023**

**SCOTTISH BORDERS COUNCIL  
PLANNING PERFORMANCE FRAMEWORK 2021-22**

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## INTRODUCTION



This is the twelfth Planning Performance Framework (PPF) prepared by Scottish Borders Council for its Planning Service and covers the period 1 April 20221 to 31 March 2023. This PPF focusses on addressing the Scottish Government’s key performance markers and statistics, but also sets out the Council’s commitment to a high quality planning service, illustrating this with examples of good practice and quality outcomes.

The Performance Markers RAG (Red/Amber/Green) report issued by Scottish Government in respect of last year’s PPF awarded 12 green and one red RAG rating. For reasons explained within the body of this report, largely the result of the pandemic and its aftermath, the Council’s LDP was marked down in the Local Development Plan category – for being “out of date”, resulting in the red award. However, the process leading toward the adoption of the new LDP got back on track over the following period and, as a result of some new and innovative practices, has brought about some lasting changes to the process of plan preparation and adoption. The examination process for the new plan, while occurring outside the monitoring period for this PPF, was completed in summer 2023. The Reporters now have submitted their report and recommendations to the Council and so the new LDP is expected to be submitted to Ministers in the Autumn, with a view to adoption during the winter of 2023/24, marking the conclusion of a particularly prolonged preparation period.

The one red award from the preceding year was in relation to the number of legacy cases, which continues to be an area that the Council monitors. However, as the figures in last year’s report demonstrated, considerable effort was made to reduce the number of legacy cases, with the outstanding number reduced to single figures. It was pleasing that that effort was recognised in the green indicator that followed. It would always be challenging to keep the figure at that level, given the requirement for third parties to engage but, nevertheless, figures have remained considerably lower than previous years.

Once again, a significant issue for the service has been a turnover in staff, which has resulted in long-standing periods of vacancy, with a consequential impact of performance. Whilst the numbers of vacancies is relatively small, the impact on the service has been lasting, given the challenges of recruitment within the planning profession.

Despite these challenges, there have been a number of positive stories for this iteration of the Council’s Planning Performance to tell.

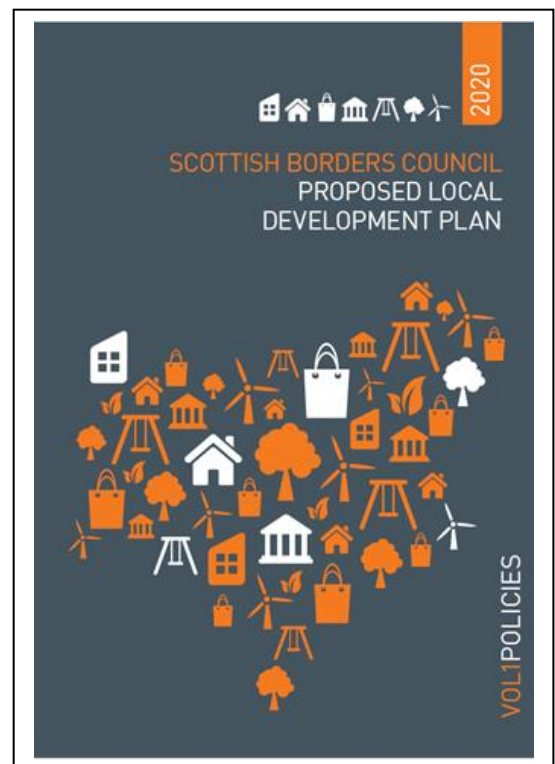
## PART 1 - DEFINING AND MEASURING A HIGH-QUALITY PLANNING SERVICE

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### QUALITY OUTCOMES

#### *Local Development Plan*

- 1.1 The Proposed [Local Development Plan \(LDP\)](#) will replace the existing adopted [LDP1 2016](#). A report on the Representations to the Proposed Plan was presented to Council on 10 March 2020, and the Proposed Plan was submitted for Examination on 14 July 2022.
- 1.2 Just as the Proposed Local Development was presented to Council, the COVID-19 pandemic struck. At that time, there was uncertainty as to the full impacts of the virus and how it would affect matters such as working arrangements and how officers would successfully manage to ensure satisfactory opportunities for parties to make representations to the Proposed Plan. There were a number of amendments to the normal statutory duties and non-statutory actions were required to be taken, such as: there were no public meetings or drop-in sessions as they may have given rise to a significant risk of the transmission of coronavirus. Whilst the Council carried out the usual press releases, advertisements, newsletter article, letters/e-mails and neighbour notifications, the Council placed an increased emphasis to online engagement. Where possible, correspondence, communication and publicity (including public inspection of the Proposed Plan and any of its associated documents) were by electronic means, including the promotion of the process via a short film on the Council's website. The period for making representations and objections to the Proposed LDP ran for 12 weeks. This was 6 weeks longer than the statutory minimum.
- 1.3 Those wishing to participate in responding to the Proposed Plan were able to do so through the online consultation tool Citizen Space. The online consultation allowed respondents to respond to each section of the Proposed Plan, to comment on sites and/or policies. Representations were still accepted by email and by post.
- 1.4 In excess of 1000 contributions were received in response to the Proposed Plan. This was significantly more responses than had been received at the same stage of the current adopted Plan. The Council has therefore reflected upon the successes of this approach and, with some refinement, will pursue a similar approach in future.
- 1.5 Inevitably, the pandemic had the effect of delaying the adoption process, one consequence of which was that the regulatory and policy environment for adoption changed in the intervening period, including the development and adoption of the National Planning Framework. However, recognising the considerable work that had gone into the development of the new plan, together with a recognition that the developing policies were still broadly consistent with this new policy context, the Council elected to see the current plan to its conclusion.



- 1.6 The Examination was undertaken by Scottish Government Reporters from the Planning and Environmental Appeals Division, to consider 1043 unresolved representations which were received to the Proposed LDP. As part of the examination process, 23 further information requests were sought by the Reporters and a Housing Hearing took place in May 2023.
- 1.7 The Council received the Report of Examination on the 5 July 2023 and, at the time of writing, Officers are reviewing the content of the report. It is intended to present a report setting out the modifications and associated consequential changes to Full Council in Autumn 2023. Thereafter, the Council will notify Scottish Ministers of the intention to adopt the Proposed LDP. It is anticipated that the Plan will be adopted early in 2024.
- 1.8 The Development Plan Scheme was approved in November 2022 and sets out our programme of works to deliver the Local Development Plan. It highlights a revised timescale for the adoption of the Plan.

### ***Regional Spatial Strategy***

- 1.9 Uniquely in Scotland, the Council has been involved in the production of two Indicative Regional Spatial Strategies (iRSS); one for the [South of Scotland](#) and the second for [Edinburgh and South East Scotland](#). This recognises the importance of the City Region but also the emerging importance of the Team South of Scotland approach with Dumfries and Galloway Council and the South of Scotland Enterprise Agency (SOSEA). Both strategies were approved by the Council in September 2020 and were then submitted to Scottish Government. Following feedback from Scottish Government, no major changes were required to be made to either document. The documents informed the development of the then draft National Planning Framework for Scotland (NPF4), which was published in Winter 2021.
- 1.10 The documents articulate a number of shared outcomes and strategic development projects we wish to see achieved and delivered in our region by 2050 which will respond to the climate change emergency, secure sustainability in our energy supplies and land use practices; deliver an inclusive economy; bring meaningful improvements to the health and wellbeing of all of our citizens; facilitate the responsible management of our high quality landscape and heritage resources; and deliver optimum connectivity to, from and throughout our region.
- 1.11 The Regional Spatial Strategies will develop further following the adoption of NPF4 and the development of statutory guidance, moving them from interim to formal status. NPF4 includes fifteen Regional Spatial priorities that set out how each part of the country can use their assets and opportunities to help deliver the overall strategy. Scottish Borders falls within the 'South' area of the NPF, but is also heavily influenced by the Central region. Three priorities for the South region are identified, with the intention of guiding the preparation of Regional Spatial Strategies and LDPs to help deliver Scotland's national spatial strategy. Scottish Borders Council will work with other authorities and partner organisations, using established connections across both South of Scotland and Edinburgh and South East Scotland regions, to develop Regional Spatial Strategies moving forward in line with the priorities set out within NPF4.

## ***Delivery of Key Sites***

- 1.12 We have produced [Supplementary Planning Guidance \(SPG\) and associated Design Guide \(DG\)](#) for the expansion of Tweedbank, which occupies a strategically important position at the current terminus of the Borders Railway. The documents together set out good planning practice and placemaking and design principles to ensure a high quality development is achieved. The Supplementary Planning Guidance (SPG) outlines the vision and overall direction for the development of this allocated site, which will provide a mixed used development including both high quality residential and business space. Included alongside the SPG is a comprehensive Design Guide (DG) which outlines the expected standards in terms of sustainability and design that any potential developers will be required to meet. Both the SPG and DG will be used to influence planning applications for the development of the site.
- 1.13 The site was initially earmarked as part of the Council's Local Development Plan (LDP), via Housing Planning Guidance, in 2017 to address a shortfall of housing land in the region due to its strong rail links, high-quality landscape setting and already established housing market. It is estimated that the Tweedbank development could create 350 jobs and generate £150million of Gross Value Added (GVA) to the Borders economy, whilst also making a significant contribution to meeting local housing need and associated Scottish Government requirements. The SPG also supports the Council's commitment to the Edinburgh and South East City Region Deal, and the Borders Railway Blueprint programme. The Planning Service is represented on the Council's Tweedbank Expansion Board, whose aims are to promote and facilitate appropriate development throughout the site.
- 1.14 A draft version of the SPG was initially presented to and approved by Council in January 2020 and was followed by a 12-week public consultation. This included a public exhibition held in the Tweedbank Community Centre, which offered members of the public an opportunity to provide feedback on the proposals. Through the preparation of the Design Guide, a workshop was held with Architecture and Design Scotland (A&DS). Both the SPG and DG were approved by Council in June 2021.

## ***Doors Open Days 2022***

- 1.15 In 2022, Doors Open Days was able to return to strength following the pandemic. The hybrid format and Borders-wide coverage trialled in 2021 was consolidated. This format is set to become a fixture of future Doors Open Days bringing with it opportunities for broader participation through overcoming constraints of geography and accessibility. In 2022 we also introduced an open call for venues, in line with other local authorities, which helped further broaden the range of venues being open. The theme used was 'discovering the hidden gems of the Borders'. 25 venues took part. This represents an increase from pre-pandemic levels where we usually had between 10 and 20 venues take part. A wide range of sites were open, a mansion house, a distillery, ancient churches, a wind farm, modern sustainable construction, recent refurbishments, the Scottish Brick Collection, and probably likely one of the oldest horseracing grandstands in the world (and oldest sporting building in Scotland).



## **Conservation Area Review & Newstead Conservation Area Appraisal and Management Plan**

1.16 The Heritage & Design team has commenced a programme and review for the 43 Conservation Areas in the Borders, as part of the LDP process. The review will result in a Conservation Area Appraisal and Management Plan, which will highlight the architectural character of each area, and advise on how to manage change in a way that preserves and enhances that character. It is intended that these documents will be adopted as Supplementary Planning Guidance.

1.17 Newstead Conservation Area has been the first Conservation Area to be reviewed. A draft Conservation Area Appraisal and Management Plan has now been approved for public consultation. Public consultation is now underway for a 12 week period. A public meeting was held with around 20 villagers in attendance, resulting in a Q&A session and useful local feedback, which will inform the finalised document.



## **Roxburgh Viaduct – Footbridge Refurbishment**

1.18 The Historic Railways Estate had identified the poor condition of this Category B Listed footbridge attached to a Category A Listed viaduct across the River Teviot. Discussions between the appointed engineers and planners led to agreement of a scheme of repair. The condition of the bridge required considerable replacement of fabric, but the agreed details enabled the special technical, architectural and design interest of the bridge to be retained whilst enabling its continued use into the future. In particular, an improved handrail design was negotiated, leading to a much improved aesthetic to the finished bridge.



*Image: Roxburgh Viaduct Footbridge*

HRE are engaging with members of the Heritage & Design and Development Management teams on other bridges in the area, hopefully resulting in timely repair and continued use of these important historic structures.

## Other Development Management Examples, currently under development

### ***Former Kelso High School – Repair and Re-Use***

- 1.19 Following grant of planning permission and listed building consent in February 2021 for the reuse of the building and associated enabling residential development, a revised scheme was agreed and consented in April 2022, which enabled necessary cost-savings whilst still preserving the special interest of this Category B Listed 1930s school. The Scottish Borders Council planning department has been working with the developer from the outset. Works are progressing on site to provide a new lease of life to the building as an extra care facility, thus helping deliver specialist local housing provision.



*Images: Former High School Building, Kelso, before and during renovation*

### ***Caerlee Mill – Conversion to a Mountain Bike Innovation Centre***

- 1.20 Positive engagement through a series of meetings with the planning department, developer and architect for this site has resulted in planning permission and listed building consent being granted for a scheme of conversion and extension of Caerlee Mill. The building is of particular historic and architectural interest as the earliest water-powered textile mill in the Borders, and has a significant presence in the town of Innerleithen. The scheme will result in a viable future for a long-vacant Category B Listed mill building, delivering a sensitive conversion, and considerable sustainability enhancements. The new use as a Mountain Bike Innovation Centre will boost the economy in the area, bringing more visitors to the town and the wider Borders area. The reuse of this historic watermill as a dynamic new use illustrates that historic buildings can contribute substantially to the economy and the SBC planning team have successfully contributed to that part of the development process. Historic Environment Scotland have highlighted the case as an example of good practice for building reuse in a [recent blog](#).





## ***The Haining – Addressing Condition of Stonework***



1.21 Haining House is a Category A Listed late 18th century country house, remodelled in the early 19th century to a classical style as part of a grander scheme which was never realised. The building is on the Buildings at Risk Register. Part of the early 19th century remodelling involved re-facing the north and south elevations of the house in thin stone veneer. Unfortunately, this has become defective with time and water ingress. Although conservation best practice would normally be to

repair the stonework on a like for like basis whilst retaining as much historic fabric as possible, it was acknowledged that in this case the historic technical detail was defective and should not be replicated. An alternative scheme for replacement of the ashlar stone with hot lime render was agreed through detailed discussion with Historic Environment Scotland, the architects and the Council's Heritage & Design Officer, whilst ensuring more decorative elements of the building were retained. Following grant of planning permission and listed building consent, works are now progressing on site. The works will help return this long vacant building into good condition, removing it from the At Risk register, and enabling a new, and hopefully sustained, use.

## **Jedburgh CARS**

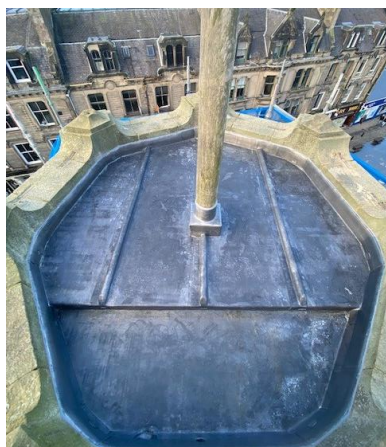
- 1.22 The Jedburgh CARS project officially concluded in March 2022, with an extension to August 2022 granted to projects that had already been offered support, allowing them to complete works on site following the significant impact of the Covid-19 pandemic on the scheme. The CARS delivered £1,057,087 of direct investment into Jedburgh. Thirty-two buildings were repaired, including seven Priority Buildings. The largest grant of £187,500 was made to the Category A-listed Port House, which was restored by Jedburgh Community Trust to provide flexible working space and subsequently removed from the Buildings at Risk Register. Additionally, £44,979 of funding supported community heritage education activities and traditional skills training, while a £50,000 public realm project supported repairs to the Jedburgh Abbey Ramparts.



*Image: The completed Port House, Jedburgh.*

## Hawick CARS

- 1.23 The Hawick CARS is in its fourth year of a six year programme, following agreement from Historic Environment Scotland to extend the scheme for one year until March 2025.
- 1.24 Recent grant awards have been made to two Priority Buildings. At the former Liberal Club / 80 High Street, CARS funding of £183,000 supported emergency high level works to the turret roof, which are now complete, along with some window repairs and dry rot works. At the Glenmac Mill, a grant offer of £135,400 has been accepted and the project is progressing in coordination with the Hawick Flood Protection Scheme and the Hawick CARS Public Realm project at the Mill Port. The project team continues to encourage uptake of the small repair grants available.



*Images:  
Completed  
high level  
works at the  
former Liberal  
Club / 80 High  
Street.*

## **Housing Strategy**



*Image: Eildon Housing Development, Coopersknowe, Galashiels*

- 1.25 As part of a review of Council services in 2019, the Housing Strategy, Policy and Development Team was incorporated into the Planning Service with the new division being re-branded as Planning, Housing & Related Services, recognising pre-existing policy and service synergies. This arrangement has enabled us to provide renewed focus on the delivery of affordable housing and the opportunity of closer working on the [Local Housing Strategy](#) (LHS) and the [Strategic Housing Investment Plan](#) (SHIP) and on a range of associated issues including energy efficiency, fuel poverty, defective buildings, older peoples and young people's strategies. We also continue to work closely with Registered Social Landlords (RSLs) through the Borders Housing Alliance. The close interrelationship between the housing and planning functions, including the achievement of mutual objectives around both housing provision and climate change, are set out in the following paragraphs:

### Local Housing Strategy (LHS) consultation

- 1.26 Since August 2021, the Council has been engaging with stakeholders and the community on the development of its latest Local Housing Strategy (LHS), setting out a vision for the supply, quality and availability of housing in their local area. The LHS is the key planning document, linking to the statutory planning process, providing a framework of action, investment and partnership-working to deliver these local priorities.

To date, consultation has included:

- Early Engagement Survey - The early engagement survey ran from 1<sup>st</sup> October 2021 to 30<sup>th</sup> November 2021. The main aim was to find out the main housing issues and priorities in the region from local households and organisations. In total, there were 330 responses (301 from individuals and 29 from organisations).
- Resident and Stakeholder Workshops and Surveys – As part of the development of the LHS four housing issues papers were prepared to help engage residents and stakeholder on key housing issues, these were; Housing Supply and Place Making, Condition, Climate Change and Energy Efficiency, Particular Needs and Specialist Provision and Homelessness. We appointed Altair Consultancy and Advisory Services Ltd (Altair) to carry out resident and stakeholder engagement in relation to the development of this Local Housing Strategy (LHS). This included 3 resident workshops, 4 stakeholder workshops and a resident survey and a stakeholder survey.
- Gypsy Travellers – We commissioned Altair Consultancy and Advisory Services Ltd (Altair) to identify the housing needs and requirements of the Gypsy and Traveller (GT) community across the region. The purpose of engagement and needs analysis was to provide an evidence base to inform SBCs approach to meeting current accommodation needs for the GT population and projected needs from 2023-2028.
- Key Workers – At the beginning of September 2022, SBC sent out a survey to a wide range of partners to find out about key workers in the Scottish Borders and if there are any accommodation issues when recruiting key workers in particular from other areas or overseas. In total there were 7 responses to the key worker questions. These responses were from; Various SBC departments, NHS Borders and RSLs.
- Private Landlord Survey – From October to November 2022, SBC engaged with private landlords in the Scottish Borders through an online survey. The aim of the survey was to gain a better understanding of private landlords operating in the Scottish Borders, this included information on their portfolios, how they source tenants, letting practice, supporting tenants, rents and repairs and improvements. In total there were 221 responses to the survey, this is a return of 6%.

1.27 The draft LHS 2023-2028 is now out for formal consultation – from 2<sup>nd</sup> May 2023 until 21<sup>st</sup> July 2023. The LHS has been sent to Scottish Government and is subject to a robust review process involving Scottish Government officials and local authority peer reviewers.

#### Affordable housing delivery

- 1.28 The Scottish Government have committed to delivering 110,000 affordable homes by 2032 of which at least 70% will be available for social rent and 10% will be in our remote, rural and island communities. The Scottish Government allocated £16m in Affordable Housing Supply Programme funding to assist with the delivery of affordable housing within the Scottish Borders in 2022/23.
- 1.29 The Strategic Housing Investment Plan [SHIP] is the sole strategic document for prioritising affordable housing investment within the Scottish Borders and sets out a rolling five-year planning horizon. The SHIP 2023/28 was approved by Scottish Borders Council in October 2022

and highlights opportunities for the delivery of 1,320 new affordable homes. Work has started to inform the development of the next SHIP submission in October 2023.

1.30 146 affordable homes delivered across the Scottish Borders in 2022/23. These were provided as follows –

- 120 new affordable homes provided by Registered Social Landlords, across five separate developments.
- 13 RSL house purchases
- 5 Rural Homes for Rent grant
- 8 Individual house purchases assisted by the Scottish Government’s Open Market Shared Equity Scheme.



### The Gypsy Traveller Needs Analysis

1.31 SBC recently commissioned consultants to carry out engagement work with the Gypsy Traveller community in the Scottish Borders and to identify the housing needs and requirements of the Gypsy and Traveller community across the region. This was part of the early engagement work of this LHS 2023-2028. The purpose of engagement and needs analysis was to provide an evidence base to inform SBCs approach to meeting current accommodation needs for the GT population and projected needs from 2023-2028.

1.33 A stakeholder workshop was held on 18th August 2022 attended by stakeholders from Scottish Government, COSLA, NHS Borders, Police, SBC (housing, planning, social care, safer communities, estates, homelessness and legal), Fire and Rescue and Education.

1.35 This analysis has indicated an estimated unmet need for an additional site provision of 28 pitches. Estimated additional household formation identifies an anticipated future need for 3 additional pitches. This had led to short working group who have been working on a project plan to identify any site provision in the Scottish Borders which led to a “call for sites” in February 2023. Responses to this were due by the 14<sup>th</sup> April 2023 and these are now being assessed with a view to progressing suitable options.



### LHS Delivery/ Implementation

1.36 The LHS covered the period from April 2017 until March 2023. The vision for the LHS is: ‘Every person in the Scottish Borders lives in a home that meets their needs’. Four priorities were defined over the course of the LHS. Under each priority are some of the key achievements, specifically those with a relationship to the planning system, that have been delivered over the six years of the LHS.

1. LHS Priority One: The Supply of Housing Meets the Needs of Our Communities

- The delivery of 1,046 affordable homes; equating to an annual average of 174 homes a year, 131 new homes a year, exceeding the annual 128 target
- The SHIP 2018-2023 set out potential for up to 1,177 new homes
- £93.102m of Scottish Government funding allocated from the Affordable Housing Supply Programme
- A new Regional Housing Board was established in 2019 as a means of better engaging the housing sector and harnessing its potential contribution towards the wider City Region Deal objectives.
- Lowood in Tweedbank is the only strategic housing site identified in the Borders Railway Corridor and in the South East Scotland City Region Deal.
- Recruitment of an Empty Homes Officer in August 2021 and has an active case load of 110 empty homes, with the aim of returning them to viable use.

2. LHS Priority Two: More People Live in Good Quality, Energy Efficient Homes

- The Affordable Warmth and Home Energy Efficiency Strategy (AWHEEs) 2019-2023 was implemented.
- SBC were allocated £9.2m in grant funding from Scottish Government for Energy Efficiency Programmes
- Energy efficiency schemes in the Borders between 2017 and 20223 have resulted in 1,870 installed measures across 1,553 households.
- Each RSL has prioritised investment towards meeting EESSH, which resulted in £12.1m over the period of the LHS. 89.3% of RSL stock meets EESSH.
- 4 of Eildon Housing Association's affordable housing projects have been selected for inclusion in the Green Homes Pilot. The 1st Passivhaus development comprising 3 houses in St Boswells were completed in March 2020.
- The Borders Home Energy Forum was established in March 2018
- The Energy Efficient Scotland (EES) Pilot Project was developed in Peebles – 'Change Works in Peebles'. Over 1,400 people visited the hub and there have been over 500 referrals to HES
- SBC secured 2 years of funding worth £551,000, from National Grid's Warm Homes Fund to deliver the "Warm and Well Borders" project. This project has now been extended for 24 months.

3. LHS Priority Three: Fewer People are Affected by Homelessness

- Over the past 6 years the average percentage of unintentionally homeless households accessing settled accommodation has been 80%
- Housing support cases that have been closed by SBC Homelessness housing support service and its commissioned service with a positive outcome continues to be consistently above 75%, with a 6 year average of 79%
- The 'Sustainable Housing on Release for Everyone' (SHORE) was launched nationally in 2017. The information sharing protocol which was adopted in 2019/2020 in the Scottish Borders

#### 4. LHS Priority Four: More People are Supported to Live Independently in Their Own Homes

- The “Integrated Strategic Plan for Older People Housing, Care and Support 2018-28” identifies a number of developments for older people across Borders that are “no longer fit for purpose”.
- Housing needs and aspirations of young people study was carried out in 2018-2019 and identified a five year action plan
- Wheelchair housing study was carried out in 2019/2020 and identified an annual target of 20 homes with proposed delivery.
- 61 wheelchair standard homes delivered
- 69 units of extra care housing have been delivered in the past five years, in Galashiels and Duns.



### ***Climate Change***

#### Local Heat & Energy Efficiency Strategy (LHEES)

1.37 Local Heat and Energy Efficiency Strategies (LHEES) will be a key strategy and delivery programme for all local authorities to provide a long-term plan for decarbonising heat in buildings and improving energy efficiency across an entire local authority area. The 2 core drivers are:

- Reduce energy demand
- Decarbonise heat supply

- 1.38 The Council is working with Scottish Government and internal colleagues to develop the LHEES in line with government timings and prescribed phased approach, taking due consideration of the LHEES priorities for delivery. We will be engaging with key regional stakeholders and ensuring that the LHEES aligns with ongoing and existing priorities and council strategies and areas of delivery such as Climate Change and Sustainability. The Council has procured and appointed a dedicated consultant to support with the data analysis and identification of opportunity zones that are core to a structured and data led LHEES. Changeworks will support SBC across both LHEES and the EES:ABS scheme. This is particularly useful and relevant when looking at fuel poverty and domestic properties.

### ***The Regional Strategic Woodland Creation Framework***

- 1.39 The [Regional Strategic Woodland Creation pilot project](#) has been developed over the last five years, in partnership with Scottish Borders Council and Scottish Forestry. SBC were asked by Scottish Government to take forward one of the recommendations of the Mackinnon Report, namely “A pilot scheme with a willing local authority to identify areas for large scale planting should be considered”,
- 1.40 The project offers an opportunity to shape the direction of this land use change in a more integrated approach with a view to mitigating the worst effects on communities and maximising opportunities for the economy and environment including realising potential for more economic benefits to likely arise in neighbouring regions and also some potential within the Borders.
- 1.41 The pilot has progressed well and is reaching a stage when it will be available as guidance. The draft Framework will form the basis of Supplementary Planning Guidance within SBC.
- 1.42 Two pilot areas were identified within the Scottish Borders area, and, using the expertise developed in the earlier Land Use Partnership pilot project, a methodology for local consultation and engagement was put in place alongside a number of other pieces of work including a Capacity (Sensitivity) study for woodland in the two pilot areas.
- 1.43 Community and stakeholder consultations were extremely successful and allowed issues and concerns to be discussed, and identified at an early stage allowing them to be considered as part of the process for producing the subsequent Framework document.
- 1.44 The Regional Strategic Woodland Creation Framework (RSWCF) has been developed at a time of change in issues and approaches relating to tackling climate change, and the National Planning Framework 4 is now the primary Planning policy consideration. Therefore, the RSWCF could play a key role in assisting with a more structured approach to afforestation and assisting with achieving net zero outcomes.



## QUALITY OF SERVICE AND ENGAGEMENT



- 1.45 Our [pre-application enquiry service](#) enables clearer and more focussed engagement with the Planning Service. This service has set standards to ensure quality of guidance and a consistent approach, including early engagement on development contributions and the use of processing agreements, enabling developers to proceed with greater confidence. Because of the range of services falling under the departmental umbrella, the service is well placed to provide joined up guidance, including in relation to planning, heritage, landscape, housing and roads specialisms. Due to workload and capacity issues, it has proven challenging this year to meet expected service standards and we are reviewing the service to see how it can be made more streamlined and efficient while remaining responsive to customers. Owing to post-Covid pressures and a series of vacancies within the Development Management team, we made the difficult decision, during the previous reporting period, to suspend pre-application guidance for most local development proposals in order to prioritise application casework, which is reflected in the figures for pre-application guidance in both last year's figures and this. However, we did continue to provide pre-application advice for major developments, affordable housing schemes and community projects, providing a focus on schemes where guidance added value to the most significant proposals. That provided capacity to review our processes ready for re-introduction in the early 2022. Demand for the service upon reintroduction has proven to be high and has enabled early engagement with developers and agents with the aim of ensuring both high quality submissions and outcomes.
- 1.46 We provide an [on-line form](#) to submit a pre-application enquiry and have [guidance notes](#) on the web site which set out the fee charges (when applicable), the proportionate information requirements in submitting a request and what the Council will provide in terms of a response and the timescale for doing so.

- 1.47 The pandemic required that we significantly revise our working practices, with almost all staff now operating remotely from home. We have taken the opportunity to develop new ways of working, interacting and supporting staff to sustain this approach. We have developed and adopted a new protocol for inspections through use of Teams meetings, videos and photographic material. In general, the provisions have worked well and once restrictions were removed, the service has become more efficient and we continue to limit site visits to those where it is essential to the determination of an application or in response to a site-specific issue. We have also introduced a fast track “Delegated Panel” to more efficiently determine straightforward, non-controversial applications, allowing officers to concentrate on more complex cases.

### **Partnership Working and Place Planning**



## **Local Place Plans**

An opportunity to make places better!

- 1.48 The service continues to develop working relationships across the Council to assist in the delivery of a range of corporate transformation projects and projects within the Council’s capital investment programme, in addition to the Regional Spatial Strategies, City Deal programmes Borderlands projects and Levelling Up Fund bids. The Service takes a leading role in a cross-cutting partnership established to enhance the role of town centres across the region.
- 1.49 Following the introduction of the concept of Place Plans in the 2019 Act, the service has created two Community Place Planning and Regeneration posts. The two posts sit within the Planning Policy team, but work closely with the Community Engagement Officers elsewhere in the organisation. One role of the Place Planning and Regeneration Officers is to assist communities in developing Local Place Plans (LPPs). They have already begun work with Council colleagues to integrate Local Place Plans with the Council’s developing Placemaking programme and approach to facilitating engagement with communities, voluntary groups, key stakeholders and partners, including those within the Community Planning Partnership. We anticipate that the first plans will come forward in early 2024.
- 1.50 As a result of the Borderlands Inclusive Growth Deal, four communities in the Scottish Borders; Eyemouth, Galashiels, Hawick and Jedburgh, have been invited to prepare Place Plans. The Borderlands Place Programme has funding of £7.25million available over 7 years 2024/25 -



## **Customer Engagement and Key Indicators**

- 1.54 All information on planning applications is available on the [Public Access Portal](#), including details of specialist officers from the wider planning service who have commented on the application. Customers are encouraged to self-serve and utilise the benefits of the [website](#) and [Public Access](#) to view information on the service and planning matters. We continue to widen the range of online information across all of our services. The service has developed Local View Fusion which is a package of GIS facilitated information, badged as [Find it](#) on the Council's website.
- 1.55 The yearly average of planning applications received on-line now stands at 94% for planning and 97.2% of Building Warrant applications, an increase in both categories on last year's figure. Both the Development Management and the Building Standards Services have now transferred to a fully electronic application management and processing system, including mobile working. This provided us with the ability to move staff to a home working environment quickly and effectively over the pandemic and has since become the established pattern of working. There have undoubtedly been some challenges with this transition but our earlier system developments have enabled us to continue to provide a high quality service during difficult times.
- 1.56 The key to the delivery of increased operating efficiency in Development Management and Building Standards is the introduction of our new case management system "Enterprise" and a mobile working solution. This has been delayed several times due to technical and financial considerations; however, this year, Enterprise has now been fully implemented and is operational in both our Building Standards and Development Management services, where it is already making a marked difference to service efficiency.
- 1.57 The [Housing Land Audit \(HLA\) 2021](#) was published in May 2023. The HLA confirms that the established housing land supply has decreased from 8,963 in 2019/20 to 8,715 in 2020/21. The five year effective housing land supply figure across the Scottish Borders was 3,538 units, which equates to 6 years of land supply. The completion rate across the Scottish Borders continues to be at a lower level compared to pre-recession rates. The HLA 2021 recorded 298 annual completions, which is 26 units lower in comparison to the 2020 HLA. There continues to be limited activity by private housing developers across the Scottish Borders.
- 1.58 The Employment Land Audit (ELA) 2022 remains in draft format. Therefore, it should be noted that the figures could be subject to change once finalised. The draft figures confirm that the established employment land supply is 92.8ha, down slightly from the 2021 ELA of 98.6ha. The marketable employment land supply is 70.7ha, down from last year's figure of 79.7ha. The employment land take-up for 2022 was 1.53ha, similar to last year's take up of 1.5ha.
- 1.59 We have a Development Management Charter and an [Enforcement Charter](#) published in April 2022, which is available on the Council's web site.
- 1.60 The GIS team continue to develop the spatial information to support the service and our spatial data on the Council's website. We are developing new ways to engage with the public using Story Maps and this was successfully used in our consultation on the Proposed LDP. Spatial information is used corporately and by the general public through '[Find it](#)' and 'WebGIS'.
- 1.61 The Council has the facility for customers to make comments and complaints using an [on-line form](#). The majority of the complaints received, including Ombudsman investigations, were not upheld but those that were generally related to a failure to respond timeously to a customer's enquiry or complaint rather than any failing in the process or service standard. This has been a

particularly challenging year due circumstances we have had to operate under and the demands of recovering from the pandemic, however, we continue to reflect on whether there are improvements in procedures to ensure that customers receive responses within a reasonable timescale or are advised of any delay, together with the reasons why this has occurred.



## GOVERNANCE



1.62 At a corporate level, the Council has completely reviewed its corporate strategy, set out in its [Council Plan](#), which was approved in February 2022. This new Council Plan looks and is different from previous Corporate Plans. The reasons for this are that the Council has set out to create a plan that:

- is simple and can be readily understood.
- is responsive. To achieve this, the plan needs to be revisited every year, so we can take account of the biggest issues affecting the Scottish Borders and act on what we need to prioritise.
- ensures a clear link between what we want to achieve and how we intend to do it. This means setting out our aims, the actions we need to take to deliver those aims, and measuring our delivery. If we fail to deliver, we need to change what we are doing.
- shapes our financial plans and how we use our resources.

1.63 The Council Plan is based on six outcomes that the Council aims to deliver for the Scottish Borders. Five of the outcomes focus on improving the wellbeing of citizens within the Scottish Borders and making our region a more sustainable and better place to live, work in and to visit. The sixth outcome is about developing a Council that is as effective and efficient as it can be – we need to do this in order to deliver on the other five outcomes. The outcomes are:

- Clean, Green Future
- Fulfilling Our Potential
- Strong, Inclusive Economy, Transport and Infrastructure
- Empowered, Vibrant Communities
- Good Health and Wellbeing
- Working Together, Improving Lives

It is easy to see the role the planning service – and system more generally – has to play in the delivery of all of these outcomes, both highlighting the importance of the service to the delivery of the Council’s key priorities and raising the profile of the service. These priorities, for both the planning service and for the Council more generally, are one and the same, and we have already undertaken an exercise of making those direct links with current workstreams. This provides a clear linkage that has perhaps been less evident in earlier iterations of the Council Plan, and enables everyone to understand their own role in the delivery of Council objectives.

- 1.64 The Council’s financial management system, Business World, provides effective financial control and greater self-service ability for managers to monitor and control their budgets. We have stringent budget monitoring processes to monitor and report on budget pressures on a monthly basis. A close working relationship between budget holders and finance staff has developed to address these issues.
- 1.65 Key members of staff are involved with a range of corporate transformation projects and projects within the Council’s capital investment programme, including the [Hawick Flood Scheme](#) (and the associated active travel proposal), Town Centre Placemaking and Place Planning projects and the School replacement programme. This has particularly focussed on the environmental and project assurance roles.
- 1.66 The service has also supported the Council’s involvement in a number of strategic relationships including Edinburgh and South East Scotland City Deal, Borderlands, Build Back Better Funds and the development of a Team South of Scotland approach with the new South of Scotland Enterprise Agency and Dumfries and Galloway Council. This has been seen in Borderlands projects such as Destination Tweed, the development of an Energy Masterplan, evolving a Placemaking approach and work towards implementing a Natural Capital Initiative.
- 1.67 Working with internal and external partners, the service has actively been proactively engaged in site redevelopment, including in particular with housing delivery partners across the region.
- 1.68 The Council declared a climate emergency in September 2020 and the Sustainable Development Group of officers, led by the Chief Planning & Housing Officer, was charged with producing the Council Action Plan to deliver Net Zero by 2045 and embedding the Council’s approach to Net Zero and Sustainable Development within the Council. This developed into a [Route Map](#), which was approved by Council in June 2021.
- 1.69 The South of Scotland (Scottish Borders Council & Dumfries and Galloway Council) was chosen as one of the pilots for the development of the Regional Land Use Partnerships and Land Use Frameworks. This building on the strong collaborative working between the Council and the South of Scotland Enterprise Agency. This two-year project will see the production of a draft Framework by the end of 2023, with a finalised version published by Spring 2024.
- 1.70 We continue to explore ways to work more effectively and we positively engage with other authorities and agencies to share knowledge, information and best practice. There are a number of working protocols in place with bodies such as NatureScot, Scottish Environment Protection Agency and Scottish Water and a selection of the key organisations and groups that we are involved with. We engage with a wide range of working groups, agencies and stakeholder and are involved in a number of multi-disciplinary/agency initiatives.

- 1.71 Training is mandatory to any new members prior to service on Planning and Building Standards Committee and Local Review Body. The Council has an established Planning Working Group, which engages members in the Development Plan process from an early stage. Members' briefings are also provided on a corporate basis and these include updates on planning matters. Climate literacy training is also being rolled out to staff and Councillors and as part of our education and training programme, we have made presentations on climate change and sustainable development through the Council's Executive Committee, which now has responsibility for the issue.
- 1.72 The [Planning & Building Standards Committee](#) and the [Local Review Body](#) are held on a four-weekly cycle, normally sitting during the day on alternate fortnights on a Monday. During the reporting period, meetings were held using Microsoft Teams and have the facility for members of the public to view proceedings and to be invited in to speak on applications at the Planning & Building Standards Committee as part of the meeting. This process was developed rapidly and has required new processes and procedure to be developed at pace. In general, this has worked very well and been well received by officers, Councillors, and members of the public. This has also enabled greater public access to, and scrutiny of, the planning decision making process. Since the recent local government elections, meetings have returned to the Council Chamber, but continued to be streamed online to enable wider public participation.
- 1.73 In 2022/23, the Planning & Building Standards sat 11 times to consider 12 case reports and the Local Review Body met 11 times to determine 67 case reports, an increase of 20 from last year. 19 of these were continuations from previous meetings. The adoption and consequential application of NPF4 in February 2022 meant that procedural adaptations were made to consider the changes brought about by the new policies. As the applications being considered had been considered before the adoption of NPF4, the appointed officer and applicant were invited by the LRB to provide statements to demonstrate what effect, if any, the new policy framework would have on the assessment and determination of the applications being considered.
- 1.74 98.5% of planning applications were determined by officers under delegated powers, which is a consistent level to recent years, and we approved 93.3% of all applications. This approval rate is down marginally on last year, although this high approval rate has been sustained consistently over a number of years. Both figures are at or above the Scottish average.
- 1.75 The figures reported in the National Headline Indicators in 2022/23 demonstrate that for the main reporting categories of planning applications we broadly improved determination times across the categories involving the largest numbers of local applications, compared to those achieved in 2021/22. The one recorded major application did take longer, albeit that the other three in the reporting period were subject to processing agreements, the timescales for two of which were comfortably met. Where applications have taken more months to determine, they processing time has slowed slightly, but remains broadly consistent with recent reporting years and, on the whole, compare favourably with the Scottish average. The increased times are partly a reflection of the impacts of the reintroduction of the pre-application service, which has occurred with no additional resource or capacity to accommodate it, but also of those applications have been submitted during the period of suspension, thus requiring greater negotiation to secure acceptable developments.
- 1.76 We continue to refine the award-winning traffic light system introduced in Development Management to help us manage performance, prioritising action and staff resource to avoid unnecessary delays in determining applications. . This process complements the implementation of the much-delayed Enterprise case management system, which has now become an established part of both the Planning and Building Standards processes.



- 1.77 We use Planning Processing Agreements for the management of planning applications extensively, and this approach has been embraced by developers/applicants. We determined 531 applications with agreements last year: 3 major applications, 437 local applications, 1 EIA development and 89 other consents. Around 87% of applications with processing agreements were determined within the agreed timescales, which is well above the national average, demonstrating that collaborative approach with applicants continues to be at the heart of the application process in the Scottish Borders. We publish [guidance](#) on our use of processing agreements, together with agreement templates, on the Council's website.
- 1.78 The requirements of the Council's development contributions policy means that we enter into a large number of legal agreements to secure contributions and it is critical that there are discussions at an early stage between the Planning Service and applicants/developers to allow the effective managing of this process. Many of the legal agreements are managed by using processing agreements, with the vast majority being met within timescales, which are consistently above the national average.
- 1.79 Following the red rating in relation to legacy cases being reported in the 2020/21 PPF reporting period, considerable effort was made to reducing the number of legacy cases, with 327 having been removed from the system in that reporting period. The effect was to reduce the overall number to a single digit figure, without affecting the overall average determination time too dramatically, partly as a result of the use of processing agreements where that has been possible. Having reached a very low level, there was almost an inevitability that the figure would increase, although – at 43 – this remains well below the previous year's figure. Processes remain in place to monitor and reduce this figure on an ongoing basis.



## CULTURE OF CONTINUOUS IMPROVEMENT



- 1.80 How we delivered last year's improvement actions is set out in Part 3 of this document, as is the list of improvement actions we intend to deliver this year.
- 1.81 We have a central training budget to ensure staff meet their Continuing Professional Development (CPD) obligations and have access to relevant training opportunities. We have provided funding for staff to undertake longer-term study, which is funded in full, or in part, by the Council. We have also rolled out a first phase of Climate Literacy training and are working toward developing a programme to have this embedded within mandatory training for Council staff and members.
- 1.82 In recent years, the Council has supported three members of the Planning Policy team in gaining their MSc planning qualification from Heriot Watt University through day release. The three officers currently work within the Planning Policy team and this opportunity has allowed them to gain their planning degree, whilst working within the planning department. Providing pathways into the profession this way provides the opportunities for young planners to work within the planning department, whilst studying towards and gaining their qualification at the same time, providing practical experience as well as the knowledge gained throughout the degree.
- 1.83 We are running our lunchtime CPD training sessions again and are developing a programme for the rest of the year. These are very successful and attendance has been opened up on a wider Departmental basis so that they do not principally focus on planning matters for planning staff. We also continue to run traditional skills training through the Jedburgh CARS scheme and are soon to roll out a programme associated with the Hawick CARS scheme. The **Borders Traditional Building Forum** was set up in 2021 as part of the national Traditional Buildings Forum to encourage advice and knowledge on traditional construction techniques and to encourage young people into the professions.

- 1.84 Team meetings are used as a method to ensure that all staff are aware of relevant changes at both national and local level. We have a constituted Planning Management Team, comprising the senior manager and all lead officers from each of the seven teams in the department. Information from this weekly manager meeting is cascaded down to the relevant teams. This meeting provides a valuable medium for sharing information, discussion and feedback among the various disciplines within the wider service. The Council also conducts Senior Managers Briefings, attended by all of our managers and led by the Council's Chief Executive, as a means of providing two-way feedback and cascading information.
- 1.85 The Council has adopted a new appraisal process that enables us to reinforce the performance culture at all levels of the service. Using this process, staff have been encouraged to be involved in projects to deliver the aims set out in this Planning Performance Framework, but also wider departmental and corporate objectives.
- 1.86 We continue to develop our ePlanning and eBuilding Standards services and officers now use a fully electronic application management systems along with mobile devices for their site visits. The complete implementation of the Enterprise case management system in both services has brought improved workflow within the services, which has led to a more generally efficient process; crucially, it has also embedded a clear system of casework monitoring for both case officers and managers. The associated mobile App will enable access to the back office databases and digital files, meaning that plan reading, assessments and reporting can be fully conducted as part of any site inspection. The app has now been procured and implemented and is currently at testing phase. It is intended that it will be rolled out in both the Development Management and Building Standards service in the course of the coming year.
- 1.87 Training is available for all new members in advance of their sitting on the Planning & Building Committee and the Local Review Body and we are continuing to develop our training programme for members specifically focussing on design matters. This continues to be supplemented by presentations to Members on particular topics and the production of Member briefing notes.



## PART 2 - SUPPORTING EVIDENCE



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

- [Scottish Borders Local Development Plan – adopted and proposed](#)
- [Supplementary Planning Guidance](#) and [Planning Briefs](#)
- [Scottish Borders Council Planning Performance Framework 2021/22](#)
- [Development Contributions SPG](#)
- [Scottish Borders Housing Land Audit 2021](#)
- [Scottish Borders Retail Survey 2022](#)
- [Scottish Borders Employment Land Audit 2021](#)
- [Scottish Borders Town Centre Footfall Reports 2021 & 2022](#)
- [Scottish Vacant and Derelict Land Survey 2022](#)
- [Scottish Borders Village Services Audit 2016](#)
- Place GIS Systems - [Find It.](#)
- Infrastructure & Environment Directorate budget
- Uniform data management system.
- [Public Access ePlanning system](#)
- Development Management / Building Standards Workload and Performance Briefing Notes. Monthly bulletin for members.
- Building Standards Annual Verification Performance Report
- [Scottish Borders Council Web Site planning information pages](#)
- Development Management Improvement Plan 2014
- Development Management Charter 2018
- [Enforcement Charter 2022](#)
- [Scottish Borders Council Plan 2022](#)

2.2 The documents and information mentioned above are available on-line or by approach to Planning, Housing & Related Services.

## PART 3 - SERVICE IMPROVEMENTS

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### SERVICE IMPROVEMENTS 2023-24

- 3.1 The Planning Service has identified a number of key service and performance improvement measures for **2023-24** and these are set out below:
1. Review and supplement the services' web presence, to improve self-service and to complete the roll out of the Mobile App, as part of a wider commitment to digital transformation.
  2. Continue the development of proposals for staff training and to facilitate succession planning within our services.
  3. Implementation of the legislative requirements of the Planning Act and NPF4, including a review of consequential resourcing impacts.
- 3.2 The improvements set out in the PPF are monitored through the Planning Management Team meetings to ensure that we are on track to deliver the identified improvements on time.

### DELIVERY OF SERVICE IMPROVEMENT ACTIONS 2022- 23

- 3.3 The specific commitments made in the PPF last year, along with the actions taken and progress made, are set out below:

| COMMITTED IMPROVEMENTS AND ACTIONS 2022/23   | Complete?            |
|--|----------------------|
| <p><b>1. Implement staff and member design awareness training programme in partnership with University of Glasgow</b></p> <p>Action: An in-person training and awareness event took place in December 2022, facilitated by Glasgow University, using both local and national examples to illustrate both learning points and successful practice for both officers and Members. This was complemented by a Member-Officer design awareness session taking in visits to a number of commenced and completed development sites across the Borders, used as a means of stimulating discussion on the wider topic of successful design.</p> <p>This is the first of a continuing programme of design awareness training for both officers and members.</p> | Complete and ongoing |
| <p><b>2. Complete the roll out of Enterprise Case Management System and Mobile App</b></p> <p>Action: The implementation of the Enterprise Case Management software and a Mobile App had been delayed due to technical and financial issues on a number of occasions. However, it has now been fully implemented and is operational in our both our Building Standards and Development Management services, where it is now making a marked difference to service efficiency, in terms of both workflow and monitoring. The mobile app has now been installed and is currently being tested with a view to rolling it out to staff for use while out on site, making the service fully digital.</p>  | Complete and ongoing |

|  |                             |
|--|-----------------------------|
| <p><b>3. Producing proposals to facilitate succession planning within our services</b></p> <p>Action: As part of the wider process of succession planning across the wider organisation, discussions have been taking place with HR colleagues, both at a strategic service level, but also among individual services, to better understand some of the challenges and opportunities within our staff resources going forward. The aspiration is to identify training needs and service requirements with a view to ensuring that the service continues to function effectively and that staff feel that opportunities and pathways exist for them to progress within the organisation, which provides certainty for both employer and employee.</p> <p>Two members of staff within the Planning Policy team have recently graduated with Planning degrees from Heriot Watt University. Building Standards have 3 members of staff at differing stages on an Honours Degree course in Building Surveying at Napier University under the Graduate Apprenticeship Scheme, one having graduated during the course of this year.</p> | <p>Complete and ongoing</p> |
|--|-----------------------------|

## PART 4 - NATIONAL HEADLINE INDICATORS

| Development Planning   | 2022/23                     | 2021/22                     |   |
|--|-----------------------------|-----------------------------|---|
| <b>Local and Strategic Development Planning:</b>   |                             |                             |   |
| Age of local development plan at end of reporting period<br><br><i>Requirement: less than 5 years</i>                            | <b>7 years and 2 months</b> | <b>6 years and 2 months</b> | <i>Number of years and whole months passed starting from date(s) existing local or strategic development plan(s) were adopted /approved.</i>  |
| Will the local development plan be replaced by its 5 <sup>th</sup> anniversary according to the current development plan scheme? | <b>N</b>                    | <b>N</b>                    | <i>Using the development plan scheme in force on 31<sup>st</sup> March at the end of the reporting year, is the expected adoption/ approval date of each plan less than 5 years after the date the current plan was adopted/approved?</i>   |
| Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? | <b>Y</b>                    | <b>Y</b>                    | <i>Comparison of the development plan scheme at the start of the reporting period with the one in force at the end of the reporting period</i>  |
| Were development plan scheme engagement/consultation commitments met during the year?  | <b>Y</b>                    | <b>Y</b>                    | <i>Both the timing and nature of engagement should be considered here. Exceeding the commitments given in qualitative terms should not be seen as requiring a negative response. However, commitments missed by more than a month should be reported and justified.</i>   |
| <b>Effective Land Supply and Delivery of Outputs</b>   |                             |                             |   |
| Housing approvals  | <b>Not available*</b>       | <b>716 units</b>            | <i>Total number of units (all tenures) consented during the reporting period.</i>   |
| Housing completions over the last 5 years  | <b>1439* units</b>          | <b>1514 units</b>           | <i>Total number of new homes (all tenures) completed over the preceding 5-year period.</i>  |
| Marketable employment land supply  | <b>70.7ha</b>               | <b>79.68ha</b>              | <i>This indicator will usually be captured by a business or employment land audit on an annual basis. The most up-to-date figure should be given, with the base date also reported.</i><br><br><i>Marketable employment land – land which as well as meeting business requirements, such land should have a secure planning status, be serviced or serviceable within 5 years, and be accessible by walking, cycling and public transport.</i><br><br><b>SPP (2014) para 101</b><br><a href="http://www.scotland.gov.uk/Resource/0045/00453827.pdf">http://www.scotland.gov.uk/Resource/0045/00453827.pdf</a> . |
| Employment land take-up during reporting year  | <b>1.53ha</b>               | <b>1.47ha</b>               | <i>Quantity of land removed from the marketable supply due to the start of work on site during the reporting year (or the most recent 12-month period available), specifying the period concerned.</i>  |
| <i>*Figures from 2021 Housing Land Audit; 2022 Audit not yet complete.</i>   |                             |                             |   |



**B: NHI Key outcomes – Development Management:**

| <b>Development Management:</b>  | <b>2022/23</b>    | <b>2021/22</b>    | <b>Guidance on what to include</b>  |
|---|-------------------|-------------------|---|
| <b>Project Planning</b>   |                   |                   |   |
| Percentage and number of applications subject to pre-application advice     | <b>130/14%</b>    | <b>15%</b>        | <i>Planning applications decided during the year on which the planning authority had provided pre-application advice to the applicant normally including written advice. A number and percentage for this indicator is required.</i>  |
| Percentage and number of major applications subject to processing agreement | <b>4/66%</b>      | <b>50%/1</b>      | <i>Applications decided during the year for which there had been a processing agreement, shared and understood and agreed between the applicant and planning authority, including a scheduled timetable for handling of the application. A number and percentage for this indicator is required.</i>                            |
| <b>Decision Making</b>  |                   |                   |   |
| Application approval rate   | <b>93.3%</b>      | <b>94.5%</b>      | <i>Percentage figures; provided by the Scottish Government (Analytical Services), drawn from the data provided by planning authorities.</i>   |
| Delegation rate   | <b>98.5%</b>      | <b>98.6%</b>      | <i>Percentage figures; provided by the Scottish Government (Analytical Services), drawn from the data provided by planning authorities.</i>   |
| Validation  | <b>76%</b>        | <b>78.9%</b>      | <i>The percentage of applications which are validated upon first receipt.</i>   |
| <b>Decision-making Timescales<sup>1</sup></b>                               |                   |                   |   |
| Major Developments  | <b>33.7 weeks</b> | <b>19.7 weeks</b> | <i>Average number of weeks from receipt of a valid planning application to decision. Figures provided by the Scottish Government (Analytical Services), drawn from the data provided by planning authorities. The figures used in the PPF report are based on 'all applications' and not 'post – August 2009 applications'.</i> |
| Local developments (non-householder)  | <b>8.1 weeks</b>  | <b>9.2 weeks</b>  | -   |
| Householder developments  | <b>6.8 weeks</b>  | <b>7.0 weeks</b>  | -   |
| <b>Legacy Cases</b>   |                   |                   |   |
| Number cleared during reporting period                                      | <b>58</b>         | <b>372</b>        | <i>Applications which are more than one-year-old. The number of legacy cases cleared during the reporting period and the number remaining (as at 31 March).</i>   |
| Number remaining  | <b>43</b>         | <b>7</b>          | -   |

<sup>1</sup> Not including applications subject to processing agreements

### **C: Enforcement activity**

|  | <b>2022/23</b>   | <b>2021/22</b>  |
|--|------------------|-----------------|
| Time since enforcement charter published / reviewed<br>Requirement: review every 2 years | <b>11 months</b> | <b>3 months</b> |
| Complaints lodged and investigated   | <b>159</b>       | <b>234</b>      |
| Breaches identified – no further action taken  | <b>12</b>        | <b>36</b>       |
| Cases closed   | <b>91</b>        | <b>232</b>      |
| Notices served   | <b>14</b>        | <b>11</b>       |
| Direct Action  | <b>0</b>         | <b>1</b>        |
| Reports to Procurator Fiscal   | <b>0</b>         | <b>0</b>        |
| Prosecutions   | <b>0</b>         | <b>0</b>        |

### **D: NHI Key outcomes – Commentary**

| <b>Commentary</b>   |
|---|
| <b>Short contextual statement</b>   |
| <p>The Council is still experiencing a period of transition resulting from the aftermath of the pandemic and instability in staff resources. We have found recruitment across all professions to be challenging given the limited number of qualified professionals in the market for public sector posts, meaning that when posts become vacant, it can take longer to recruit to them.</p> <p>The impact of financial constraints on service delivery, including upon recruitment, is also significant.</p> <p>The suspension of the pre-application service provided some respite for around a year, but did cause a reduction in acceptable applications, resulting in lengthier negotiation times. While the reintroduction of the service has addressed that to some extent, the fact that there has been no additional capacity to resource it has added further pressure on the service.</p> <p>Finally, in common with many parts of the Council, we have seen a noticeable upturn in scrutiny of services, including complaints, by customers and the wider public. While most are unjustified, the unprecedented demand on staff resources to respond to these is having a discernible impact on service delivery and increased pressure on our staff.</p> |

## PART 5 – SCOTTISH GOVERNMENT OFFICIAL STATISTICS

### A: Decision-making timescales (based on 'all applications' timescales, not subject to processing agreements)

| Category  | Total number of decisions 2022 - 2023 | Average timescale (weeks) |             |
|---|---------------------------------------|---------------------------|-------------|
|   |                                       | 2022-2023                 | 2021-2022   |
| <b>Major developments</b>   | <i>1</i>                              | <i>33.7</i>               | <i>19.7</i> |
| <b>Local developments (non-householder)</b>   | <b>223</b>                            | <b>9.6</b>                | <b>9.2</b>  |
| <ul style="list-style-type: none"> <li>Local: less than 2 months</li> <li>Local: more than 2 months</li> </ul>  |                                       | <i>6.4</i>                | <i>6.2</i>  |
|   |                                       | <i>17.3</i>               | <i>15.3</i> |
| <b>Householder developments</b>   | <b>294</b>                            | <b>6.9</b>                | <b>7.0</b>  |
| <ul style="list-style-type: none"> <li>Local: less than 2 months</li> <li>Local: more than 2 months</li> </ul>  |                                       | <i>6.1</i>                | <i>6.0</i>  |
|   |                                       | <i>13.0</i>               | <i>13.2</i> |
| <b>Housing developments</b>   | <b>33</b>                             | <b>16.9</b>               | <b>16.7</b> |
| <b>Major</b>  | <i>0</i>                              | <i>n/a</i>                | <i>19.7</i> |
| <b>Local housing developments</b>   | <i>33</i>                             | <i>16.9</i>               | <i>16.7</i> |
| <ul style="list-style-type: none"> <li>Local: less than 2 months</li> <li>Local: more than 2 months</li> </ul>  |                                       | <i>7.0</i>                | <i>7.7</i>  |
|   |                                       | <i>25.1</i>               | <i>20.4</i> |
| <b>Business and industry</b>  | <b>14</b>                             | <b>7.2</b>                | <b>9.8</b>  |
| <b>Major</b>  | <i>0</i>                              | <i>n/a</i>                | <i>n/a</i>  |
| <b>Local business and industry developments</b>   | <i>14</i>                             | <i>7.2</i>                | <i>9.8</i>  |
| <ul style="list-style-type: none"> <li>Local: less than 2 months</li> <li>Local: more than 2 months</li> </ul>  |                                       | <i>6.2</i>                | <i>7.4</i>  |
|   |                                       | <i>9.7</i>                | <i>14.6</i> |
| <b>EIA Developments</b>   | <i>n/a</i>                            | <i>n/a</i>                | <i>n/a</i>  |
| <b>Other consents*</b>  | <i>124</i>                            | <i>7.0</i>                | <i>6.75</i> |
| <b>Planning/legal agreements**</b>  |                                       |                           |             |
| <ul style="list-style-type: none"> <li>Major: average time</li> <li>Local: average time</li> </ul>  | <i>1</i>                              | <i>33.7</i>               | <i>19.7</i> |
|   | <i>9</i>                              | <i>21</i>                 | <i>19.4</i> |
| <p>* 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 &amp; 8 relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 &amp; 62 of the GPDO.</p> <p>** 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</p> <p>*** All applications subject to processing agreements are excluded from the official statistics</p> |                                       |                           |             |

**B: Decision-making: local reviews and appeals**

|                               |                                     | Original decision upheld |       |                    |      |
|-------------------------------|-------------------------------------|--------------------------|-------|--------------------|------|
| Type                          | Total number of decisions 2022-2023 | 2022-2023<br>No. %       |       | 2021-2022<br>No. % |      |
| Local reviews                 | 36                                  | 16                       | 44.4% | 15                 | 47%  |
| Appeals to Scottish Ministers | 3                                   | 1                        | 33.3% | 6                  | 100% |

**PART 6: WORKFORCE INFORMATION**

|                          | Tier 1<br>Chief<br>Executive | Tier 2<br>Director | Tier 3<br>Head of<br>Service | Tier 4<br>Manager |
|--------------------------|------------------------------|--------------------|------------------------------|-------------------|
| Head of Planning Service |                              |                    | x                            |                   |

| Staff Age Profile     | Head Count |
|-----------------------|------------|
| Under 30              | 9          |
| 30-39                 | 18         |
| 40-49                 | 15         |
| 50 and over           | 25         |
| Total                 | 67         |
| RTPI Qualified Staff  | Headcount  |
| 15<br>(+6 Licentiate) | 67         |

**PART 7: PLANNING COMMITTEE INFORMATION**

| Committee & Site Visits | Number per year |
|-------------------------|-----------------|
| Full Council meetings   | 13              |
| Planning committees     | 11              |
| Area committees         | n/a             |
| Committee site visits   | 0               |
| Local Review Body       | 11              |
| LRB site visits         | 7               |

## PART 8 - PERFORMANCE MARKERS

8.1 The following table sets out the performance markers that the Scottish Government use to consider performance by local planning authorities. This PPF highlights the evidence submitted by Scottish Borders Council to demonstrate how it has sought to meet those markers.

|                                      | Performance Marker   | Evidence  |
|--------------------------------------|--|---|
| <b>DRIVING IMPROVED PERFORMANCE</b>  |  |   |
| 1                                    | Decision making: authorities demonstrating continuous evidence of reducing average timescales for all development types  | Introduction page 3<br>Part 1 – paras – 1.45, 1.47, 1.54-1.56, 1.75-1.79<br>Part 3 – para 3.1 & Committed Improvement & Action 2 page 9<br>Part 4 – NHI Table pages 32-33<br>Part 5 - Table A |
| 2                                    | Project management: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications <u>and</u> availability publicised on planning authority website   | Introduction page 3<br>Part 1 – paras 1.45, 1.75-1.79<br>Part 4 – NHI Table page 33   |
| 3                                    | Early collaboration with applicants and consultees on planning applications: <ul style="list-style-type: none"> <li>- availability and promotion of pre-application discussions for all prospective applications</li> <li>- clear and proportionate requests for supporting information</li> </ul> | Part 1 – paras 1.45, 1.46, 1.75<br>Part 4 – NHI Table page 33   |
| 4                                    | Legal agreements: conclude (or reconsider) applications within 6 months of ‘resolving to grant   | Introduction page 3<br>Part 1- para 1.78<br>Part 5 - Table A  |
| 5                                    | Enforcement charter updated / re-published   | Part 1 – para 1.59<br>Part 2 – para 2.1<br>Part 4 – NHI Table page 34   |
| 6                                    | Continuous improvements: <ul style="list-style-type: none"> <li>- show progress/improvement in relation to PPF National Headline Indicators</li> <li>- progress ambitious and relevant service improvement commitments identified through PPF report</li> </ul>                                    | Part 1 – paras 1.61, 1.80<br>Part 4 – NHI Table pages 32-33<br>Part 5 - Table A   |
| <b>PROMOTING THE PLAN-LED SYSTEM</b> |  |   |
| 7                                    | LDP (or LP) less than 5 years since adoption   | Introduction, p.3<br>Part 1 – paras 1.1-1.8<br>Part 4 – NHI Table pages 32-33   |
| 8                                    | Development plan scheme demonstrates next LDP: <ul style="list-style-type: none"> <li>- on course for adoption within 5-year cycle</li> <li>- project planned and expected to be delivered to planned timescale</li> </ul>   | Introduction, p.3<br>Part 1 – paras 1.1-1.8<br>Part 4 – NHI Table pages 32-33   |
| 9                                    | Elected members engaged early (pre-MIR) in development plan preparation  | Introduction, p.3<br>Part 1 – paras 1.1-1.8   |
| 10                                   | Cross-sector stakeholders, including industry, agencies and Scottish Government, engaged early (pre-MIR) in development plan preparation   | Introduction, p.3<br>Part 1 – paras 1.1-1.8, 1.44-1.46, 1.48, 1.52  |
| 11                                   | Production of regular and proportionate policy advice, for example through supplementary guidance, on information required to support applications   | Part 1 – paras 1.12- 1.14, 1.53. 1.54<br>Part 2 – Supporting Evidence para 2.1  |

| <b>SIMPLIFYING AND STREAMLINING</b> |   |   |
|-------------------------------------|---|---|
| <b>12</b>                           | Corporate working across services to improve outputs and services for customer benefit (e.g. protocols; joined-up services; single contact; joint pre-application advice) | Part 1 – 1.25-1.3, 1.45, 1.54, 1.61, 1.65-1.67. 1.69, 1.70                                    |
| <b>13</b>                           | Sharing good practice, skills and knowledge between authorities   | Part 1 – paras – 1.65-1.67. 1.69, 1.70<br>Part 3 – para 3.3<br>Part 4 – NHI Table pages 32-33 |
| <b>DELIVERING DEVELOPMENT</b>       |   |   |
|                                     |   | Introduction page 3<br>Part 1 – paras 1.12-1.24, 1.25-1.36<br>Part 4 – NHI Table pages 32-33  |
| <b>14</b>                           | Stalled sites/legacy cases: conclusion/withdrawal of planning applications more than one-year-old   | Introduction page 3<br>Part 1 – para 1.79<br>Part 4 – NHI Table pages 32-33                   |
| <b>15</b>                           | Developer contributions: clear expectations<br>- set out in development plan (and/or emerging plan,) and<br>- in pre-application discussions                              | Introduction page 3<br>Part 1- paras 1.45, 1.53. 1.78<br>Part 5 - Table A page 35             |