
NORTH AYRSHIRE COUNCIL

25 January 2023

Planning Committee

Title: Planning Performance Framework

Purpose: To report on the feedback from the Scottish Government on the 2021/22 Planning Performance Framework .

Recommendation: It is recommended that the Planning Committee notes the response.

1. Executive Summary

- 1.1 The Planning Performance Framework (PPF) was introduced in 2012, developed by Heads of Planning Scotland in response to the Scottish Government's planning reform agenda. PPF captures key elements of a high-performing planning service, giving a balanced measurement of the overall quality of the service while contributing towards driving continuous improvement.
- 1.2 All planning authorities, strategic development plan authorities and seven key agencies submit a PPF report on an annual basis to Scottish Government. PPFs also report on a set of agreed performance markers on which the Scottish Government provide feedback.
- 1.3 The Scottish Government (SG) PPF audit assesses the 15 performance markers through the RAG rating and provides commentary on each marker. The Government has again given a **Green** rating for all of the relevant markers for North Ayrshire Council.

2. Background

- 2.1 Our latest PPF Report covers the period April 2021 to March 2022. In his letter dated 22nd December 2022 (Appendix 1), Tom Arthur MSP, Minister for Public Finance, Planning and Community Wealth encloses feedback from the Scottish Government audit of our PPF. The PPF outlines case studies that demonstrate we are a high-quality planning service (Part 1); provides a performance update in relation to development management, development planning, planning enforcement and development land (Part 2); and considers our service improvement actions (Part 3).
- 2.2 The period covered by this PPF saw the Planning Service continue to operate under coronavirus restrictions for the majority of the year with all staff continuing to work from home. The PPF highlights how we have adapted to continue to provide exceptional application determination timescales; implement the Local

Development Plan and respond to the wider reform of the planning system in Scotland.

- 2.3 Part 1 of the PPF documents the qualitative story of the past year's performance, supported by a number of case studies, across four areas of activity in order to define and measure a high-quality planning service. The areas for performance assessment include 'quality of outcomes', 'quality of service and engagement', 'governance' and 'culture of continuous improvement'. The SG commented on the success of early collaboration with the case study on pre-application engagement on Blairbowie Forge which ensured a rural business could flourish, determined within 2 months, as all relevant issues were addressed in advance of the submission. SG also comment favourably on our continuous improvement of the Service.
- 2.4 Part 2 of the PPF is focused around National Headline Indicators – quantitative indicators which examine all aspects of the planning process, providing data on areas such as planning decision making timescales, the progress of the Local Development Plan, and the level of the housing land supply – and Official Statistics, which together provide an accurate and reliable account of performance over time. As communities and the economy began to adjust and recover from the pandemic, the Service processed 675 applications over the 12-month period to 31 March 2022, an increase of 27% on the previous year and more applications than any of the previous seven years. Despite this increase, our excellent decision-making timescales have been maintained. On average, major applications were determined in 9.4 weeks, an improvement on 11.1 weeks the previous year. There was a small increase in average timescales for local (non-householder) and householder applications of just 0.3 weeks, but times for all three developments remain quicker than the Scottish average.
- 2.5 Part 3 of the PPF reports on the delivery of service improvement actions committed in the previous year and planned service improvements for 2022/23. The focus of the Planning Service continues to be driving improved performance; positioning the Service to promote placemaking; and promoting the plan-led system, while meeting statutory requirements. Of significant importance this year will be commencing work on North Ayrshire's next Local Development Plan and aligning this work with the cross-Council approach to economic development centred on placemaking and Community Wealth Building. SG comment that it is now expected that our LDP will not be replaced within the required 5 year timescale, however, SG accept that the reasons for this are outwith our control.
- 2.6 In the covering letter, the Minister noted that he "recognise(s) that resourcing (the Planning System) is about more than just money and having a pipeline of knowledgeable and skilled planners is essential to delivering on our ambitions set out in NPF4. This is why I supported the RTP1 and Heads of Planning Scotland's Future Planners Project which looked at proposals to help increase the numbers of people entering the planning profession. We recognise the importance of delivering on this vision and the resourcing and skills challenges for planning authorities, which we are taking steps to address." The

Minister also advised that “work is also progressing on the introduction of mandatory training for elected members in the planning system.”

3. Proposals

- 3.1 That the Committee notes the content of the latest Planning Performance Framework feedback report (Appendix 1).

4. Implications

Financial

- 4.1 None

Human Resources

- 4.2 None

Legal

- 4.3 None

Equality/Socio-economic

- 4.4 None

Environmental and Sustainability

- 4.5 None

Key Priorities

- 4.6 The Planning Performance Framework report contributes to increasing the levels of accountability and transparency within the Planning Service; promoting the role of the Service and continual improvement. This supports many of the support the Council Plan’s Priorities including ‘effective infrastructure and digital connectivity’ and ‘a sustainable environment’.

Community Wealth Building

- 4.7 None

5. Consultation

- 5.1 None

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Russell McCutcheon
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For further information please contact **James Miller, Chief Planning Officer**, on **01294 324315**.

Background Papers

N/A



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Craig Hatton
Chief Executive
North Ayrshire Council

22 December 2022

Dear Craig Hatton

I am pleased to enclose feedback on your authority's eleventh Planning Performance Framework (PPF) Report, for the period April 2021 to March 2022.

The reporting period which these reports cover has continued to present challenges for people working within planning, in the development sector and across Scotland's communities.

Ensuring the system is appropriately resourced is key to improving the performance of planning, which is why in April I implemented the biggest change to planning fees in 8 years, with fees for most types of development increasing by between 25% and 50%. At the time I said I would expect to see this additional money invested in delivering improvements in Planning Services. It is too early to know whether that has occurred, however, I have heard positive feedback from some authorities who have managed to recruit or retain staff as a result of the additional income. I also committed to working with Heads of Planning and COSLA to identify how we could move planning fees closer to covering the full cost of their determination. That work is ongoing and I expect to receive some conclusions/recommendations early in the new year.

I am also encouraged to see the fees for applications made under the Electricity Act also increasing on 13th December and the voluntary contribution of 50% of the fee, for certain types of application, being passed to planning authorities being maintained.

However, I recognise that resourcing is about more than just money and having a pipeline of knowledgeable and skilled planners is essential to delivering on our ambitions set out in NPF4. This is why I supported the RTP1 and Heads of Planning Scotland's Future Planners Project which looked at proposals to help increase the numbers of people entering the planning profession. We recognise the importance of delivering on this vision and the resourcing and skills challenges for planning authorities, which we are taking steps to address.

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Work is also progressing on

- the introduction of mandatory training for elected members in the planning system;
- the implementation of statutory annual reports by planning authorities; and
- the appointment of a Planning Improvement Coordinator for Scotland.

Turning to the 2021-22 PPF reporting year, although, as expected, there have been some minor changes overall in the markings awarded, the figures indicate that performance has remained relatively stable. This is a testament to the hard work and flexibility of authorities during challenging times and I believe that overall, good progress continues to be made by Scotland's planning authorities.

If you would like to discuss any of the markings awarded below, please email chief.planner@gov.scot and a member of the team will be happy to discuss these with you.



TOM ARTHUR

CC: Jim Miller, Chief Planning Officer

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PERFORMANCE MARKERS REPORT 2021-22

Name of planning authority: **North Ayrshire Council**

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 timescale of 9.4 weeks is faster than last year and faster than the Scottish average of 44.6 weeks and the statutory timescale. RAG = Green</p> <p>Local (Non-Householder) Applications Your timescale of 6.2 weeks is slower than the previous year but faster than the statutory timescale and Scottish average of 13.5 weeks RAG = Green</p> <p>Householder Applications Your timescale of 5.7 weeks is slower than last year but is faster than the Scottish average of 8.7 weeks. However, this is faster than the statutory timescale. RAG = Green</p> <p>Overall RAG = Green</p>
2	Processing agreements: <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>Your report notes that processing agreements continue to be offered for all major applications and for complex local applications. RAG = Green</p> <p>Processing agreement information is publicised on your website. RAG = Green</p> <p>Overall RAG = Green</p>
3	Early collaboration with applicants and consultees <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>Your report contains a number of examples of continuing positive pre-application engagement including provision of guidance on specific types of development. RAG = Green</p> <p>Your case study on Blairbowie Forge is used illustrate how pre-application discussion and the flexibility provided by your LDP ensured that a development could be progressed which ensured a rural business could continue and reduced the transport and accommodation costs. The pre-application discussions also ensured that the application could be determined within the 2 month statutory timescale even though changes were required due to increased construction and material costs. RAG = Green</p> <p>Overall RAG = Green</p>

4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission <ul style="list-style-type: none"> reducing number of live applications more than 6 months after resolution to grant (from last reporting period) 	Green	You did not determine any applications which were subject to a legal agreement during 2020-21.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was less than a month old at the end of the reporting period.
6	Continuous improvement: <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified through PPF report 	Green	<p>You appear to have completed 4 out of 6 of your service improvement commitments. However, your reports appear to suggest that these are all being continued into the following reporting year with a slightly changed focus.</p> <p>It would be helpful if future reports can clearly distinguish between completed commitments, those which are not yet complete and new commitments.</p>
7	Local development plan less than 5 years since adoption	Green	Your LDP was 2 year 4 months old at the end of the reporting period.
8	Development plan scheme – next LDP project planned and expected to be delivered to planned timescale	Green	You have published an indicative timetable for replacing your LDP however, work will only formally commence once regulations and guidance are in place to bring the Planning Act provisions into effect. Although work has commenced on participation and the evidence report it is now expected that your LDP will not be replaced within the required 5 year timescale, however, it is accepted that the reasons for this are outwith your control.
9 & 10	LDP Engagement: <ul style="list-style-type: none"> stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation. 	Green	As noted above participation has commenced with developers, landowners, key agencies and community planning to inform your next LDP and on the preparation of Local Place Plans.
11	Policy Advice: <ul style="list-style-type: none"> Production of relevant and up to date policy advice 	Green	<p>Work to update and rationalise your non-statutory and statutory supplementary guidance is ongoing with a policy guidance note on new housing development in the countryside being published. You have also adopted an updated design guide for a self-build site in Millport. You are also continuing to develop advice on climate change in response to the council's declaration of the Climate Emergency.</p> <p>Much of this work seems to have been carried forward from last year. It would be good to hear in your next report how this advice is leading to improved outcomes.</p>

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	<p>You continue to work with other council services on workstreams such as the Ayrshire Growth Deal, the Strategic Housing Investment Programme and on school capacity.</p> <p>Through your benchmarking and cross service working you have developed a draft Education Contributions Policy to support infrastructure delivery.</p> <p>You are also working with the connected communities team to support community bodies prepare Local Place Plans.</p>
13	Sharing good practice, skills and knowledge between authorities	Green	<p>You state that you are an active participant in the Heads of Planning Scotland Executive and committee and in groups looking at the implementation of Local Place Plans and new procedures for preparing Local Development Plans. Your Chief Planning Officer giving a presentation to The Scottish Planner Live on wellbeing in the context of green economic recovery is a good example of sharing knowledge and good practice with others.</p> <p>It would be useful if future reports outline</p>
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Green	<p>You have 1 case still awaiting conclusion which is carried forward from last year.</p> <p>This case relates to a regeneration project under development and there has been dialogue with the applicant who intends not to withdraw the application as of March 2022.</p>
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	<p>You report states that you do not routinely require developer contributions as a means to encourage investment with most development directed to where there is existing infrastructure capacity. Where contributions are required your LDP policy sets out the requirements in a clear and proportionate way. RAG = Green</p> <p>Your report states that you do not routinely require developer contributions for pre-application discussions and that your LDP includes a developer contributions policy. RAG = Green</p> <p>Overall RAG = Green</p>

NORTH AYRSHIRE 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 engagement	N/A	N/A			N/A	N/A	N/A	N/A	
11	Policy Advice									
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)

2012-13	3	7	3
2013-14	2	5	6
2014-15	0	3	10
2015-16	2	5	8
2016-17	0	3	12
2017-18	0	0	13
2018-19	0	1	12
2019-20	0	0	13
2020-21	0	0	13
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	21-22 Scottish Average
Major Development	21.5	12.6	90.3	-	9.5	10.2	10.3	11.1	9.4	44.6
Local (Non-Householder) Development	6.8	6.2	5.8	5.9	5.9	5.9	6.5	5.9	6.2	13.5
Householder Development	5.7	5.1	4.7	4.6	4.7	4.3	5.7	5.4	5.7	8.7