

PLANNING PERFORMANCE FRAMEWORK ANNUAL REPORT 2016 - 2017

MIDLOTHIAN COUNCIL



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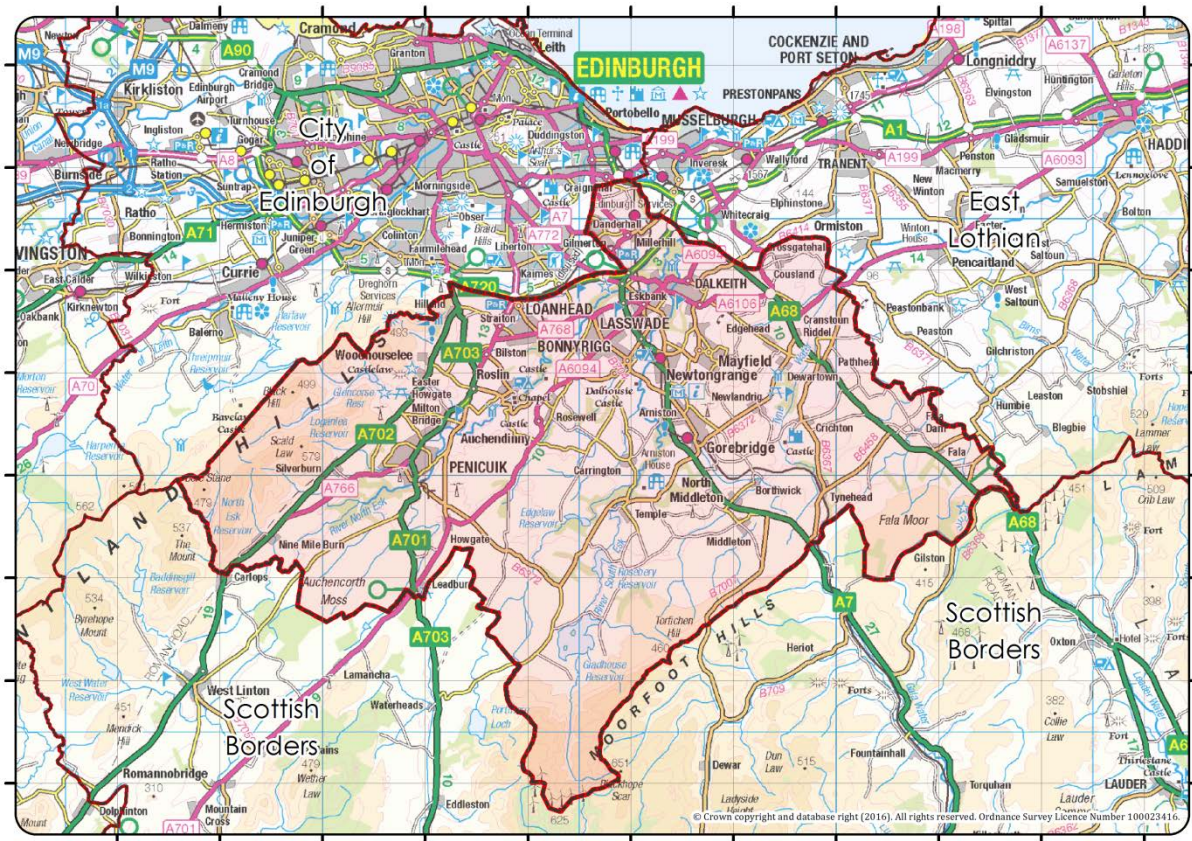
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Introduction

The Midlothian Council administrative area extends to some 355 square kilometres lying adjacent to the southern boundary of Edinburgh. Its population of 88,610 (2016) is located in the main towns in the northern part, Dalkeith, Loanhead, Bonnyrigg, Mayfield/Easthouses, Newtongrange and Gorebridge, together with Penicuik in the south west part of the area. The southern part of the district is predominately upland countryside. Planning issues are therefore both urban and rural in nature, and also include matters relating to the substantial heritage and natural resources of the district. Particular challenges are accommodating the strategic housing requirements in a way that retains the identity of communities and ensures that the consequential infrastructure requirements of developments are adequately met.

Midlothian Council comprises 18 Members, all of whom sit on the Planning Committee. The Local Review Body comprises 10 Members. Both the Committee and the LRB meet every six weeks. There is a Cabinet Spokesperson for Communities and Economy, who is also Chair of the Planning Committee. The Council's planning function is part of the Communities and Economy Service. This Service also includes the functions of building standards, environmental health, economic development, trading standards, community and neighbourhood planning, and performance. The Communities and Economy Service forms part of the Council's Education Communities and Economy Directorate, which also comprises Education Services and Children's Services.

Map of Midlothian



Executive Summary

In 2016/17, Midlothian Council's Planning Service continued to make good progress across the range of its statutory and additional activities. Its development plan remains relevant and effective; and the emerging replacement development plan documents have advanced significantly. This has enabled the Council to provide a strong planning policy context to promoting economic development, supporting communities and providing essential infrastructure. It has also secured a continuous five-year land supply for housing in Midlothian.

The replacement to the Midlothian Local Plan (2008) will be the Midlothian Local Development Plan (MLDP). The proposed plan submission was made on 9 September 2016. The Reporter was appointed on 10 October 2016 and the formal examination of the plan commenced on 7 November 2016. The Reporter set a 9 month target date of 9 July 2017 to consider unresolved representations and submit the report of examination to the Council.

This strong development plan position has been a factor in the continued confidence of the house building industry in Midlothian. A steady and adequate supply of effective housing land comprising of range of sites of varying size across a wide geographical area, an open approach to the conduct of pre-application discussions, effective handling of planning applications, and certainty of the nature and extent of contributions being sought by the Council from developers, all contribute to that climate of confidence, as evidenced by the strong house building completion rates in Midlothian. On that latter factor of developer contributions, the Planning Service continues to take a pragmatic approach so as to facilitate development through an approach that recognises the constraints of the economic viability of sites and developers' cash flow.

In addition to maintaining good performance in the time taken to handle planning applications, the planning service has continued to offer a high quality of customer service through its long-established and very well used duty officer service, encouragement of informative pre-application discussion, naming of a single point of contact case officer for applications, and co-ordination by those case officers of other related disciplines such as transport and landscape. All of this is supported on a fully functional website providing comprehensive information on all planning applications; as well as a new online development planning portal.

Accordingly, the planning service is a fully effective contributor to the Council's key priorities most particularly that of promoting economic development/business support linking closely with Midlothian's strategy, 'Ambitious Midlothian'.

Whilst pressure on the availability of resources remains a continuing part of the overall corporate context, the Midlothian planning service remains sufficiently robust and focussed to meet such challenges and to deliver an effective planning service which meets the requirements and expectations of the communities and businesses of Midlothian, developers, potential inward investors, partners and other stakeholders.

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Part 1: Defining and Measuring a High-Quality Planning Service

Quality of outcomes

House Building

The development strategy of the Midlothian Local Plan (2008) and the Proposed Midlothian Local Development Plan continue to support the Council's ambition to meet its housing requirements. The supportive approach to house building and the upturn in the economy, which has continued throughout 2016/17, is reflected in the number of major housing sites under construction, for example:

- Phase 1 of Shawfair (approximately 100 units)
- Ashgrove, Loanhead (approximately 300 units);
- Phase 1 Seafield Road, Bilston (approximately 300 units);
- Penicuik Road, Roslin (approximately 60 units);
- Osewell Mains, Rosewell (approximately 250 units);
- Rosewell North, Rosewell (approximately 60 units);
- Vogrie Road, Gorebridge (approximately 90 units);
- North Gorebridge (approximately 550 units);
- Stobhill/Mossend, Gorebridge (approximately 250 units);
- Hopefield Farm, Bonnyrigg (approximately 1,300 units);
- Wester Cowden, Dalkeith (approximately 1,100 units),
- Kippielaw, Dalkeith (approximately 200 units),
- Thornybank, Dalkeith (approximately 100 units), and
- Cockpen Farm, Newtongrange (approximately 150 units)

These sites and others are continuing to produce new homes at a steady rate of completions. In total, 658 units were built in 2016/17. Housing delivery progress is mapped in the Council's Housing Land Audit 2016.

Dalkeith Town Centre Regeneration Project

The Dalkeith Town Centre Regeneration Project, which incorporates the now finished Dalkeith Townscape Heritage Initiative Scheme (THI) and Conservation Area Regeneration Scheme (CARS), was a finalist in the 2017 RTPI Awards for Planning Excellence in the Excellence in Built Heritage category. It has also been shortlisted for the 2017 Scottish Government SAQP awards in the Place category. The restoration of the Dalkeith Corn Exchange as a multi-function building has also been shortlisted in the Partnership category of the 2017 Scottish Government SAQP awards.

The excellent restoration of the Corn Exchange has also been acknowledged through the following award and short listings for awards:

Dalkeith Corn Exchange - Awards Won

1. BUILD Architecture Awards 2017, Best Historic Conservation Programme 2017

Dalkeith Corn Exchange Award Short Listings

2. Civic Trust Awards, AABC Conservation category - Commendation March 2017
3. RICS Awards 2017 – Building Conservation Award
4. Scottish Property Awards 2017; Community Development Project of the Year –

Nominee – March 2017

5. British Council of Offices Awards 2017

6. Edinburgh Architectural Association; Regeneration & Conservation Award – April 2017

The Corn Exchange is now open as offices for Melville Housing Association, private rented offices and Dalkeith Museum. Melville Housing Association's board room is also available as a community meeting space that can be booked for use by the community.

As reported in the 2015/2016 PPF the five years Dalkeith THI CARS was due to complete in 2014 but was extended to 2015 after obtaining additional funding from Dalkeith Business Renewal and Historic Environment Scotland. Additionally, and as part of the legacy for the THI/CARS initiatives, in 2016 a public realm improvement scheme and restoration and relocation of a cast iron Victorian drinking fountain, the Dalkeith Burns monument, was undertaken. The work included provision of yorkstone paving, new benches, interpretative panels highlighting walking tours in the town and the history of Dalkeith, planting and a restored design around the original hanging stone upon which the last hanging in Dalkeith took place in 1827. The pavement has been widened to incorporate the site of the hanging stone, which had previously been located within in an adjacent public parking bay.

The works were undertaken by funding from Dalkeith Business Renewal, town centre improvement developer contributions obtained from new housing in Dalkeith and a grant from Entrust. The below images show this work. The restored monument was unveiled on Burns night, 25 January 2017, by a former local resident who was a strong supporter of the restoration of the monument. He was assisted in the unveiling by his two sons.



The restored Burns Monument: East High Street, Dalkeith



The unveiling of the Burns monument on 25 January 2017.



The refurbished hanging stone now part of the pavement on East High Street, Dalkeith near to the restored Burns monument.

Gorebridge Conservation Regeneration Scheme

A conservation regeneration scheme (CARS) is successfully assisting with the regeneration of Gorebridge town centre. The Gorebridge CARS commenced in April 2013 and runs until 31 March 2018. This is a partnership between Historic Environment Scotland, Gorebridge Community Development Trust and Midlothian Council. The scheme has reached the end of its fourth year and all the building grant funds that were in the original action plan have been committed.

The Gorebridge CARS project to date has delivered:

- grant aided repair and restoration of 20 properties and shop fronts, including one priority project, Newbyres Hall at Hunter Square;
- the establishment of a childrens nursery business in the refurbished Newbyres Hall;
- a training programme in traditional building skills, over three phases, for 30 trainees;
- school courses for 24 students;
- home owner seminars on accessing grants and information on historic building repair and maintenance for 30 people;
- 10 community engagement projects;
- 8 volunteers participating through the project;
- 5 newsletters created to update and inform people on the project and
- 10 information leaflets and booklets to update and inform people on the project.

The Gorebridge CARS project is delivering its identified key projects and buildings. The project highlights successful close partnership working is an important focus for the planning service to realise shared aims and objectives. This has enable it and partners to be able to tap into a variety of funding streams. Through the CARS project the Council is working with the Gorebridge Development Trust and Edinburgh College to deliver the required community engagement and training programmes. This has included trying to encourage a greater understanding of the history of Gorebridge through a range of initiatives, and providing opportunities for development of traditional building skills.

There are now a number of community engagement projects up and running in Gorebridge; the local history archive project, the heritage trail project, Borders Railways history and heritage project and working with Edinburgh School of Architecture students on a number of initiatives. A play has been set up through the CARS project about a Gorebridge lady, Annie Swann, an important journalist, writer and novelist of whom now few people know about. Local school children and residents have parts in the play and it is helping to spread the news of this once very famous and important person.

The appointment of an archivist for 2.5 days a week through a grant from the Coalfields Regeneration Fund has enabled the local history archive to be collated and digitised and made available together with some local films and recordings. This will assist with the heritage trail and it is hoped that a local heritage centre will be established in Gorebridge to house the local collection. Volunteers are being recruited to assist with the projects.

The appointment of a Gorebridge CARS support officer from the CARS budget is now assisting with the development of other heritage projects, the repair/consolidation and interpretation of Newbyres Castle, investigating the possibility of making the Gorebridge Gun Powder works more accessible and understandable. The support officer has been successful in obtaining a Climate Challenge Fund grant which will have heritage related themes and a Heritage Lottery World War One Project.

As a continuation, and building on the success of the Gorebridge CARS scheme, the Council's Planning team submitted an application to the Scottish Government's Borders Railway Blueprint fund for over £1 million of funding to help match fund a £2.5 million project called "Gorebridge Connected" which comprises three components:

- Hunter Square Heritage Enhancement Scheme;
- redevelopment of the former Gorebridge Railway Station House into the "Railway Café and Gallery"; and
- the Link project – a heritage and signage project connecting Hunter Square and

Gorebridge train station with each other, with other parts of Gorebridge, and surrounding countryside and communities.

A final decision is still expected on this funding opportunity. Midlothian Council is the applicant but is working in partnership with the Gorebridge Community Development Trust on Gorebridge Connected. Details of the three components of Gorebridge Connected are listed below:

Hunter Square Heritage Enhancement Scheme

The purpose of this component is to create a more welcoming approach to Gorebridge town centre and user friendly public space.

Gorebridge Railway Café and Gallery

This involves the restoration of the former Gorebridge train station into a Railway Cafe and Gallery that will provide a cafe, shop and gallery/public exhibition space on the ground floor and rentable office space on the upper floor. The project will have a community focus providing employment (4 or 5 FTE jobs), training and volunteering opportunities. It will focus on selling and using where possible local products. The upstairs office space will be let at a rate set by the Community Development Trust to help subsidise the operation of the Railway Cafe and Gallery. Part of the project's aim is for Gorebridge to become a cycling hub on the Borders Railway line. As such cycle hire and repair will be available at the Railway cafe and Gallery. This will also provide employment, training and volunteering opportunities.

The Link Project

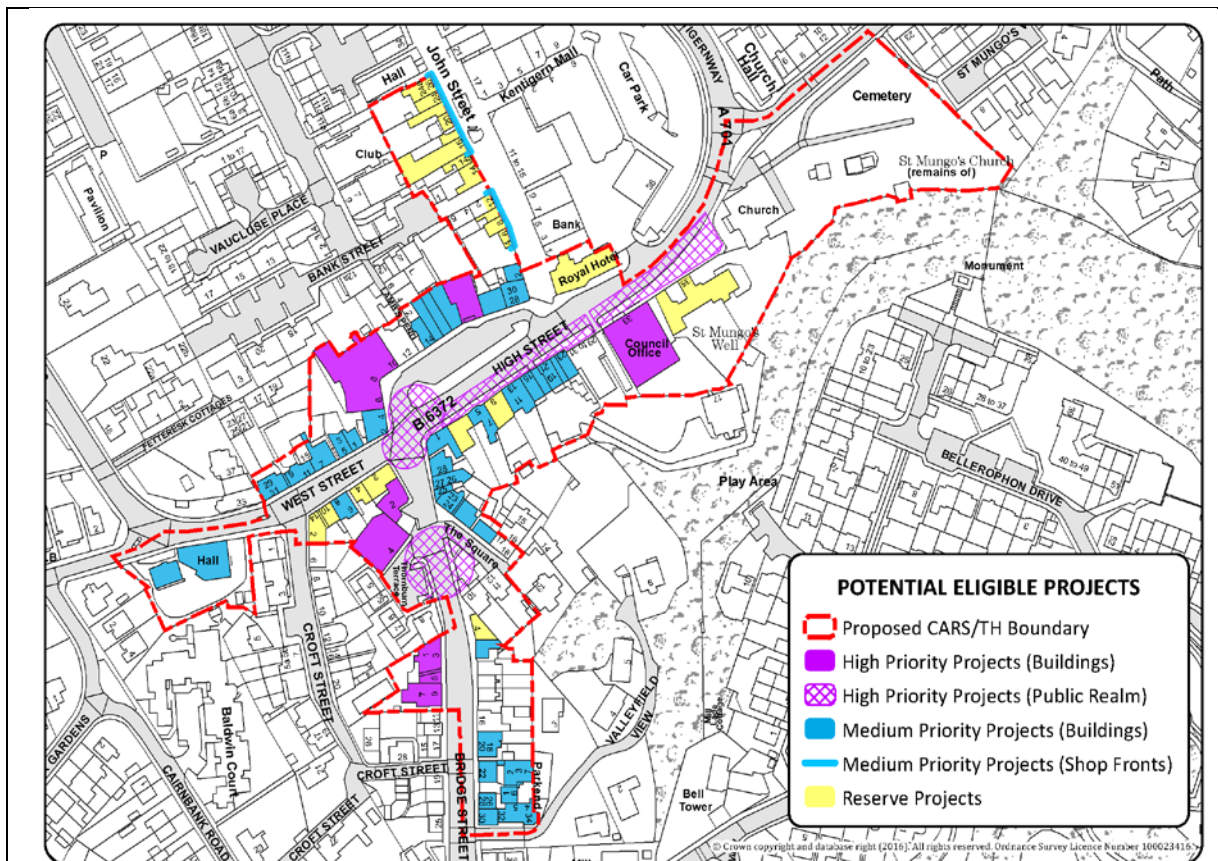
This is aimed at bringing people into Gorebridge and the local area by promoting the attractions and increasing the connectivity between the town centre and the train station. Also really importantly it seeks to better integrate socially and economically the large scale new housing occurring in the town within the existing settlement and community.

Penicuik Heritage Regeneration Project

The Council's Planning team submitted a successful stage 1 application to the Heritage Lottery Fund for £1.8 million funding for a Townscape Heritage (TH) project in Penicuik town centre. This is part of a Penicuik Heritage Regeneration project being co-ordinated by the Council's Planning team. If the stage 2 application to the Heritage Lottery Fund is successful Historic Environment Scotland will support the project with £725,000 for a Conservation Area Regeneration Scheme (CARS). An application to round 7 of their CARS programme was submitted concurrently with an application to the Heritage Lottery Fund for TH funding.

The Council's Planning team has worked very closely with local community groups and the Penicuik BIDs (Business Improvement District) to make the applications to the Heritage Lottery Fund and Historic Environment Scotland. The expected total size of the TH and CARS Penicuik Heritage Regeneration project is approximately £3.5 million.

The development phase for Stage 2 of the TH funding is ongoing and the stage 2 application will be submitted to the Heritage Lottery Fund in early 2018.



SNH Green Networks

The Council's Planning team has been working with Scottish Natural Heritage to produce draft supplementary guidance on Green Networks. The draft supplementary guidance is being produced to coincide with the adoption of the Local Development Plan. The purpose of the guidance is to identify a green network in Midlothian and set out where its existing, planned and aspirational components are to be found. The document will set out the green infrastructure and active travel requirements from new developments allocated in the Local Development Plan, both within and outside of the boundaries of the development site.

Town Centre Health Checks.

Since 2010 the Council has undertaken pilot Town Centre Health Checks across three town centres in Midlothian – Dalkeith, Bonnyrigg and Penicuik. Scottish Planning Policy highlights the importance of monitoring the vitality and viability of our town centres. Town Centre Health Checks can be used to gauge the need and scope for change, with a view to developing a town centre strategy in conjunction with the MLDP. In 2014 it was agreed that biannual health checks should be undertaken. During the second half of 2016 seven town centres will be assessed. These will be Mayfield, Gorebridge, Newtongrange, Dalkeith, Bonnyrigg, Penicuik and Loanhead.

High Quality Development on the Ground

Design Improvements

Officers dealing with planning applications have a track record of working with applicants and agents to ensure the best possible standard of development on the ground. The team's culture is to encourage pre-application engagement and to proactively seek to resolve design challenges as part of pre-application discussions and, where possible, as part of the formal application process. This approach is taken regardless of the scale of project.

Placemaking takes a prominent role in the Planning Authority's approach to development in Midlothian. A Quality of Place working group has been established and tasked with delivering supplementary guidance to support the local development plan and to progress the Placemaking agenda.

Case study – Fala Wood Cottage, Fala Dam

The Planning team is generally supportive of adventurous and innovative developments but encourages pre-application engagement in order to ensure all relevant issues are known about and addressed.

The Planning Authority received a planning application for a large contemporary side extension at Fala Wood Cottage in 2013 without first being engaged in pre-application discussions. This application was subject to an objection from a statutory consultee. In order to address the objection the scheme required a fundamental redesign, with the application being withdrawn. The Planning Authority encouraged the applicant to seek pre-application advice prior to submitting a further planning application. At pre-application stage the Planning Authority was able to resolve the statutory objection and ensure a high quality design without adversely impacting on a sensitive landscape.



Case study – 31 Polton Street, Bonnyrigg town centre

The Planning team is keen to engage and provide planning advice to all developers at as early stage as possible, this includes with other sections within the Council. One such area is in relation to the Council's programme of building new phases of social housing, where the Council is the developer. The Planning Authority met with the developer's architects prior to the submission of a planning application for 18 flatted dwellings at a town centre site. At this stage clear guidance was provided regarding the suggested form of the development. These comments were taken in to account by the applicant. During the processing of the subsequent application the Planning Authority requested some detailed amendments to the scheme. These requests significantly improved the appearance and levels of amenity of the development. The resulting scheme is distinctive but respectful of the character and appearance of the town centre and provides significant environmental improvements to the area. In addition, the development provides a safe and pleasant environment and offers clear social benefits to the wider community of Bonnyrigg. While it is still at an early stage, the Planning Authority is currently engaged in pre-application discussions with colleagues on phase 3 of the Council's programme of building social housing.



Case study – Connectivity within Bilston

When considering development proposals, in particular residential schemes, the Planning Authority gives serious consideration to their integration and connectivity to the existing and established urban fabric. The Planning Authority seeks to ensure that new developments are easy to move around and beyond and that the needs of people are considered before that of cars. With these principles at the core when assessing the planning application for a large residential scheme in Bilston the Planning Authority required good connectivity within the new estate and to existing and proposed facilities and amenities outwith. Within the site an existing right of way was diverted during construction work and realigned once it had ceased; and, pedestrian and cycleway paths (3metres wide) were provided to key points, taking in to account desire lines. The internal connections were linked to proposed pedestrian crossing points and a new bridge across a burn, all secured through planning obligations, in order to provide safe routes to a new primary school, existing shops and bus stops. These measures were utilised in order to encourage sustainable travel.



Quality of service and engagement

Strategic Planning (SESplan)

Midlothian forms part of the Edinburgh City Region strategic planning area comprising City of Edinburgh, West Lothian, Midlothian, East Lothian, Scottish Borders Councils and the southern part of Fife Council. In this performance year work has focused on the publication of the second Proposed Strategic Development Plan (SDP), summarising representations made and preparation to submit plan to Ministers for examination of unresolved issues.

In conjunction with the SESplan core team the Planning Service was actively involved in co-ordinating and promoting a public consultation exercise in Midlothian for the Proposed SDP2 involving:

- raising awareness - notification of all interested parties listed on Midlothian's development plan consultation database (by email and letter);
- distributing copies of the proposed plan to Community Councils and local libraries;
- co-ordinating press releases and general PR activities in connection with the plan working jointly with the Council's Communications team and the SESplan core team;
- organising a daytime drop-in event and evening presentation including a question and answer session (Q&A) in October 2016. Officers helped facilitate the drop-in event and were on hand to provide a local point of contact, knowledge of Midlothian issues and advice on the likely outcomes and impacts of the development strategy and policy framework identified in the proposed SDP2. The event was well attended throughout the day and in respect of the evening Q&A session the SESplan team was once again pleasantly surprised by how well informed the audience members were on a range of planning issues and at the general quality of the questions and discussion.

In terms of progressing SDP2 the Planning service supported the SESplan core team by:

- providing feedback and responses to initial representations and summaries of issues affecting Midlothian;
- leading a review of and updating the SESplan Minerals Technical Note in response to representations made by the Scottish Government; and
- working with SESplan partners and core team to reach agreement on the SESplan response to representations. It was a useful collaboration and knowledge transfer which helped inform and shape the preparation of the schedule 4s for the unresolved issues.

Ongoing participation in the SESplan Cross Boundary Transport Working Group which concluded in March 2017 with a presentation of the draft cross boundary transport appraisal by Transport Scotland and their lead consultants CH2M Hill. The Council's planning and transport services have actively participated in this group since its inception and supported the SESplan core team by providing commentary and suggested amendments as part of a co-ordinated SESplan response to Transport Scotland. Involvement in the group has allowed the Planning service to progress, in tandem with the study, appropriate transport interventions through the emerging Midlothian LDP. The conclusion of the study will kick start work on a planning obligations framework in order to deliver and mitigate the impact of planned growth across the SESplan area up to 2038. The Council fully anticipate participating in this process.

The Council is a partner in the proposed City Deal bid for the Edinburgh and South East Scotland City Region. The Planning service has been actively involved in the infrastructure work stream of the project seeking to secure funding and delivery of essential new road infrastructure to deliver the MLDP development strategy. The bid continues to progress but was delayed due to local Council elections in May 2017 and the General Election in June 2017. However, it remains a significant opportunity to address and or remove known physical constraints to planned growth across SESplan and specifically in Midlothian.

The second Proposed SDP2 was approved by the Joint Committee for submission to Ministers on 26 June 2017.

Proposed Midlothian Local Development Plan (MLDP)

The focus for this year has been on the submission of the proposed plan to Scottish Ministers and participating in the examination of unresolved issues relating to the plan.

The Directorate of Planning and Environmental Appeals (DPEA) issued the Report of Examination to the Council on 5 July 2017. This was slightly earlier than originally indicated (10 July 2017) but within the prescribed timescale for reporting. The process involved just one Hearing on housing land supply and eleven Further Information Requests on a number of topics, particularly the proposed A701 relief road and A702 link, infrastructure & facilities capacity and the impact of the proposed National Film Studio at Straiton.

The Council will consider the Reporter's recommendations following the summer recess and subject to the outcome of this meeting anticipate progressing to adoption of the plan by the end of this year. Parallel work to review the Environmental Report (if necessary) and the updating the Action Programme will be progressed in line with regulations.

Work has also focused on a programme of Supplementary and Planning Guidance (13 and 7 documents respectively). Preparation is ongoing and the Council anticipates finalising preparation in line with the Modified plan and published in conjunction with and/or as close to the adoption of the MLDP.

Development Plan Scheme 9 has been prepared at a time when the replacement Proposed Strategic Development Plan (2) for South East Scotland has been submitted to Ministers and the report of examination into unresolved issues regarding the Proposed Midlothian Local Development Plan has been published. Subject to the recommendations of the report being accepted the Council propose to start early engagement on the replacement LDP in 2018.

The importance of an up-to-date development plan in providing certainty and predictability for developers and investors is recognised by the Council; during 2016/17, the Council continued to prioritise its contribution towards achieving the submission of a replacement Strategic Development Plan for South East Scotland, SESplan, whilst also working to ensure the examination into the proposed MLDP ran smoothly and concluded on or before schedule.

The Council is taking a pragmatic approach to bringing development sites forward within the development planning context. Where circumstances permit, sites are being considered for early release in advance of MLDP adoption and pre-application discussions are in progress with a view to development taking place early in the development plan period. Over 40% flexibility is being built into the housing land supply for the Proposed Plan plus a substantial amount of land is being identified with longer term development potential; both should provide assurance to developers and investors as regards the case for infrastructure investment.

Planning Obligations

2016/17 has seen an increase in Planning Obligation completions compared to previous years (10 in 2016/17 compared to 9 in 2015/16) and has facilitated the granting of planning permission for an anticipated 900 dwellinghouses. The obligations concluded in 2016/17 secure infrastructure investment of £11,786.912.

The provision of affordable housing is an important priority for the Council. An estimated 200 affordable homes have been secured by the completion of Planning Obligations on market housing developments. In addition to these units the Planning services has secured commuted sums to reinvest in its own Council housing build programme.

Further progress has been made in 2016/17 in relation to proactively monitor Planning Obligations. The Council has an established approach to proactively issuing invoices for due contributions, a new Compliance Officer post has been created and filled to undertake monitoring of obligations and Midlothian and West Lothian Councils are working in partnership to procure a Planning Obligations database system to assist with the management and monitoring obligations.

The following case studies highlight some of the good work made with regard Planning Obligations:

Case Study - the provision of pre application guidance with regard Planning Obligations

The Proposed Midlothian Development Plan allocates four new sites for residential development in Bonnyrigg (the provision of over 1,000 dwellinghouses) and identifies that these allocations give rise to a requirement for additional education capacity and that in relation to additional primary education capacity all sites will be required to contribute pro rata to the overall provision of that additional capacity.

In Spring 2016 the Council carried out a capacity and financial modelling exercise which identified the "worst cases scenario" vis-a-vis costs and hence contributions per dwelling for houses being brought forward on these allocated sites. In summer 2016 the Council was able to provide at pre application stage the anticipated levels of contributions to the developers of one of the sites (Dalhousie Mains, allocated for 300 dwellings).

In late 2016 the developers submitted a detailed planning application for part of the overall allocated site. Given the information provided at pre application stage the Council and the developer were able to agree detailed Heads of Terms for the Planning Obligation within 1 week of the Council's resolution at Planning Committee in February 2017 to be minded to grant planning permission.

Case Study - contributions model for the A701 Relief Road

The Proposed Midlothian Local Development Plan (2014) identifies that a new road, the A701 Relief Road will be delivered through the plan to underpin development in the A701 corridor. Furthermore, developments in the corridor will be required to contribute towards the delivery of the relief road.

The allocated sites in the corridor include housing sites, employment sites, biotech – light industry and offices with the potential also for assembly and leisure and retail uses. By late 2016 a number of major development sites in the corridor were being brought forward at either pre application stage or through formal planning applications. It was therefore necessary for the Council to be able to identify an approach to securing contributions towards the relief road in a proportionate and equitable manner, having regard to the fact that there would be likely to be a variety of different uses being brought forward in the corridor.

Having reviewed Supplementary Guidance prepared by a number of UK Planning Authorities, using trip rates as a basis for an approach appeared to be the logical route to take. In late 2016 external consultants were commissioned to provide the Council with TRICS trip rates for 10 different uses classes. Although detailed evaluation work has still to be undertaken on the proposed relief road,

based on the cost of delivering other new roads in the UK, the cost of the new road at this stage was estimated to be £30 million.

In early 2017 the Council developed a contributions model for the A701 corridor. This was derived from identifying the anticipated likely development scenario in the corridor for each use type. For most uses the TRICS trip rate is per 100sqm, for residential it is per dwelling. Given the strength of the Midlothian housing market it was felt to be realistic that 100% of the allocated residential units would be brought forward. In relation to non residential uses given that the market is less certain in that regard and also given that the totality of a site would not be developable floor space due to roads and landscaping it was considered that 10% of the space of non residential sites was realistic.

A combination of the development scenario resulting in nearly 40,000 anticipated trips and the estimated relief road cost of £30 million meant that an individual trip cost of £739 was identified. In turn this means that the contribution rates for different uses could be identified. So for a residential development with an identified trip rate of 3.659 per dwelling that would give a contribution rate of £2704 per house. For an office development of 4,000sqm, with an office trip rate of 11.51 that would give a contribution of £339,940 for a 4000sqm scheme:

$4,000 \text{ divided by } 100 \text{ (the trip rate is per } 100 \text{ sq m)} = 40$

$40 \times 11.51 \text{ (the office trip rate per } 100 \text{ sq m)} = 460 \text{ being the trips}$

$460 \times £739 \text{ (the per trip cost)} = £339,940$

One of the notable locations for future non residential development in the A701 corridor is at the Midlothian Science Zone (Easter Bush) where there is already a significant biotechnology research presence with further development planned. The Easter Bush Development Board which is composed of key partners at Easter Bush including Midlothian Council, the University of Edinburgh, the Scottish Agricultural College and Moredun Group and tasked with guiding future development at Easter Bush. In May 2017 the Council presented a report to the Easter Bush Development Board which set out the above methodology and the Councils approach to Planning Obligations in the A701 corridor with specific reference to Easter Bush to inform the partners ahead of the submission of new planning applications and ahead of decisions on existing applications with the Council.

This approach provides a basis for the negotiation of Planning Obligations ahead of the adoption of the Midlothian Local Development Plan, to provide clarity and some certainty for developers. It also provides a basis for the preparation of the Supplementary Guidance on Planning Obligations to sit alongside the Local Development Plan.

The Council has identified that it will include review clauses within Planning Obligations so that all schemes are paying a proportionate amount. This will ensure that in the event that additional contributing development is brought forward, and or the final cost of the relief road is lower than anticipated and or that public sector funding becomes available that contributors are not overpaying.

The 'Duty Officer' Service

The planning service operates a 'duty officer' service which comprises a dedicated officer being available to provide planning advice and guidance to members of the public, applicants and agents and other interested parties who visit the Council offices or contact the service by phone or in writing. There is no charge for this service and no prior appointment is required. Each month the Development Management duty service receives over 400 phone calls, an estimated 100 written enquiries and 150 visits to the reception (these statistics do not include the contact made directly to planning application case officers). A corresponding service is available for the Council's Building Standards service. Customers can secure advice from both services in one visit/call. The duty officer service

is advertised on the Council's website.

Furthermore, it is noted that as neighbouring planning authorities ceased or restricted their availability, Midlothian's duty officer service is used by agents operating outwith Midlothian as a 'general planning enquiry service'.

Pre Application Advice

In June 2010 a formal pre application advice service was introduced. This service supplemented the more informal advice given on a daily basis by the 'duty office'. Pre application advice requested in writing is recorded in the Council's back office database and the responses are monitored. This has helped to improve the management of this service and the advice given. A total of 230 formal pre application enquiries were submitted in 2016/17, this compares to 223 submitted in 2015/16, 229 submitted in 2014/15, 189 submitted in 2013/14, 153 submitted in 2012/13, 140 submitted in 2011/12 and 91 submitted in 2010/11.

All pre application advice is recorded in the Council's back office database and the responses are monitored and constitute a performance measure and competency for individual case officers. This has helped to improve the management of this service and the advice given.

15.08% of planning applications submitted in 2016/17 were subject to pre application advice. The relatively low level of pre application advice (when compared to other planning authorities across Scotland) is a reflection of the clarity of local plan policies and established design expectations which developers/agents have incorporated into their proposals without the need for 'formal' pre application advice.

Single Point of Contact

Planning application applicants are allocated a case officer who will be a single point of contact. The same officer will be the point of contact throughout the assessment of a planning application and throughout pre application and post decision discussions. Furthermore, it is a priority to allocate the corresponding case officer to subsequent applications on the same site or adjoining/related sites. The case officer will project manage the application process and coordinate any input from internal and external consultees.

Case Study - Waste Recycling and Energy Recovery Centre at Millerhill, Midlothian

Construction of the Waste Recycling and Energy Recovery Centre (RERC) at Millerhill is underway. The Centre is designed to accept all of the domestic waste from City of Edinburgh Council and from Midlothian Council. The project is a significant new development which will contribute substantially to meeting waste reduction targets set out in the Zero Waste Plan. The plant will receive up to 195,000 tonnes per annum of waste and will treat thermally Solid Recovered Fuel.

The combustion process will generate heat energy in the form of steam. A portion of the steam will be used to generate electricity with the balance exported as heat in the form of either steam or hot water. The proposed development would export enough energy to meet the domestic electricity needs of over 26,000 homes.

Heat generated by the proposed development would be exported by underground insulated pipes direct to local users which could include nearby institutional, commercial and residential developments. Several existing sites offer clear potential to form part of a district heating network including the Royal Infirmary of Edinburgh, the new Anaerobic Digestion (AD) Facility to the north

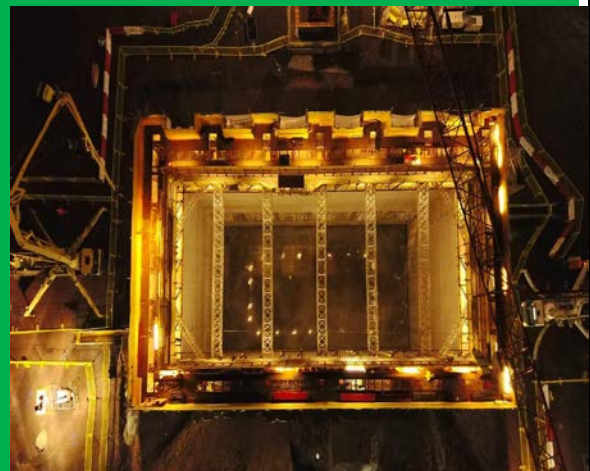
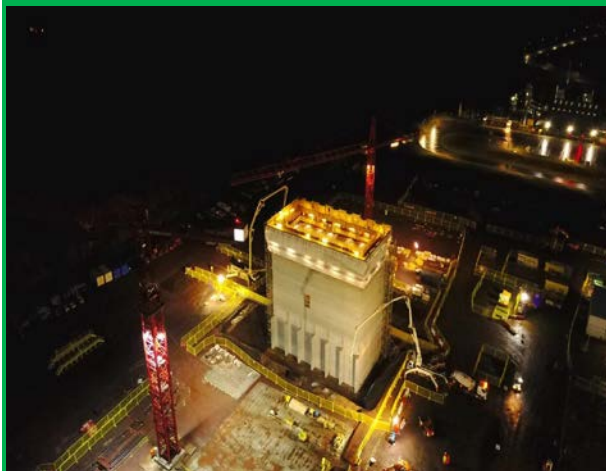
and Queen Margaret University. In addition, there is a number of other developments (existing, proposed or under construction) in the surrounding area and of these, the Shawfair New Community Development (SNCD) (comprising some 5,000 new houses, shops, leisure, community and commercial outlets) offers considerable potential. The applicant for the Recycling and Energy Recovery Centre, FCC Environment, has consulted the Shawfair developers regarding the proposed development and FCC Environmental advise that the Shawfair developers have expressed a strong interest in the use of heat generated by the proposed development.

The overall site was the subject of a granted of planning permission in principle in January 2012 and a detailed planning application for the Recycling and Energy Recovery Centre in 2015. The development is a major joint partnership project between the City of Edinburgh Council and Midlothian Council, delivered through private sector partners, to deliver dedicated facilities for the treatment of the food and residual waste collected in Edinburgh and Midlothian. Overall direction and management of the project is the responsibility of an established project board. It performs within the mandate set by the Strategic Forum (CEOs and lead elected members of the Partner Councils). The Project Board includes a director from each Partner Council plus a nominee from Scottish Futures Trust in a non-voting role. The Project Team contains officers from both Partner Councils and is responsible for the day-to-day running of Zero Waste and the procurement processes for both food and residual waste.

The proposed development was complex and time consuming, however having identified a senior case officer to deal with the planning application, strong working practices and good working relationships were formed to ensure the challenging timescales for this priority project were achieved. This is illustrated by the following from David Molland, FCC Environment's Group Estates and Property Manager:

"The development of the Millerhill RERC and obtaining planning consent has been greatly assisted with the attitude and approach from Midlothian Council and its Case Officer. From the inception of the proposal to approval and post decision changes and addressing the condition discharge submissions, the Authority has acted diligently working with the developer to achieve the outcome required. The excellent relationship with the Case Officer has ensured an efficient and effective resolution to the development with excellent communication between the project team and the Case Officer at all stages.

This process highlights that the Council are open for business to work with developers to achieve good quality development on the ground"



Construction of the Waste Recycling and Energy Recovery Centre at Millerhill is well underway. The photographs above show the construction in February 2017. The large concrete bunker was the first part of the building to be formed and can be seen in the photographs below, which were taken from a drone.

Validation Checklists

The Council has established validation checklists that outline the information required to submit a valid planning application. The requirements vary depending on the type of application and are available on the Council's website. The Council registers a valid application within 1 working day of receipt. Architects and agents have advised that the requirements are proportionate and that it is "easy to submit an application in Midlothian".

Meeting Developers and Landowners

Managers within the planning service hold regular liaison meetings with the major developers and land owners in Midlothian, such as Buccleuch Estates, Taylor Wimpey and Edinburgh University. These liaison meetings are proactively arranged by the Council and are strategic in nature. These liaison meetings are an opportunity for partnership working between developers/landowners and the Council corporately, with the objective of bring sites forward for development. It is worth noting that this partnership working and the Planning Service's flexible approach to development enabled the major developers and land owners in Midlothian to progress development projects throughout the economic down turn.

Individual planning case officers meet applicants and agents to discuss proposals at pre application and application stages as required or requested. Officers are also easily accessible via direct phone numbers and email addresses.

Governance

Planning Team Structure

Midlothian's Planning service comprises the statutory town and country planning functions of the Council, primarily the preparation of strategic and local development plans, planning policy and guidance, environmental schemes and policy, the determination of planning applications, the handling of planning appeals, and the enforcement of planning control. It also comprises officers who provide a Council-wide service of supplying demographic/land use information, and geographic information system (GIS) mapping and graphics.

Those functions until March 2016 had been split into two teams, one dealing with planning applications/appeals/enforcement, and the other with development planning/information/GIS/environment: with each team headed by a manager. Consequent of a management review a new single planning manager post was created in place of the two former manager posts. An appointment to that new post of Planning Manager has been made, with the successful candidate having started on 1 February 2015. This change in management arrangements provided an opportunity to consider the merits of a more integrated and effective planning service.

Following the appointment of a single planning manager the Planning team was been subject to a formal Service Review with the objective to improve service delivery to meet the targets and aspirations set by the Scottish Government's Planning Performance Framework, the Communities and Economy Service Plan and Planning team priorities. A new Planning team structure came into effect from 1 March 2016. This new service structure presented an opportunity to enhance the connectivity between the formulation and conception of policy and the delivery of development on the ground through the planning application process and securing developer contributions. This enhanced opportunity to improve certainty and resilience has been welcomed by the development industry in Midlothian.

The new structure helps deliver a customer focused service with a clear management and team structure which sets clear roles and responsibilities. The structure sets a platform for culture change and introduces flexibility to enable the Planning team to respond to the competing priorities and challenges it faces. As the structure was designed to meet the challenges of today and those of tomorrow it will also ensure future proofing the service against immediate work pressures and those that arise in the medium to long term. However, during the period of transition there was a consequential impact on performance in the short term with the benefits not being reflected in Midlothian's PPF submission until 2016/17 and 2017/18. Throughout 2015/16 and 2016/17 the service carried up to 7 vacant posts (20% of the team) – some of these posts have been filled in 2016/17 with others scheduled for filling in 2017/18.

Some of the key positive changes to the service are as follows:

1. Generic Planning Officer Job Description

One new innovation arising from the restructuring was the introduction of a generic job description for all the Planning Officer posts. Previously policy planning officers, development management planning officers and planning enforcement officers had different job descriptions. The new generic job description enables the alignment of this staff resource to address priorities. It has also provided an opportunity for staff to develop a wider range of planning skills across the Planning Service to the benefit of the resilience of the service.

In addition to the introduction of a generic job description there is a requirement for all Planning Officers to become members of the Royal Town Planning Institute (RTPI). In support of this requirement the Council is supporting officers in their applications to become Charter Members in terms of allocating time to make a submission to the RTPI, by allocating work tasks to enable officers to gain the relevant experience, providing management and guidance where possible and by funding the cost of the application. Two officers were achieved RTPI Chartered Membership status in 2016 and two further officers are being supported through the application process. The target is to ensure all 11 Planning Officer post holders are Chartered RTPI Members by the end of 2017.

2. Planning Obligations

In parallel to the Planning Service review, the Council's internal Audit Service undertook an Audit "to provide assurance to senior management and the Audit Committee that the Council has adequate controls in place over developer contributions". The Audit Committee recommend that extra resource is committed to effectively monitor developer contributions in particular the receipt of monies from applicants who have been granted planning permission to undertake development subject to making a financial contribution to the Council towards schools, community facilities, affordable housing and infrastructure.

The requirement for developer contributions are secured by the planning process, but the payment of contributions, which are often phased to reflected the evolution of a development, are not proactively monitored and are dependent on applicants making payments as agreed or following a request from the Council in reaction to a particular concern over funds for a school, community facility or infrastructure. In the absence of a programme of proactively monitoring payments there is a risk that contributions are not being collected on time, although in the majority of cases they can ultimately be collected as the Council's position is protected by legal agreement.

In response to the Audit process the Planning team review incorporated a Compliance

Officer into its structure to monitor legal agreements. It is anticipated that the post would be part funded from an imposed monitoring fee incorporated into the legal agreements which secure the developer contributions and in part by the funds secured which otherwise might not have been recovered.

A number of teams across the Council, including Legal and Finance, are integral to the developer contribution process, but it is the Planning Service that takes the lead in securing the payments and as such it is appropriate that the monitoring is undertaken from within the Planning team. The Planning Obligations Officer post was transferred into the Planning team as part of the Management review in 2014 and it is appropriate that the Compliance Officer post reports to the Lead Officer: Planning Obligations in the new structure. This structure was the census of collaborative working with all those internal parties/services involved in the legal agreement/developer contributions process.

To assist in the reduction of legacy cases and reduce the time delays in concluding Planning Obligations the Planning Committee at its meeting in January 2017 agreed a number of procedural changes, these changes being:

- applicants are being advised that they risk applications being referred to elected members and potentially refused if an agreement is not concluded within six months from the date of resolution to grant planning permission;
- applicants are encouraged to engage in pre application discussions to reduce the need for amendments during the assessment of the application;
- planning officers are proactively chasing applicants and consultees for additional information; and
- planning officers are not normally agreeing to leave applications undetermined at the request of the applicant.

The potential of refusing an application if a Planning Obligation is not concluded within six months of a resolution to grant planning permission has resulted in applicants being more focused on concluding agreements timeously.

3. Eplanning Officer Post

In addition to the staff complement included in the service review, an Eplanning Officer post sits within the Planning team; integral to its delivery of services in terms of maintaining and developing its back office and public interfacing eplanning services. This post is a recognised specialist post managed by the Planning Manager, but was identified as being within the Council's Integrated Support Services (ISS). However as part of a parallel ISS review process it was concluded, in liaison with the Planning Manager, that the post should be within the Planning team. This not only clarified the line management arrangements for the relevant member of staff, it provided a resource commitment to an increasingly important component of the Planning Service and demonstrated that cross directorate services (Planning and ISS) worked together for the betterment of the customer experience.

Corporately, the Planning team forms part of the Council's Communities and Economy Service which also encompasses Economic Development, Environmental Health, Trading Standards, Communities and Performance and Building Standards. Regular Communities and Economy management meetings ensure service wide challenges and successes are shared.

4. Planning GIS Technician

The old structure included a separate Planning Technician and a GIS Technician, both posts requiring a comparable skill set but with different work tasks. The new structure saw

the introduction of a single job description and job title for these two posts. The increasing use and dependency on GIS in the planning system means that the resilience of the service needed to be improved in this regard. A single Planning GIS Technician job description enables both post holders to develop a wider GIS skill set. The expectation is that with the necessary training, support and management the two post holders will be mutually supportive in terms of their work tasks.

5. Trainee Planning Officer

The new structure includes a proposed Trainee Planning Officer post which is targeted at recently qualified applicants, applicants on a year out between their graduate and post graduate planning degrees or an applicant who aspires to gain a planning qualification through distance learning (supported by the Council). Post holders will undertake a variety of project work which would not otherwise be undertaken because of resource constraints. The projects will be designed to add long term value and quality to the service. Post holders will also gain a wide variety of experience from across the service and provide a potential source of recruitment if a Planning Officer post becomes available. The succession planning opportunity the Trainee Planning Officer post presents creates a chance to provide a positive destination for a young person from Midlothian in line with the Council's corporate priorities.

The Service Review and resultant new structure was implemented following consultation with the Planning staff and other internal partners within the Council, such as legal services, financial services, Economic Development and Road Services. The Planning teams comments included:

- There was a unanimous consensus that the proposed structure was 'logical' and 'common sense' and that the overall balance of the team, the number of sections and the distribution of posts was 'about right';
- There was a recognition that increased flexibility and resilience was required and the proposed structure would help deliver this in part. It is understood that the implementation of the new structure is equally important to meet the demands on the service;
- Staff positively agreed that there should be a single Planning team to deliver a single Planning Service;
- There was a consensus that line management arrangements and roles and responsibilities were clearer; and
- A number of officers welcomed the opportunity to increase the variety of work tasks which they could undertake as a result of the proposed structure and the underlying principles of flexibility and one team ethic.

In addition to consulting with staff and internal partners the Planning Manager discussed the future of the planning service with external stakeholders including national house builders, Community Council's and key government agencies. This feedback helped to clarify customer expectations.

As well as setting a new structure, a new culture and ways of working the Service Review clearly defined the team priorities – linking the priorities to the structure and recognising the aspirations of the services stakeholders. The priorities are referenced in the structure chart.

Management of the Planning Service

'Day to day' priorities will be set by the Planning Manager and the Lead Officers with the Planning Manager focusing on strategic matters whilst the Lead Officers focusing on

operational matters.

For the Planning service to function effectively, horizontal working is required across the team. Officers will be expected to contribute towards cross section working and to be flexible in their work tasks. For example, officers from outwith the Development Plans section will be required to support and contribute towards the progress to adoption of the MLDP; and officers in the Conservation and Environment section will be required to determine and assess a number of planning applications.

Management Meetings

The Planning Manager and the five Lead Officers meet weekly; to discuss issues which affect the whole Planning service, make strategic decisions, improve knowledge and understanding across the team and to facilitate closer working between the different sections. This leadership group will take the lead in promoting a culture of collective ownership, seeking to improve quality of service and understanding to the benefit of the customer and the environment.

In addition to officer meetings the Planning Manager meets frequently with the Chair of the Planning Committee, the Local Review Body and Planning spokesperson to provide briefings and updates on strategic planning applications, ongoing developments, development plan updates and changes to procedures/regulations.

Team Meetings

The Planning team meet quarterly. Additional team meetings are called to discuss issues that arise which affect the Planning team i.e. separate events are held to discuss and give feedback on training.

Project Groups

Project groups will be established to discuss specific work tasks – the membership of these project groups and the frequency of the meetings will be defined and chaired by the Planning Manager or a Lead Officer. Some project groups will be long standing whilst others will only operate during the life of a particular project. Membership of the project groups can come from across the different sections in the team and from outwith the Planning Service. Examples of project groups include:

- a) MLDP Progress to Adoption Project Group;
- b) Developer Contributions Project Group;
- c) Improving Design Project Group; and
- d) Improving the Customer Experience Project Group

1-2-1 Meetings/Caseload Reviews

Each officer will receive a minimum of a fortnightly 1-2-1 with their line manager (as shown in the team structure) to review their cases and work tasks. Where possible both case officers and supervising officers will manage their work to maximise these 1-2-1 sessions. The 1-2-1 meeting is to ensure officers have the support and guidance they require, but also for the line manager to undertake their performance management responsibilities ensuring individual targets are met.

The outcomes of the Service Review demonstrate that:

- Staff resource has been aligned to address priorities (i.e. as set out in the structure chart);

- The new structure introduced innovative working (i.e. generic job descriptions for planning officers and introduction of a trainee planning officer role);
- There was collaboration between management and staff and with other partners (i.e. consultation on the Planning Service Review)
- The Council is committed to training and developing its staff (i.e. support officers in securing RTPi membership);
- The Planning team is focussed on delivering efficient services (i.e. reducing risk by ensuring staff are mutually supportive in terms of their work tasks - Planning GIS Technician) ; and

Listening to stakeholders (i.e. consulting on the future of the Planning Service and responding to an Audit on developer contributions).

Decision Making

The Council has:

- 1) An adopted scheme of delegation for the determination of planning applications, which is publically available on the Council's website;
- 2) An established Local Review Body (LRB) with adopted procedures; and
- 3) Set Planning Committee procedures.

The Council publishes a diary of scheduled Planning Committee and LRB meetings on its website.

Accountability

On a Council-wide basis, governance arrangements are firmly established which relate Council and Community Planning Partnership priorities (as articulated in the Single Outcome Agreement/Single Midlothian Plan) to corporate finance and budget planning. These arrangements include the Performance Review and Scrutiny Committee, the Audit Committee and Cabinet. The Council's performance management framework is set out elsewhere in this PPF submission (*Culture of continuous improvement*); performance against key outcomes is reported at various levels from the community planning and corporate level, scrutinised by Elected Members, down to the individual through the Midlothian Excellency Framework (Making Performance Matter).

Culture of Continuous Improvement

Performance Markers

In response to the Planning Performance feedback for 2015/16 the following is the updated position which demonstrates continuous improvement against the set performance markers:

No.	Performance Marker	RAG rating 2015/16	Comment	RAG Rating 2016/17
1	Decision making	Amber	The planning application decision making times have improved for major developments, local developments (non-householder) and householder developments when compared to 2015/16. The performance is above the national average.	Green
2	Processing agreements	Red	Since the 2015/16 PPF Midlothian has; invited applicants of all major applications to agree to a processing agreement as part of its pre application discussions and has made a template agreement available on its website for applicants.	Green
3	Early collaboration	Green	<p>The high level of service with regard early collaboration has been maintained since 2015/16. Applicants are encouraged to engage with the Council at the pre application stage using its pre application service which provides a detailed written response to enquiries. In addition the Planning service operates a duty planning service which provides opportunities for informal discussions as part of the Council's customer service.</p> <p>Furthermore the Council is engaged in discussions with consultees and interested parties as part of its drafting of Supplementary Guidance and Planning Guidance – which contributes to advise given to potential applicants of planning permission.</p>	Green
4	Legal agreements	Red	The performance for concluding legal agreements has improved compared to 2015/16 with regard major developments but slight dropped with regard local developments (because of one application significantly influencing the average).	Amber
5	Enforcement charter	Green	The enforcement Charter was reviewed 13 months ago. The charter will be subject to review in 2017/18 to reflect Council moving to an internal e-enforcement system.	Green
6	Continuous improvement	Amber	<p>SESplan 2 has progressed on schedule. The Proposed Midlothian Local Development Plan progressed to submission to Ministers on 9 September 2016. The Dalkeith and Gorebridge heritage projects are successfully being implemented on time and in budget. Planning application performance for local/householder applications remains high. Vacant posts in the team are being filled.</p> <p>Challenges remain with regard the determination of major planning applications and the conclusion of legal agreements.</p>	Amber

7	Local development plan	Red	The proposed plan submission was made on 9 September 2016. The Reporter was appointed on 10 October 2016 and the formal examination of the plan commenced on 7 November 2016. The Reporter set a 9 month target date of 9 July 2017 to consider unresolved representations and submit the report of examination to the Council. This is significant progress since 2015/16.	Amber
8	Development plan scheme	Red	The SDP programme is on schedule as set out in the DPS No.8 (March 2016) and DPS No.9 (March 2017) and MLDP programme is 9 months off schedule as set out in the DPS No.8 (March 2016) and on schedule as set out in DPS No.9 (March 2017)	Amber
9	Elected members engaged early	N/A		N/A
10	Cross sector stakeholders engaged early	N/A		N/A
11	Regular and proportionate policy advice	Green	Supplementary Planning Guidance has been prepared and is available online. New guidance is being drafted to coincide with the adoption of the MLDP	Green
12	Corporate working across services	Green	The Council's planning function is part of the Communities and Economy Service, which also includes building standards, environmental health, economic development, trading standards, community and neighbourhood planning, and performance – this provides opportunities for joined up services. There are close working relationships between the Planning team and colleagues throughout the Council that contribute to the quality of development secured on the ground. A case officer is named for each application to be the single point of contact from pre-app to post decision discussions, and coordinate any input from internal consultees such as landscape and transport. A case study regarding the Waste Recycling and Energy Recovery Centre (RERC) at Millerhill demonstrates partnership working.	Green
13	Sharing good practice, skills and knowledge	Amber	Share archaeological services with East Lothian. Progressing procurement of a developer contributions database with West Lothian. Active in the HOPS benchmarking group. Active members of the SESplan Board and SESplan Operational Group.	Green
14	Stalled sites/legacy cases	Red	Reduced the number of legacy cases by 22% from 36 to 28. Introduced new procedures to help reduce the number of legacy cases.	Green
15	Developer contributions	Amber	Existing developer contributions Supplementary Guidance (SG) still relevant. Replacement guidance is being drafted to coincide with the adoption of the MLDP. Case studies demonstrate developer contribution discussions are taking place at pre application stage.	Green

Service Improvements

The Planning team has taken steps to meet its Service Improvement objectives as set out in its 2015/16 PPF:

- *Support those Planning Officers who are not Chartered Members of the Royal Town Planning Institute (RTPI) in their applications to become members* - Midlothian is committed to ensure all of its 11 Planning Officers are Chartered Members of the Royal Town Planning Institute (RTPI). 8 Planning Officers are members (the Council supporting 2 successful applications in 2015/16) and the remaining 3 being scheduled to make their applications in November 2017. Officers preparing their submissions have been allocated work tasks to help develop new skills and have had their progress proactively monitored through coaching sessions. The submissions are in an advanced stage of preparation.
- *Establish the Project Groups set out in the Planning Service Review (2015/16)* - The project groups have been set up with clearly defined objective and terms of reference and are designed to deliver pieces of work or process change which will result in a clear improvement in the Planning Service. The outcomes of these project groups will be reported in future PPF submissions.
- *Draft a Local Biodiversity Action Plan (LBAP) for Midlothian* - The Planning Service has made a commitment to raise the profile and importance of biodiversity issues. The LBAP will identify the actions required to deliver against this commitment. A draft LBAP has been prepared and is currently subject to internal consultation and is being used to facilitate discussions with external partners.
- *Reduce the number of legacy planning applications by 10%* - The number of legacy cases has been reduced by 22% from 36 to 28. Furthermore new procedures have been introduced to help keep the number of legacy cases at a low level.
- *Create an easy to use electronic and paper planning library* - The establishment of a library will enable officers to find materials and documents easily and quickly and contribute towards enhanced knowledge and understanding. A paper and electronic library is being collated and continues to be an ongoing activity – this work will continue into 2017/18

Customer Surveys

Since 1 March 2017 the Planning team has been proactively inviting feedback on its service by way of attaching an electronic feedback form to its planning application decision notices. To date all the responses have been positive – each praising the professional service, in particular the ‘duty officer’ service which Midlothian offers. One applicant stated in response to being asked if the service meet their expectations “Better than expected”. Another respondent stated the case officer “has worked with me on various domestic projects in Midlothian and I always found both herself and your Planning Department very helpful at every stage of the process. Being able to discuss various issues immediately by telephone also is a great help, and just wish our very own XXXX Council Planning Department adopted the same system!!” In response we have reaffirmed our commitment to retaining our ‘duty officer’ service and our easy access to case officers.

Part 2: Supporting Evidence

SESplan approved SDP (2013)

<http://www.sesplan.gov.uk/assets/SESplan%20Strategic%20Development%20Plan%20Approved%2027%20June%202013.pdf>

SESplan proposed SDP (October 2016)

<http://www.sesplan.gov.uk/assets/publications/SDP2/Proposed%20Strategic%20Development%20Plan.pdf>

Midlothian Proposed LDP

<http://midlothian-consult.objective.co.uk/portal/planningpolicy/mldp/mldppp>

Development Plan Scheme 9

http://midlothian-consult.objective.co.uk/portal/planningpolicy/development_plan_scheme_no_9

Supplementary Planning Guidance

https://www.midlothian.gov.uk/info/200167/planning_applications/118/planning_guidance/2

Pre-application Advice Service

https://www.midlothian.gov.uk/info/200167/planning_applications/118/planning_guidance

Midlothian's Planning Performance Framework Annual Report 20015/16

https://www.midlothian.gov.uk/downloads/file/1676/planning_performance_framework_annual_report_2015-2016

Housing Land Audit

https://www.midlothian.gov.uk/downloads/download/409/housing_land_audit

Planning Application Checklists

https://www.midlothian.gov.uk/info/200167/planning_applications/61/apply_for_planning_permission/3

Enforcement Charter

https://www.midlothian.gov.uk/downloads/download/82/planning_enforcement_charter

Biodiversity

<https://www.midlothian.gov.uk/info/1231/environment/290/biodiversity/3>

Enforcement Charter

https://www.midlothian.gov.uk/downloads/download/82/planning_enforcement_charter

Local Review Body

https://www.midlothian.gov.uk/info/200167/planning_applications/285/planning_appeals_and_the_local_review_body

RTPI Short listing – Excellence in Planning for Built Heritage

<http://rtpi.org.uk/events/awards/awards-for-planning-excellence/shortlist-2017/>

Civic Trust Awards, AABC Conservation category

<https://www.civictrustawards.org.uk/news/2017-civic-trust-awards-finalists-revealed>

Part 3: Service Improvements for 2017/18

In the coming year we will:

- Continue to support those Planning Officers (3 officers) who are not Chartered Members of the Royal Town Planning Institute (RTPI) in their applications to become members.

In supporting the development of staff and to enhance the quality of the Planning Service, Midlothian Council expects its Planning Officers to be members of the RTPI. This is of particular importance as Planning Officers are expected to make professional planning judgements and defend decisions at appeal.

- Draft Supplementary Guidance with regard 1) Quality of Place; 2) Midlothian Green Network and 3) Developer contributions.

The Proposed Midlothian Local Development plan is at a very advanced stage and is scheduled for adoption in the winter of 2017/18. The plan makes a commitment to prepare the stated guidance to assist in delivering quality development throughout Midlothian.

- Publish a Local Biodiversity Action Plan (LBAP) for Midlothian.

The Planning Service has made a commitment to raise the profile and importance of biodiversity issues. The LBAP will identify the actions required to deliver against this commitment. The LBAP has been drafted in 2016/17 and is current being used as a tool to facilitate consultation and discussion with partners and interested parties. The coming year is important in terms of progressing this work to enable the identified actions to be implemented.

- Reduce the number of legacy planning applications by 5%.

This continues Midlothian's commitment to conclude applications timeously and seeks to build on the success of reducing the number of legacy cases by 22% in 2016/17.

- Establish a Planning Obligations monitoring system with associated procedures.

Midlothian is seeing unprecedented levels of growth in terms of house construction and as a consequence has the fastest growing population in Scotland. This growth is placing a strain on Midlothian's services and infrastructure and as such it is essential for the Council to recover the required developer contributions identified in its development plan to help mitigate the pressures of growth.

Part 4: National Headline Indicators (NHIs)

Key outcomes	2016-2017	2015-2016
Development Planning: <ul style="list-style-type: none"> Age of local development plan (years and months) Age of strategic development plan (years and months) Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? (Y/N) Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? (Y-earlier/Y-later/N) Were development plan scheme engagement/consultation commitments met during the year? (Y/N) 	8 years 3 months 4 years 9 months N/Y* ¹ Y-later* ¹ Y	7 years 3 months 3 years 9 months N/Y* ¹ Y-later* ¹ Y
Effective Land Supply and Delivery of Outputs <ul style="list-style-type: none"> Established housing land supply 5-year effective housing land supply 5-year housing supply target 5-year effective housing land supply Housing approvals Housing completions over the last 5 years Marketable employment land supply Employment land take-up during reporting year 	14,609 units 5,952 units 4,220 units 6.9 years 900 units 3,028 5.5ha* ²	16,010 units 6,733 units 4,114 units 8.2 years 1,493 units 2,809 units 201 ha 0 ha* ²
Development Management Project Planning <ul style="list-style-type: none"> Percentage and number of applications subject to pre-application advice Percentage and number of major applications subject to processing agreement Decision-making <ul style="list-style-type: none"> application approval rate delegation rate 	15.08%/77 0/0* ³ 91.3% 99.3%	16.1%/105 0/0* ³ 90.2% 97.9%
Decision-making timescales Average number of weeks to decision: <ul style="list-style-type: none"> Major developments Local developments (non-householder) Householder developments 	45.2 10.6 6.3	50.4 11.7 6.9
Legacy Cases <ul style="list-style-type: none"> Number cleared during reporting period Number remaining 	10 28	N/A 35

Enforcement <ul style="list-style-type: none"> time since enforcement charter published/reviewed (months) 	13 months	1 month
<p><u>Notes</u></p> <p>^{*1} The current Development Plan Scheme for Midlothian No. 9 (DPSM9) was published in March 2017 but for much of the reporting year the DPSM in force at the time was DPSM8. This identified the submission of the Proposed Midlothian Local Development Plan (MLDP) to Scottish Ministers by June 2016 with an anticipated examination into the unresolved issues over the summer/winter 2016 and adoption in late 2017 (subject to examination concluding on time). The proposed plan submission was made on 9 September 2016. The short delay (9 weeks) was due to internal resource issues and the volume of representations. The Reporter was appointed on 10 October 2016 and the formal examination of the plan commenced on 7 November 2016. The Reporter set a 9 month target date of 9 July 2017 to consider unresolved representations and submit the report of examination to the Council. This is 3 months longer than assumed by the Council in DPSM8. The DPEA confirmed in its latest progress report stated that it remained on track to meet this target. The post examination/adoption stages now reflect the reporting target (DPSM9).</p> <p>^{*2}The construction of the “Energy from Waste” facility at Millerhill Marshalling Yards (alongside the anaerobic digestion plant) accounts for the majority of this year’s land thus presenting a higher than average figure. The take up of land is only one measure of economic performance and belies continued year on year development activity on a number of unallocated sites (not identified in the established land supply) and/or via extensions to existing units and the redevelopment of previously developed sites.</p> <p>^{*3}Six major planning applications were received in 2016/17; the applicants were invited to agree a formal processing agreement but declined.</p>		

Part 5: Official Statistics

A: Decision-making timescales

Category	Total number of decisions 2016-2017	Average timescale (weeks)	
		2016-2017	2015-2016
Major developments	8	45.2	50.4
Local developments (non-householder)			
• Local: less than 2 months	119	7.2	6.8
• Local: more than 2 months	28	25.4	17.8
Householder developments			
• Local: less than 2 months	229	6.3	6.10
• Local: more than 2 months	16	13.5	13.6
Housing developments			
Major	7	81.5	79.6
Local housing developments			
• Local: less than 2 months	31	7.5	7.11
• Local: more than 2 months	11	27.8	21.7
Business and industry			
Major	0	0	0
Local business and industry			
• Local: less than 2 months	4	8.4	7.6
• Local: more than 2 months	0	0	7.8
EIA developments	1	53.8	30.1
Other consents	74	7.6	8.0
Planning/legal agreements			
• Major: average time	5	63.0	106
• Local: average time	4	50.3*	40
• All (to enable comparison)	9	57.3	55.3
Local reviews	16	7.4	10.1

**These figures are artificially high following the determination of one application (13/00676/DPP) which was submitted in 2013. Despite the Council resolving to grant planning permission within 6 months the applicants consistently disputed the proposed contents of the legal agreement which resulted in significant delays in concluding the agreement.*

B: Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2016-2017 No.	%	2015-2016 No.	%
Local reviews	16	3	19%	4	25%
Appeals to Scottish Ministers	5	1	20%	3	60%

C: Enforcement activity

	2016-2017	2015-2016
Cases taken up	178	147
Breaches identified	178	147
Cases resolved	155	139
Notices served***	8	10
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

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

D: Context

The Council submitted its Proposed Midlothian Local Development Plan to Scottish Ministers on 9 September 2016. The submission included the Council's consideration of all of the representations received following publication of the Proposed Plan. Along with the Proposed Plan the Council sent to Scottish Ministers copies of all unresolved objections to the Proposed Plan together with the Council's written responses, these being known as 'Schedule 4' documents. The Scottish Government's Department of Planning and Environmental Appeals (DPEA) appointed a Reporter/s to conduct an Examination in Public into the unresolved objections to the Plan. The DPEA submitted their report of the Examination to the Council on 10 July 2017. The Council is currently considering the recommendations set out on the report.

Although overall performance with regard the time periods for determining planning applications, in particular householder and local developments, has steadily improved over the long term, but has now plateaued at a good level when compared to the previous years. Midlothian faces challenges when determining major applications and in concluding legal agreements to secure developer contributions – this reflects the complex negotiations which are necessary in securing good quality development and significant infrastructure projects which are essential to enable development to take place.

Overall performance (how many applications have been determined within target) continues to be maintained at a high level. In 2016/17 81% of planning applications have been determined within target. This compares to 81% in 2015/16, 82% in 2014/15, 84% in 2013/14, 73% in 2012/13, 70% in 2011/12, 65% in 2010/11 and 55% in 2009/10.

This is a result of effective performance management and a programme of continuous improvement with regard to processes and procedures. The duty officer service, the formal pre application advice service and partnership working continues to help to improve the service and the advice given. The ongoing improvement in the service is reflected on the ground with significant development taking place throughout the district delivering new housing, support for business and new services and infrastructure.

The Local Review Body determined 16 reviews in 2016/17, this is comparable to previous years. Of the 16 reviews 3 (19%) were dismissed and 13 (81%) were upheld. Since the establishment of the Local Review Body in 2009 the number of '*notices of reviews*' determined has been relatively consistent (14 in 2010/11, 19 in 2011/12, 18 in 2012/13, 16 in 2013/14, 16 in 2014/15, 16 in 2015/16 and 16 in 2015/16).

With regard Enforcement activity, 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.

Midlothian is in its latter stages of implementing a Conservation Area Regeneration Scheme (CARS) in Gorebridge and has successfully made a phase 1 bid for a scheme in Penicuik.

Part 6: Workforce

Senior Management	Tier 1	Tier 2	Tier 3	Tier 4
Head of Planning Service			1*	

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

**The Head of Communities and Economy, encompassing Economic Development, Environmental Health, Trading Standards, Communities and Performance in addition to Planning and Building Standards.*

The Planning Team		DM	DP	Enforcement	Other
Managers	No. Posts		1*		
	Vacant				
Main grade posts	No. Posts	8	10.1	3**	
	Vacant	1	2.5	1.2	
Technician	No. Posts	2	0.6		2***
	Vacant				1
Office Support/Clerical	No. Posts	2****	0.93		
	Vacant				
TOTAL		12	12.63	3	2

Please see staff structure under section 2i: Governance – the Planning Service in Midlothian is not split into DM and DP and as such the figures provided are the ‘best fit’ possible.

**Midlothian has a Single Planning Manager, but for the purposes of this return the post is identified in the development plans column.*

***One of the enforcement posts is a Compliance Officer post with the primary responsibility of monitoring planning obligations and housing completions for Housing Audit purposes.*

****These two post comprise an Eplanning Officer responsible for the Planning Services electronic systems, statistical returns and procedure and an unqualified Trainee Planning Officer post.*

*****The Planning team has 2 support staff who are part of a Council wide centralised support service out with the Planning team.*

Age Profile

Staff Age Profile	Number
Under 30	2
30-39	5
40-49	16
50 and over	7
Total Staff Numbers	30*

**2 vacant post not included in the age profile*

Committee Activity

Committee & Site Visits*	Number per year
Full council meetings	N/A
Planning committees	8
Area committees (where relevant)	N/A
Committee site visits	3
LRB**	6 Meetings
LRB site visits	16 sites visited (over 6 separate days)

Notes:

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

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