

Planning Performance Framework Annual Reports for 2012/13 and 2013/14**Report by Head of Communities and Economy****1.0 Purpose of Report**

- 1.1 This report provides an update on the progress of work undertaken on the Planning Performance Framework for Midlothian. Specifically, it summarised the comments of Scottish Government on the Council's submitted Planning Performance Framework (PPF) for 2012/13, and the content of the recently submitted PPF for 2013/14.

2.0 Background

- 2.1 Members may recall an initial report to Committee in November 2012 explaining that from October 2012 the Scottish Government's Minister for Local Government and Planning had instigated a new Planning Performance Framework system under which each local planning authority in Scotland would be required to submit annually a report to Scottish Government on its performance across a range of quantitative and qualitative measures, including the long-standing indicators of age of local plan(s) and speed of handling planning applications. Accordingly, this Council has prepared and submitted PPF reports for 2011/12 and 2012/13 on which it has received feedback: and has most recently submitted its PPF report for 2013/14 by the due date of 30 September 2014.
- 2.2 As reported to Committee in November 2012 it remains the case that Scottish Government officials have made clear that the primary purpose of the PPF is to provide Ministers, Councils and the public with a much better understanding of how a particular planning authority is performing. Whilst it is inevitable that comparisons across planning authorities will be made, Scottish Government is advising that it is not a 'name and shame' exercise: where particular authorities may be underperforming the Scottish Government officials through normal liaison with officers in the relevant authorities will seek to assist and support improvement.
- 3.0 **Feedback from Scottish Government on the Midlothian PPF for 2012/13**
- 3.1 Formal written feedback was received in December 2013 by way of a letter from the Minister for Local Government and Planning to the Council's Chief Executive, and enclosing a specific report on a total of fifteen 'performance markers'. The Minister's letter make a number of points that are general to all planning authorities, and then states,

"Turning to your authority's performance report, I am pleased to see that you have made notable progress in reducing the decision-making timescales for major developments and applications subject to legal agreements. I want you to continue to make progress on reducing timescales for all development categories, including local (non-householder) developments, but at the same time see progress made on outstanding legacy cases. Your emphasis on having an up to date development plan to guide investment and provide certainty is welcomed. I therefore want to see you making good progress with your local development plan now that the strategic development plan has been approved, and your existing local plan is nearing the

statutory 5-year period. I am pleased to see your intention to undertake customer satisfaction surveys and assessment of your development management service and look forward to hearing about the improvements that have been identified and delivered in your next report.”

3.2 In the more detailed report on the fifteen performance matters, four were rated as ‘green’ giving no cause for concern, eight were rated as ‘amber’ where areas for improvement are identified, and the following three areas were rated as ‘red’ where some specific attention is required:-

- i) planning enforcement charter requires updating;
- ii) local development plan replacement timescale is outwith statutory guidance; and
- iii) the PPF submission lacks evidence and description of collaborative corporate working between the Planning Service and other Council services.

3.3 It may be helpful to advise members of comments on each of these three matters. The Councils’ planning enforcement charter was updated in April 2013 and will remain valid and not due for further update until April 2015. Concerning the progress on local development plan preparation, in summary the position is that the timetable for preparation of the Midlothian Local Development Plan is dependent upon that of the Strategic Development Plan (SDP) for South East Scotland. Although Scottish Ministers’ approval of the SDP was in June 2013 it was subject to a requirement that the six SESplan Councils jointly prepare supplementary guidance on housing land, and this process was only concluded in Summer 2014. Notwithstanding this delay in LDP preparation, progress on the Midlothian LDP has taken it to the advanced ‘Proposed Plan’ stage. In addition it is important to note that the adopted Midlothian Local Plan (2008) remains as a relevant and robust basis for promoting economic development, meeting housing need, and protecting/enhancing this environment in Midlothian. On the final matter of collaborative corporate working it appears to be the case that the Council’s submission did not sufficiently evidence the strength of such activity that takes place, and this has been remedied in the PPF submission for 2013/14.

4.0 Planning Performance Framework Submission for 2013/14

The Council’s PPF for 2013/14 was submitted to Scottish Government on 26 September 2014. Given its size copies of the document have been circulated to the Groups and a further copy placed in the Members’ Library. It provides a comprehensive review of progress during the year and highlights steady improvement in a number of areas, most notably increased performance on the time taken to deal with planning applications; as well as continued good progress in the preparation of the Midlothian Local Development Plan. A copy of the Executive Summary of the submitted PPF forms the appendix to this report. Feedback from Scottish Government is expected in December.

5.0 Report Implications

5.1 Resources

There are no resource implications arising directly from this report.

5.2 Risk

Failure to submit a competent and robust PPF to Scottish Government on time risks reputational damage to the Council.

5.3 Single Midlothian Plan and Business Transformation

This report is relevant to the following themes:
Sustainable growth
Business transformation and Best Value

5.4 Key priorities within the Single Midlothian Plan

The range of activity undertaken by the Planning Service contributes to all three main priorities of the Council, most notably that of economic development and business support.

5.5 Impact on Performance and Outcomes

The PPF is fundamentally concerned with reporting upon and demonstrating the performance of the Council's Planning Service, specifically in relation to closely defined outcome indicators.

5.6 Adopting a Preventative Approach

Not specifically relevant to this report.

5.7 Involving Communities and Other Stakeholders

The PPF highlights the substantial levels of consultation and engagement with communities and service users undertaken by the Planning Service.

5.8 Ensuring Qualities

Planning decisions are required to be made within a strictly defined statutory context, at the centre of which is the development plan system. All development plans require to be the subject of equalities impact assessment before they can be adopted by the relevant local planning authority.

5.9 Supporting Sustainable Development

Recognition of the significance of climate change and sustainable development is central to the planning system in both Scotland and the UK as a whole. Accordingly, the use of a strategic environmental assessments is widespread in the exercise of the town and country planning function.

5.10 IT issues

None arising directly from this report.

6.0 Recommendations

6.1 It is recommended that Committee:-

- i) notes the feedback from Scottish Government on the Council's submitted Planning Performance Framework (PPF) for 2012/13;
- ii) notes the content of the Council's PPF submission to Scottish Government for 2013/14; and

- iii) remits this report to the Performance, Review and Scrutiny Committee for its information

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Background Papers: a) Council's PPF (2012/13) submission to Scottish Government;
b) Letter of feedback on PPF (2012/13) received from Scottish Government; and
c) Council's PPF (2013/14) submission to Scottish Government.

**EXTRACT FROM MIDLOTHIAN COUNCIL: PLANNING PERFORMANCE
FRAMEWORK 2013-14**

Executive Summary

In 2013/14, 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, which went through the Main Issues Report stage in 2013/14 and generated a high level of interest from a successful comprehensive consultation with the public and other stakeholders. Some modest delay in moving to the Proposed Plan stage (publication due in Autumn/Winter 2014) has resulted from finalisation of the Strategic Development Plan for South East Scotland, but the impact of the delay on the achievement of planning aims and objectives in Midlothian is minimal.

This strong development plan position has been a factor in the continued confidence of the housebuilding 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 housebuilding 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 notable improvement in the time taken to handle planning applications, the development management 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. This website has been top rated by independent external assessment.

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.