



PLANNING PERFORMANCE FRAMEWORK ANNUAL REPORT 2021/22

Report by Chief Officer Place

1 PURPOSE OF REPORT

- 1.1 This report provides an update on the progress of work undertaken on the Planning Performance Framework (PPF) for Midlothian. Specifically, it provides feedback from Scottish Government on the Council's submitted PPF for 2021/22.

2 BACKGROUND

- 2.1 An initial report to Committee in November 2012 explained that from October 2012 the Scottish Government's Minister for Local Government and Planning (now Public Finance, Planning and Community Wealth) 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 an annual PPF report every year since 2011/12. The feedback from Scottish Government has been reported to the Committee (except for the 2019/20 submission).
- 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.
- 2.3 The Council's PPF for 2021/22 was submitted to Scottish Government in July 2022. A copy of the document has been placed in the Members' Library and on the Council's website. It provides a comprehensive review of progress during the year and highlights steady improvement in a number of areas and examples of good quality development taking place on the ground. It also highlights the

position that Midlothian's Planning Service has continued to provide a full frontline service during the pandemic and as we transition out of the pandemic.

3 FEEDBACK ON THE 2021/22 SUBMISSION

- 3.1 Formal written feedback was received 22 December 2022 by way of a letter from the Minister for Public Finance, Planning and Community Wealth, and enclosing a specific report on a total of fifteen 'performance markers'. A copy of the feedback is attached to this report as Appendix A.
- 3.2 In the feedback report on the fifteen performance markers, for the first time all 15 were rated as 'green' giving no cause for concern. None were rated as 'amber' which are areas of identified improvement or 'red', this being used to indicate where some specific attention is required. The feedback on ratings will help to inform the content of the 2022/23 return, which will be due in July 2023.
- 3.3 The ratings demonstrate an exceptionally high level of performance and reflects the team's commitment to delivering a good service.
- 3.4 The PPF feedback also sets out the timescales for the determination of planning applications. The average time to determine local (non-householder) developments for 2021/22 was 10.5 weeks, quicker than the Scottish average of 13.5 weeks. The average time to determine householder developments for 2021/22 was 8.2 weeks, better than the Scottish average of 8.7 weeks. The average time to determine major developments for 2021/22 is 44.6 weeks and matches the Scottish average of 44.6 weeks.

4 RECOMMENDATION

- 4.1 It is recommended that the Committee notes the feedback from Scottish Government on the Council's submitted Planning Performance Framework (PPF) for 2021/22.

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Background Paper: 1) Midlothian's PPF (2021/22) submission available in the Members library and on the Council's website; and 2) Ministers feedback on Midlothian's PPF (2021/22) submission attached as Appendix A.

Appendix A

PERFORMANCE MARKERS REPORT 2021-22

Name of planning authority: **Midlothian**

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	Green	<p>Major Applications Your average timescale of 44.6 weeks is faster than the previous year but is the same than the Scottish average of 44.6 weeks. RAG = Green</p> <p>Local (Non-Householder) Applications Your average timescale of 10.5 weeks is marginally faster than last year and is faster than the Scottish average of 13.5 weeks. RAG = Green</p> <p>Householder Applications Your average timescale of 8.2 slower than last year but is faster than the Scottish average of 8.7 weeks. RAG = Amber</p> <p>Overall RAG = Green</p>
2	<p>Processing agreements:</p> <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>You encourage processing agreements for all major applications as one way in which identify as a way to achieve the best planning outcomes.</p> <p>RAG = Green</p> <p>Processing agreement information is available through your website including a template and expectations with regards to conditions and developer contributions. RAG = Green Overall RAG = Green</p>
3	<p>Early collaboration with applicants and consultees</p> <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information 	Green	<p>You provide a free pre-application advice service which is promoted through the website and by case officers engaging with prospective applications. You also have a pre-app guide available on your website. RAG = Green</p> <p>You have proportionate and clear processes for requesting supporting information including checklists for 21 development types outlining the likely information required to be submitted to support an application. RAG = Green Overall RAG = Green</p>

4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	Green	Your average timescale for determining major applications with legal agreements was 29.4 weeks which is faster than last year and faster than the Scottish average of 33.2 weeks..
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 15 months old at the end of the reporting year.
6	Continuous improvement: <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified through PPF report 	Green	You have completed 8 out of 12 of your improvement commitments with the remaining partially complete and ongoing. You have identified 11 improvement commitments for the coming year. RAG = Green
7	Local development plan less than 5 years since adoption	Green	Your LDP was 4 years and 4 months old at the time of reporting.
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> project planned and expected to be delivered to planned timescale 	Green	Your project plan for the delivery of the development plan is set out in a new Development Plan Scheme approved in March 2022.
9 & 10	LDP Engagement: stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation.	Green	You have highlighted various strands of engagement which has taken place with various stakeholders including discussions with key agencies and elected members on the implications of the next LDP based on the emerging NPF4 policy.
11	Policy Advice: Production of relevant and up to date policy advice	Green	You have produced a number of guidance documents during the reporting year including Housing in the Countryside, and Green Belt. You have also produced guidance on Nature conservation which will be published in the 2020-21 reporting period. Conservation Area and Management Plans have also been prepared which are a material consideration in the determination of planning applications.
12	Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Green	You have provided examples of how you work with other council services including adding a representative from the Council's Communities and Lifelong Learning Team onto the project board for progressing the new LDP. Your pre-app and duty planner service is another example of providing a single point of contact to coordinate responses to enquiries and provide advice to applicants. You have also set up a Development Management Officers Working Group to ensure consistent approach to planning applications by case officers.
13	Sharing good practice, skills and knowledge between authorities	Green	You have provided good examples of the learning you have undertaken with other councils such as working with City of Edinburgh and East Lothian Councils on cross-boundary energy projects as well as taking part in the Housing Needs and Demand Assessment project team with neighbouring authorities. You also take part in various workshops run by other councils

14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Green	You have cleared 3 cases during the reporting year, with 13 cases still awaiting conclusion. This is a slight improvement from last year.
15	Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Green	Your LDP, supported by supplementary guidance, sets out expectations for developer contributions. RAG = Green Your pre-application discussions involve setting out the expectations for developer contributions. RAG = Green Overall RAG = Green

MIDLOTHIAN COUNCIL
Performance against Key Markers

Marker		13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22
1	Decision making timescales									
2	Processing agreements									
3	Early collaboration									
4	Legal agreements									
5	Enforcement charter									
6	Continuous improvement									
7	Local development plan									
8	Development plan scheme									
9 & 10	LDP Early Engagement		N/A	N/A	N/A					
11	Regular and proportionate advice to support applications									
12	Corporate working across services									
13	Sharing good practice, skills and knowledge									
14	Stalled sites/legacy cases									
15	Developer contributions									

Overall Markings (total numbers for red, amber and green)

	Red	Amber	Green
2012-13	3	8	4
2013-14	2	8	5
2014-15	3	5	5
2015-16	5	4	4
2016-17	2	4	7
2017-18	0	3	12
2018-19	1	2	12
2019-20	1	3	11
2020-21	0	4	11
2021-22	0	0	14

Decision Making Timescales (weeks)

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	2021-22 Scottish Average
Major Development	60.5	77.4	47.8	84.7	91.5	45.8	65.6	76.2	44.6	44.6
Local (Non-Householder) Development	19.7	11.0	10.7	11	12.1	11.1	15.0	13.3	10.5	13.5
Householder Development	6.9	6.7	6.9	6.8	6.9	6.4	6.6	6.9	8.2	8.7