
NORTH AYRSHIRE COUNCIL

8 June 2022

Planning Committee

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|------------------------|---|
| Title: | Planning Performance Framework |
| Purpose: | To present the 2021/2022 Planning Performance Framework report |
| Recommendation: | Note the content of the latest Planning Performance Framework report (Appendix 1) and approve its submission to Scottish Government |

1. Executive Summary

- 1.1 The performance of the Planning Service is outlined in an annual report prepared under the well-established Planning Performance Framework (PPF) and submitted to the Scottish Government in July each year. The Planning Performance report captures key elements of a planning service's performance and reports on a range of qualitative and quantitative indicators.
- 1.2 Our latest PPF Report, the eleventh to be prepared, covers the period April 2021 to March 2022 and is included at Appendix 1. PPF11 reports on the feedback from Scottish Government on last year's PPF; outlines case studies that demonstrate we are a high-quality planning service (Part 1); provides a performance update in relation to key development management, development planning, planning enforcement and development land indicators (Part 2); and considers our service improvement actions (Part 3). Despite a significant increase in the number of applications submitted, the Service has been able to maintain and improve determination timescales over the past 12 months.

2. Background

- 2.1 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. PPFs also report on a set of agreed performance markers on which the Scottish Government provide feedback.
- 2.2 The Scottish Government's feedback on last year's Planning Performance Framework, which rated North Ayrshire's Planning Service 'green' against all relevant markers, was reported to Planning Committee on 1 December 2021 and is summarised on page 2 of

the 2021/22 report.

- 2.3 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 recently adopted Local Development and respond to the wider reform of the planning system in Scotland.
- 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. An update in respect to the performance markers is also provided.
- 2.5 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 2021, 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 development types are expected to remain quicker than the Scottish average.
- 2.6 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.

3. Proposals

- 3.1 It is recommended that Planning Committee notes the content of the latest Planning Performance Framework report (Appendix 1) and approve its submission to Scottish Government.

4. Implications/Socio-economic Duty

Financial

4.1 None.

Human Resources

4.2 None. The PPF Report provides an overview of the Planning Service workforce which enables comparison with other local authorities.

Legal

4.3 None.

Equality/Socio-economic

4.4 None.

Climate Change and Carbon

4.5 The Planning Service has a role in supporting the implementation of the Council's Environmental Sustainability and Climate Change Strategy in the context of development and land-use.

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. The service supports many of the key priorities of the Council, including around the environment, housing, the economy and health and well-being. Planning certainty – as provided by the development plan – and efficient development management processes are important to support investment in North Ayrshire.

Community Wealth Building

4.7 The Planning Service intends to explore how planning can contribute to supporting Community Wealth Building in North Ayrshire.

5. Consultation

5.1 None.

JAMES MILLER
Chief Planning Officer

For further information please contact **Alistair Gemmell, Strategic Planning Manager**, on **01294 324021**.

Background Papers

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Planning Performance Framework 2021/22

May 2022



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Introduction

North Ayrshire Council Planning Service

Following an unprecedented period for the Planning Service, documented in our previous Planning Performance Framework Report, the Planning Service has continued to adapt to the changing circumstances surrounding the coronavirus pandemic over the last 12 months. The flexibility and determination of our small team has enabled us to continue to operate as a high-performing planning service while continuing to exclusively work from home.

During 2021/22, the Service handled a significant increase in planning applications from developers, businesses and householders but our focus on delivering sector-leading performance has meant determination timescales for planning applications have largely been maintained, with the average determination time for major planning applications improving to 9.4 weeks.

The Service's joined-up approach to implementing the adopted Local Development Plan has continued, including our engagement with the housebuilding industry to bring new private-sector development to North Ayrshire, with another increase in the number of homes granted planning permission: 965 approved during 2021/22.

Implementation of the Planning (Scotland) Act 2019 has also been a key area of work over the last 12 months, with the Service responding to consultations on the draft National Planning Framework and regulations for Local Place Plans, Local Development Plans, Open Space Strategies and Play Sufficiency Assessments.

Moving forward we will continue to support delivery of the Ayrshire Growth Deal, Environmental Sustainability and Climate Change Strategy and the Council's ground-breaking Community Wealth Building Strategy.

Planning Performance Framework

This is the Planning Performance Framework Report for North Ayrshire Council's Planning Service for the period April 2021 to March 2022.

The planning performance framework was introduced by planning authorities in 2012. Developed by Heads of Planning Scotland and supported by the Scottish Government the framework captures key elements of a high-performing planning service, such as:

- speed of decision-making;
- certainty of timescales, process and advice;
- delivery of good quality development;
- an overall 'open for business' attitude.

The framework gives a balanced measurement of the overall quality of the planning service and contributes towards driving a culture of continuous improvement.

All planning authorities, strategic development plan authorities and seven key agencies prepare a Planning Performance Framework (PPF) report on an annual basis and receive feedback from the Scottish Government. PPF reports contain both qualitative and quantitative elements of performance and set out proposals for service improvement. They also report on a set of Performance Markers which were agreed by the High-Level Group¹ on Planning Performance in 2013.

¹ The remit of the High-Level Group on Planning Performance includes supporting improved planning performance and linking performance with planning fees. The Scottish Government and the Convention of Scottish Local Authorities (COSLA) co-chair the group with the remaining members comprising: Heads of Planning Scotland; the Society of Local Authority Chief Executives; the Society of Lawyers and Administrators in Scotland and the Royal Town Planning Institute.

Scottish Government Feedback 2020/21

North Ayrshire Council's tenth [Planning Performance Framework Report](#), covering the period April 2020 to March 2021, was submitted to Scottish Ministers in July 2021. In November 2021, the Minister for Local Government and Housing provided feedback on the report based around the 15 performance markers agreed by the High-Level Group on Planning Performance. Red, Amber or Green ratings were awarded based on the evidence provided, giving an indication of performance and the priority areas for improvement action.

The graphic opposite illustrates that, for 2020/21, the Scottish Government rated us green against all 13 performance markers applicable during the monitoring year. This is the second consecutive year and third year in the last four North Ayrshire's Planning Service has been rated green against all performance markers.

Part 2 of this Planning Performance Framework Annual Report details the rating given for each performance marker; the feedback received from the Scottish Government; and a summary analysis of how the Council is performing 12 months on.

► Scottish Government Feedback: <https://tinyurl.com/muj84b7>

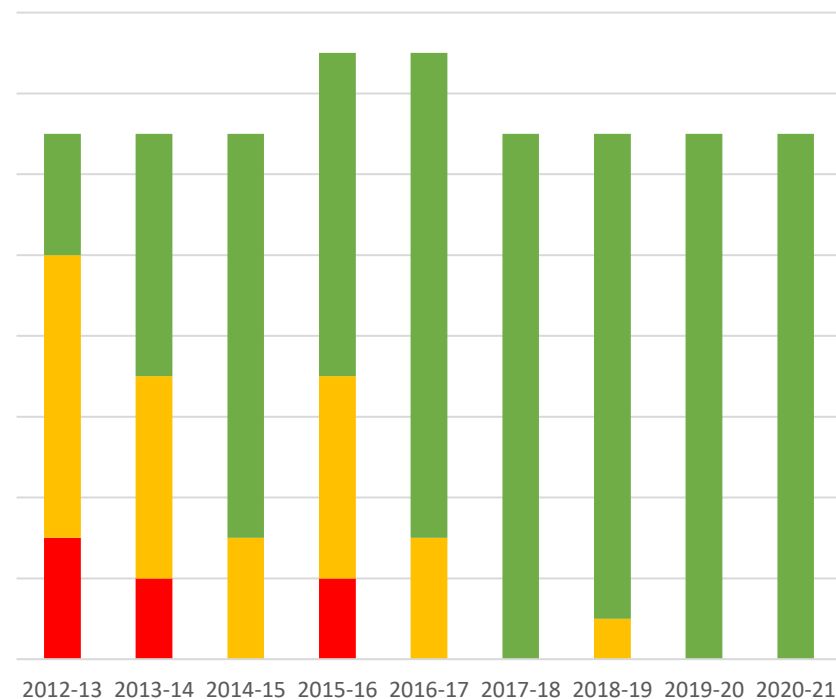


Chart 1 – Planning Performance Framework Ratings 2012-2121

Key Performance Markers Summary 2021/22

| No. | Performance Marker | Evidence | Page |
|-------------------------------------|---|--|------------|
| DRIVING IMPROVED PERFORMANCE | | | |
| 1 | Decision-making: demonstrating continuous evidence of reducing average timescales for all development types | <ul style="list-style-type: none"> Average timescales for determining major applications again improved, from 11.1 to 9.4 weeks. Timescales for determining Local (non-householder) applications increased by 0.3 weeks to 6.2 weeks Average householder application timescales also increased 0.3 weeks, from 5.4 to 5.7 weeks. | 12-14 |
| 2 | Processing agreements: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications and availability publicised on planning authority website | Processing agreements continue to be offered for all major applications and for complex local applications. This is highlighted on our website at: https://www.north-ayrshire.gov.uk/planning-and-building-standards/make-a-planning-application.aspx | 15 |
| 3 | Early collaboration with applicants and consultees on planning applications: <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications clear and proportionate requests for supporting information | <p>The service provides pre-application advice and guidance on development which needs approval from the Council, including: the development of business and commercial properties, or making alterations to existing premises; the development of new housing; change in the use of land or buildings; outdoor advertisements; buildings in conservation areas; listed buildings and trees covered by tree preservation orders. A total of 398 pre-application enquiries were recorded in the past year.</p> <p>Case study B1 highlights one example of pre-application discussions having a positive impact on development.</p> <p>More details are available on our website: https://www.north-ayrshire.gov.uk/planning-and-building-standards/do-i-need-planning-permission.aspx</p> | 8 15-16 |
| 4 | Legal agreements: conclude (or reconsider) applications within 6 months of 'resolving to grant' | No applications were subject to a legal agreement as we continue to seek to avoid the use of such agreements where possible. | 15-16 |

| | | | |
|--------------------------------------|---|--|-------|
| 5 | Enforcement charter updated / re-published within last 2 years | The Enforcement Charter was updated and republished in March 2021 https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/Planning/enforcement-charter.pdf | 16 |
| 6 | Continuous improvement: progress ambitious and relevant service improvement commitments identified through PPF report | All service improvement commitments set out last year have been completed or are ongoing. | 21-22 |
| PROMOTING THE PLAN-LED SYSTEM | | | |
| 7 | Local development plan less than 5 years since adoption | The North Ayrshire Local Development Plan (LDP2) was adopted on 28 November 2019. See: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/local-development-plan.aspx | 17-18 |
| 8 | Development plan scheme demonstrates next LDP: <ul style="list-style-type: none"> on course for adoption within 5-year cycle project planned and expected to be delivered to planned timescale | Work will formally commence on LDP3 when regulations and guidance implementing the relevant provisions of the Planning (Scotland) Act 2019 are published. Scoping work around the information required for the Evidence Report and participation is already underway. Our latest Development Plan Scheme, published in September 2021, sets out an indicative timetable for preparing LDP3. Due to the further delay in the publication of the new Local Development Planning regulations, originally expected to be in place by December 2021, we now anticipate it will not be possible to adopt LDP3 within 5 years of LDP2 (i.e. by November 2024). See: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/development-plan-next-steps.aspx | 17-18 |
| 9 | Engagement: Stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation | The Strategic Planning Team continued to engage with stakeholders – including developers and landowners, key agencies and the Community Planning Partnership during 2021/22, ahead of the preparation of our next Local Development Plan and also with regard to Local Place Plans. | |
| 10 | Merged with No. 9 for 2021/22 | | |
| 11 | Production of relevant and up to date policy advice | Work to update and rationalise our non-statutory supplementary planning guidance is ongoing. In June 2021 we adopted a policy | 17-18 |

| | | | |
|-------------------------------------|--|--|----|
| | | <p>guidance note on new housing development in the countryside and in February 2022 adopted an updated Design Guide for a self-build site in Millport. We are also developing policy advice relating to climate change in response to the Council declaring a 'Climate Change Emergency' and Developer Contributions for Education.</p> <p>Other Planning Guidance: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/other-planning-guidance.aspx</p> | |
| SIMPLIFYING AND STREAMLINING | | | |
| 12 | <p>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)</p> | <p>The Planning Service continues to work across the services to support, among other things, the Ayrshire Growth Deal, the Council's ambitious Strategic Housing Investment Programme (SHIP), Community Wealth Building, implementing the Environmental Sustainability and Climate Change Strategy and Regeneration Delivery Plan and with regard to school capacity. Cross service working and benchmarking with other authorities has informed the preparation of a draft Education Contributions Policy to support our approach to infrastructure delivery.</p> <p>The Strategic Planning and Connected Communities teams are working together to develop an approach that will support community bodies to prepare Local Place Plans (see Case Study B2).</p> | |
| 13 | <p>Sharing good practice, skills and knowledge between authorities</p> | <p>A strong emphasis within the service is placed on sharing good practice, skills and knowledge. The Service is 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. In October 2021, the Chief Planning Officer gave a presentation to The Scottish Planner Live on wellbeing in the context of green economic recovery.</p> | 11 |
| DELIVERING DEVELOPMENT | | | |

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|----|--|---|----|
| 14 | Stalled sites / legacy cases: conclusion or withdrawal of planning applications more than one year old. | One legacy case remains, with no additional live applications more than one year old recorded. | 19 |
| 15 | Developer contributions: clear expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions | To support development and regeneration in North Ayrshire we do not routinely require developer contributions. The Local Development Plan expects the majority of new development to be directed towards sites that have infrastructure or services in place. Where further provision is required, the Supporting Development Objective: Infrastructure and Services policy within the LDP (p.16) sets out clear and proportionate expectations and the need for relevant assessments is highlighted alongside each development site where potential infrastructure deficiencies are known: https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/LocalDevelopmentPlan/ldp2.pdf | 15 |

Part 1 – Demonstrating a high-quality planning service

The Planning Performance Framework Annual Report aims to provide both quantitative and qualitative evidence to illustrate the performance of the Planning Service over the past 12 months, with a focus on our improvement journey.

Part 1 of the Planning Performance Framework Annual Report seeks to document the qualitative story of the past year's performance, supported by case studies.

The narrative is structured around the following four themes:

A: Quality of Outcomes – Demonstrating the added value delivered by planning;

B: Quality of Service and Engagement – Demonstrating positive actions to support sustainable economic growth, initiatives to work consistently with stakeholders and deliver a positive customer experience;

C: Governance – illustrating how structures and processes are proportionate, effective and fit for purpose;

D: Culture of Continuous Engagement – improvements and changes in the last 12 months.

A. Quality of Outcomes

A1. Montgomerie Park Simplified Planning Zone – Update

Montgomerie Park is Scotland's first Simplified Planning Zone for a major residential development. Following the adoption of the Montgomerie Park SPZ scheme in November 2019 (see [PPF9](#)), the Council-owned land was marketed for sale in January 2020. In May 2020, during the first UK lockdown, a preferred bidder was selected.

In November 2021, North Ayrshire Council's Cabinet approved disposal and the site was sold to Bellway Homes Ltd, with missives concluding in January 2022. During this time between November 2021 and January 2022 Bellway worked with Planning, Regeneration, Roads, Legal and Estates to ensure compliance with the terms of the SPZ, Roads Construction Consent requirements and that all legal and financial elements were in place to ensure conclusion of the sale and to promote an alternative form of housing delivery on the site.

146 new homes are to be built under the SPZ scheme with groundworks already taking place. During the SPZ process changes had to be made to the site layout due to a legal issue. However, as the SPZ concept masterplan was designed to be flexible it meant that the developer could change their layout to overcome the legal issue with ease as they did not need to re-submit a planning application. A new layout was tabled to North Ayrshire Council which also complied with the SPZ allowing all financial and legal elements to proceed. As such, the scheme proposed retained its consent under the SPZ.

The site was also the Council's first residential land sale to a private developer since 2006 when the sale of land at Montgomerie Park stalled amid the recession. The capital receipt from the sale will be used to support the North Ayrshire Council Capital Investment



B. Quality of Service and Engagement

B1. Blairbowie Forge - house and farrier's workshop with training facility in the countryside

The Planning Service has delivered a positive customer experience for a North Ayrshire-based farrier, allowing him and his family to build a new home and training facility.

The farrier trains apprentices who travel to Scotland from Europe, especially Spain and Portugal. The business was having to bear the cost of overnight accommodation, with training provided in a forge within another local authority area around 15 miles from the farrier's home in North Ayrshire. The farrier's brief was to consolidate all activities onto one site but the house that the farrier and his family lived in was not capable of being extended and altered to accommodate the new facilities. Land, however, was available to purchase around 500m to the north of the existing house providing adequate space as well as panoramic views over the surrounding landscape, the Ayrshire coast and the Isle of Arran.



Following pre-application advice and a site inspection, planning officers supported the choice of location and held meetings with the project architects. From an initial design, amendments to meet design guidance were submitted, resulting in a proposed sustainable house of contemporary design and a planning application was made. The application process did not identify any significant issues with the development of the site – which is rural in character and is not subject to any specific landscape or habitat protection designations – and permission was granted within the statutory 2-month time period.

The case study illustrates the strength and flexibility of North Ayrshire's Local Development Plan, in particular the Countryside Objective:

The Countryside Objective

We recognise that our countryside areas play an important role in providing homes, employment and leisure opportunities for our rural communities. We need to protect our valuable environmental assets in the countryside while promoting sustainable development which can result in positive social and economic outcomes. We want to encourage opportunities for our existing rural communities and businesses to grow, particularly on Arran and Cumbrae, and to support these areas so that they flourish.

Following planning application approval, delivery of the project on-site was then delayed by rising budget concerns and this was addressed by an agreed sympathetic design and materials simplification of the forge building while retaining its functionality and without comprising the high-quality design of the house itself.

The development has secured the future of a rural business by reducing the transport and accommodation costs associated with the training of farriers. The house has provided a sustainable family dwelling which benefits from an air source heat pump, under floor heating and a very high standard of insulation.



A follow-up site visit was undertaken during early 2022. The farrier, his wife and family who live in the house have stated that they were very pleased with the outcome and the support provided throughout the planning process. Despite delays to construction because of the Covid-19 pandemic, the house, workshop and landscaping have now been fully completed. The development fits extremely well into its landscape setting, creating a contemporary living and working space which will benefit the farrier and family for decades to come. The timber cladding on the house and workshop complements the backdrop of mature coniferous woodland, making a distinctive and welcoming landmark in a rural part of North Ayrshire.

B2. Early engagement on Local Place Plans

Planning reform and the Planning (Scotland) Act 2019 has introduced a new right for community bodies to prepare Local Place Plans. Working alongside colleagues in the Council's Connected Communities Service, we took the Scottish Government's consultation on regulations and guidance for Local Place Plans as an opportunity to host two workshops in May and June 2021 with community representatives and Community Planning partners to introduce and consider Local Place Plans.

The purpose of the workshops was to understand what Local Place Plans are; consider how they might work in North Ayrshire and to gather feedback to inform a Community Planning Partnership response to the consultation.

The workshops were attended by around 50 representatives of the community over the two sessions and focused on five areas: the form and content of Local Place Plans; how community bodies should consult; resources and support; relationship to other plans and what Local Place Plans could achieve.

A number of themes emerged from the workshop and since the end of the consultation and publication of the Local Place Plan regulations and Circular, follow up meetings have been held with community bodies interested in preparing a Local Place Plan for their area. We will continue to work with community planning colleagues to develop a protocol and resources to support the preparation of Local Place Plans, working up to and beyond the formal 'invitation to prepare' Local Place Plans being published later in the year.

Further information ► <https://tinyurl.com/38jvsbms>

C. Governance

C1. Development Management – changes to processes for improving agile working

In the first year of the Covid-19 pandemic, the Planning Service had to adapt rapidly from a traditional office-based model, bringing many challenges to staff and service users. During the year 2021/22, the Service had to adapt from 'working at home' to the new designation of 'agile working'. This meant that many of the initial temporary workaround processes that had been put in place needed to be examined for their effectiveness, or otherwise, for use on a longer-term basis. Whilst this affected all aspects of delivering a planning service for North Ayrshire, there were some specific issues faced by staff working in Development Management.

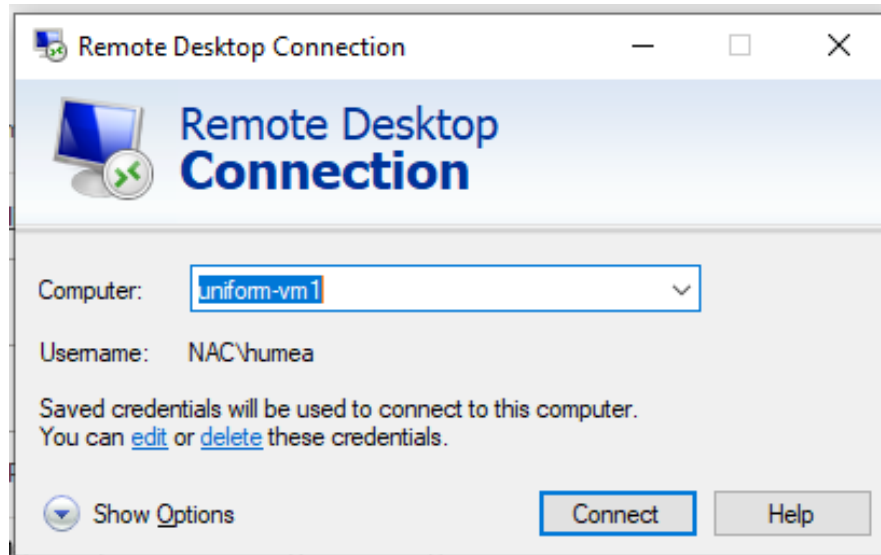
A key problem within the Development Management service arose due to the use of a Virtual Private Network (VPN) which all of the Council's IT equipment had to operate within. A VPN creates a secure link between the Council's office-based servers, hard drives and external users, protecting the data being transmitted through the internet against hackers, malware, ransomware and viruses. Although the VPN is an essential element in data protection, and is widely used, a problem arose using Uniform software whereby the VPN would significantly slow down the transmission and retrieval of data as well as disabling many tasks that had been relatively straightforward and rapid within the office. This was not an issue related to internet connection speed within people's homes; rather it was due to laptops and PCs having to navigate a bottleneck in the VPN server which resulted in speeds being 'throttled' despite otherwise good network connections for other software. It became evident that cloud-based servers were more adept at high speed data transfer, which wasn't an option for Uniform users.

A further issue arose in relation to clerical and administrative tasks on Uniform which had been largely performed by one member of the team. The additional burden placed on that team member was considered unacceptable and ways had to be found to alleviate the pressure. This pressure had increased greatly due to the poor performance of Uniform through the VPN, adding greatly to the time needed to carry out even basic functions.

Initially this was addressed simply by getting officers in the Development Management service to carry out their own routine clerical tasks - such as data entry on parts of Uniform that had previously been regarded as 'clerical work'. This was then gradually increased so that officers became responsible for validating their own applications, issuing acknowledgement letters and carrying out consultations.

The processes involved at the start were quite daunting but soon became routine. However, the disabled functions problem within Uniform was still a serious issue, affecting both performance and consuming a disproportionate amount of time relative to the scale of what were, after all, routine tasks.

The service was able to resolve this during February 2022 when IT staff created a Remote Desktop Connection for each officer, technician and the clerical officer. The improvement to the performance of Uniform was significant, with many of the previous issues resolved instantly. The Remote Desktop Connection creates a virtual PC window within the existing Windows environment, effectively bypassing the bottleneck caused by the VPN without any loss of security.



Since the introduction of the Remote Desktop Connections, the change to working practices has continued. Having learned how to carry out more tasks within the Uniform environment, officers are now able to quickly and efficiently carry out tasks which previously had resulted in inefficient double handling. As a result, the workflow process is now more logical and the clerical officer is now able to focus on dealing with the publication of public comments and issuing decision notices.

Further improvements to communication processes, especially in relation to the handling and publishing of public comments online, are planned.

D. Culture of Continuous Improvement

D1. Training

The Service continues to provide a training and learning environment to support our staff, with working from home having the benefit of increasing the opportunities to ‘virtually’ attend training events online without the need to travel. Some of the training undertaken by the team this year included:

- ▶ Conservation and New Towns (August 2021)
- ▶ Implementing the new planning framework in (October 2021)
- ▶ ESRI webinars on data analysis and GIS (various)
- ▶ Scotland’s towns conference (November 2021)

D2. Benchmarking

The well-established West of Scotland Planning Benchmarking Group did not convene this year but informal networks ensured exchange of views, information and knowledge on specific planning issues continued throughout the pandemic. The Knowledge Hub online forum also proved to be a valuable resource as did the Service’s engagement with the Heads of Planning Scotland (HOPS) Executive and Development Management and Developing Planning sub-groups.

Emerging from the HOPS Development Planning sub-committee, we have come together with other local authorities who are at the same stage of plan preparation through the Fife Peer Review Group. The group has met a number of times over the past 12 months to discuss approaches and share thinking around the preparation of a Local Development Plan under the new arrangements of the Planning (Scotland) Act 2019.

D3. Sharing Best Practice

As part of the RTPi’s COP26 programme aiming to highlight the role that planners can play in tackling climate change and achieving net zero carbon targets, the Scottish Planner Live event in October 2021 brought together a range of perspectives to explore what a green economy should comprise and what is needed to deliver it. It also looked at leading practice in a range of different settings, examined what planners can contribute and what is needed to initiate changes required.

In a presentation to the event, Chief Planning Officer Jim Miller shared North Ayrshire’s approach to planning for a green economy with a focus on wellbeing. The presentation highlighted how our vision of ‘A Better Life’ is aligned through North Ayrshire’s Local Outcomes Improvement Plan, Local Development Plan, Council Plan and Community Wealth Building and Environmental Sustainability and Climate Change Strategies to develop a ‘A Green New Deal’.

Webinar details ▶ <https://tinyurl.com/23mcmhcd>

Part 2 – Performance Update

Including National Headline Indicators & Official Statistics

Development Management

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---|---------|---------|---------|---------|---------|---------|---------|--------------|
| Application approval rate | 96.7% | 96.2% | 97.1% | 96.6% | 95.7% | 96.5% | 95.2% | 96.7% |
| Delegation rate | 96.8% | 96.5% | 97.0% | 97.2% | 96.2% | 97.5% | 97% | 97% |
| Percentage of applications valid upon receipt | | | 58.0% | 39.2% | 37.5% | 37.7% | 52.7% | 36.6% |
| Number of applications determined | 590 | 571 | 639 | 564 | 603 | 560 | 531 | 675 |

PM1 – Decision Making

Major Developments (not subject to processing agreement)

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|-------------------------------------|---------|---------|---------|---------|---------|---------|---------|------------|
| Number of decisions | 5 | 6 | 0 | 2 | 4 | 4 | 4 | 2 |
| Average number of weeks to decision | 12.6 | 24.3 | - | 9.5 | 10.2 | 13.1 | 11.1 | 9.4 |

Local (non-householder) Developments (not subject to processing agreement)

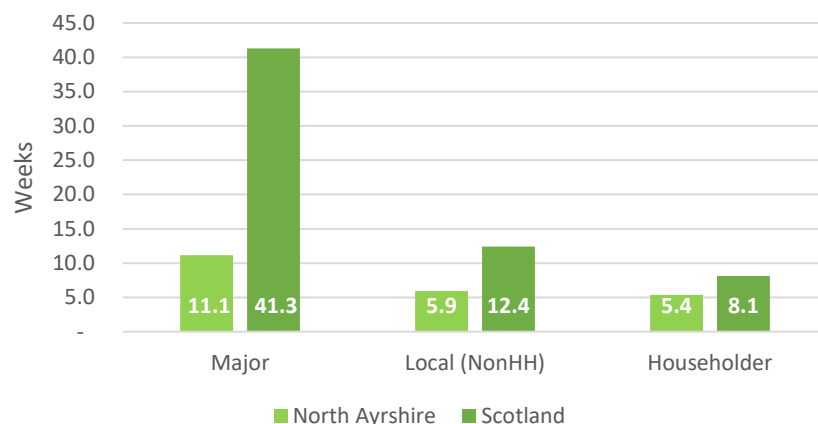
| | | | | | | | | | |
|------------|-------------------------------------|-------|-------|-------|-------|-------|-------|-------|------------|
| | Number of decisions | 247 | 241 | 259 | 231 | 234 | 221 | 234 | 232 |
| | Average number of weeks to decision | 6.2 | 5.8 | 5.9 | 5.9 | 5.9 | 5.4 | 5.9 | 6.2 |
| < 2 months | Percentage of decisions | 95.5% | 97.5% | 98.5% | 98.3% | 92.3% | 96.4% | 97.4% | 94% |
| < 2 months | Average number of weeks to decision | | | | 5.8 | 5.6 | 5.3 | 5.8 | 6.1 |
| > 2 months | Percentage of decisions | 4.5% | 2.5% | 1.5% | 1.7% | 7.7% | 3.6% | 2.6% | 6% |
| > 2 months | Average number of weeks to decision | | | | 9.8 | 9.7 | 9.6 | 10.1 | 9.2 |

Householder Developments

| | | | | | | | | | |
|------------|-------------------------------------|------|------|------|-------|-------|-------|-------|--------------|
| | Number of decisions | 224 | 213 | 253 | 225 | 268 | 229 | 194 | 304 |
| | Average number of weeks to decision | 5.1 | 4.7 | 4.6 | 4.7 | 4.3 | 4.3 | 5.4 | 5.7 |
| < 2 months | Percentage of decisions | 100% | 100% | 100% | 99.1% | 99.6% | 99.6% | 99.5% | 98.7% |
| < 2 months | Average number of weeks to decision | | | | 4.6 | 4.3 | 4.2 | 5.4 | 5.7 |
| > 2 months | Percentage of decisions | - | - | - | 0.9% | 0.4% | 0.4% | 0.5% | 3.4% |
| > 2 months | Average number of weeks to decision | | | | 8.6 | 8.7 | 9.9 | 8.7 | 8.8 |

2020/21 ● Our previous PPF Report again reported outstanding decision-making timescales. Our average timescale for determining major applications was faster than the previous year (11.1 vs. 13.1 weeks) and the statutory timescale and considerably faster than the Scottish average of 41.3 weeks. While our timescales for local and householder applications were marginally slower as the service adapted to working under coronavirus restrictions – increasing by 0.5 and 1.1 weeks respectively – it was noted that they remained faster than the Scottish average and statutory timescale. The Scottish Government awarded us a green rating for Performance Marker 1 – Decision-making.

Figure 1: North Ayrshire average decision-making timescales vs. Scottish average, 2020/21



2021/22 Over the past twelve months we have largely been able to maintain our excellent decision-making timescales despite a significant increase in applications to the authority. The Planning Service determined 675 applications during 2021/22, an increase of 27% on the previous year and more applications than any of the previous seven years. This includes a rise of over 100 householder applications.

We dealt with 3 major applications in total, with the two that did not have processing agreements determined in an average time of 9.4 weeks. This is an improvement on 11.1 weeks during 2019/20 (4 applications without a Processing Agreement).

There has been a minor increase in determination times of just 0.3 weeks for local developments but over 96% of all local developments were determined within 2 months.

Development Management Overview

Our development management team has remained a team of six planners following an expansion from 5 to 6 planners in 2019/20. A vacancy did arise at the start of March 2022 when a Planning Assistant returned to the Council's Flooding team for a promoted post but we have successfully recruited to fill this post, with a new Planning Assistant beginning at the end of May 2022.

The team operates on a broadly area basis, with a 'west' team covering the north coast, Three Towns and Arran and 'east' team covering Irvine, Kilwinning, and the Garnock Valley. Each team is headed by a Senior Development Management Officer, while there is a planning officer dedicated to the Isle of Arran.

This arrangement provides senior overview of key issues within each area whilst allowing for flexibility for officers. It also reflects the distinctive nature and challenges of serving a large island within a predominantly mainland authority. This system gives the officers the chance to engage in a wide range of development management issues, increasing knowledge and skill base, whilst allowing them to focus on the ethos of providing timely decisions and first-class customer service. The Council's decision-making performance continues to be class leading with timescales in all classes of development consistently and significantly lower than the Scottish averages.

Other Development and Decision Types (not subject to processing agreement)

Housing developments – Major

| | 2019-20 | 2020-21 | 2021-22 |
|-------------------------------------|---------|---------|---------|
| Number of decisions | 1 | 3 | 0 |
| Average number of weeks to decision | 21.1 | 9.6 | - |

Business and Industry developments – Major

| | 2019-20 | 2020-21 | 2021-22 |
|-------------------------------------|---------|---------|---------|
| Number of decisions | 0 | 0 | 1 |
| Average number of weeks to decision | - | - | 12 |

Housing developments – Local

| | | 2019-20 | 2020-21 | 2021-22 |
|------------|-------------------------------------|---------|---------|---------|
| | Number of decisions | 83 | 74 | 83 |
| | Average number of weeks to decision | 6.0 | 6.3 | 6.3 |
| < 2 months | Percentage of decisions | 97.6% | 97.3% | 95.2% |
| < 2 months | Average number of weeks to decision | 5.9 | 6.2 | 6.2 |
| > 2 months | Percentage of decisions | 2.4% | 2.7% | 4.8% |
| > 2 months | Average number of weeks to decision | 9.2 | 9.1 | 9.2 |

Business & Industry developments – Local

| | | 2019-20 | 2020-21 | 2021-22 |
|------------|-------------------------------------|---------|---------|---------|
| | Number of decisions | 11 | 16 | 10 |
| | Average number of weeks to decision | 5.1 | 5.4 | 6.0 |
| < 2 months | Percentage of decisions | 100% | 93.8% | 90% |
| < 2 months | Average number of weeks to decision | 5.1 | 5.2 | 5.5 |
| > 2 months | Percentage of decisions | - | 6.3% | 10% |
| > 2 months | Average number of weeks to decision | - | 8.9 | 10.3 |

Advertisements

| | 2019-20 | 2020-21 | 2021-22 |
|-------------------------------------|---------|---------|---------|
| Number of decisions | 24 | 10 | 35 |
| Average number of weeks to decision | 3.8 | 5.9 | 4.8 |

Listed Building and Conservation Area Consent

| | 2019-20 | 2020-21 | 2021-22 |
|-------------------------------------|---------|---------|---------|
| Number of decisions | 33 | 28 | 23 |
| Average number of weeks to decision | 5.9 | 6.0 | 6.7 |

Other Consents and Certificates

| | 2019-20 | 2020-21 | 2021-22 |
|-------------------------------------|---------|---------|---------|
| Number of decisions | 45 | 55 | 49 |
| Average number of weeks to decision | 2.4 | 3.7 | 4.6 |

Local Reviews

| | 2019-20 | 2020-21 | 2021-22 |
|-----------------------------------|---------|---------|---------|
| Number of decisions | 10 | 9 | 8 |
| Original decision upheld – Number | 7 | 7 | 6 |
| Original decision upheld – % | 70% | 77.8% | 75% |

Appeals to Scottish Ministers

| | 2019-20 | 2020-21 | 2021-22 |
|-----------------------------------|---------|---------|---------|
| Number of decisions | 1 | 0 | 3 |
| Original decision upheld – Number | 1 | - | 2 |
| Original decision upheld – % | 100% | - | 66.7% |

NB: There have been no *EIA Developments* or *Hazardous Substances* applications between 2019-20 and 2021-22

PM2. Processing Agreements

| | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--|---------|---------|---------|---------|---------|
| Number of major applications subject to processing agreement | 5 | 2 | 6 | 5 | 1 |
| Percentage of major applications subject to processing agreement | 62.5% | 50% | 75% | 55% | 33% |

PM3. Early Collaboration

| | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--|---------|---------|---------|---------|---------|
| Number of applications subject to pre-application advice | 193 | 148 | 131 | 126 | 165 |
| Percentage of applications subject to pre-application advice | 35% | 24% | 20% | 28.7% | 25% |

PM4. Legal Agreements

| | | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|-------|-------------------------|---------|---------|---------|---------|---------|
| Major | Number | 1 | 0 | 0 | 0 | 0 |
| Major | Average number of weeks | 13.9 | - | - | - | - |
| Local | Number | 0 | 0 | 0 | 0 | 0 |
| Local | Average number of weeks | - | - | - | - | - |

2020/21 ●●●

The Scottish Government's Performance Markers Report again awarded us a green rating for the performance markers relating to processing agreements (PM2), early collaboration with applications and consultees (PM3) and on the use of legal agreements (PM4) for the 2020/21 reporting period. It noted that processing agreements continued to be offered for all major applications and for complex local applications; that our report contained a number of examples of continuing positive pre-application engagement and that we did not determine any applications that were subject to a legal agreement during the time period.

2021/22

We continue to encourage the use of processing agreements for all major and relevant local applications and last year 1 out of 3 major applications, four local applications and one other consent were subject to such an agreement. Ensuring we use processing agreements proportionately assists us to project manage the formal application process and sets out what is expected of applicants in terms of information needed to reach a decision. The use of Processing Agreements is promoted and explained on our website ► <https://tinyurl.com/y2abqudl>

The Council offers free pre-application advice for all applications, which are recorded within Uniform ensuring consistency of advice. This year 398 pre-application enquiries were logged. Case study B1 provides just one example of the positive pre-application engagements we have had which contributes to high quality developments in North Ayrshire.

Pre-application Advice for applicants ► <https://tinyurl.com/jmw6sw6w>

Again, no applications were determined with a legal agreement.

Enforcement

| PM5. Enforcement Charter | | | | | | |
|--|-----------|----------|-----------|-----------|----------|------------------|
| | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
| Time since enforcement charter published or reviewed (at 31 st March) | 23 months | 9 months | 21 months | 10 months | 0 months | 12 months |
| Indicators and Statistics | | | | | | |
| Complaints lodged and investigated | 183 | 148 | 162 | 147 | 124 | 155 |
| Breaches identified | 124 | 107 | 96 | 90 | 59 | 88 |
| Cases closed | 125 | 113 | 210 | 152 | 101 | 149 |
| Notices Served | 21 | 17 | 10 | 9 | 12 | 13 |
| Direct Action | 0 | 0 | 0 | 0 | 0 | 0 |
| Reports to the Procurator Fiscal | 0 | 2 | 0 | 0 | 0 | 0 |
| Prosecutions | 0 | 0 | 0 | 0 | 0 | 0 |

The Planning Service's Enforcement Charter was updated in March 2021 ► <https://tinyurl.com/2p82mrx>

Following last year's downturn in enforcement statistics, which was attributable to COVID restrictions, there has been a slight upturn in cases lodged and investigated. Due to fewer movement restrictions, more investigation site visits were undertaken and there has been an increase in breaches identified. This has also allowed the Council to progress existing cases with an approx. 50% increase in cases closed. The Council has continued to take appropriate action where considered expedient to do so.

Development Planning

Following the adoption of the North Ayrshire Local Development Plan, our second local development plan (LDP2), in November 2019 the Planning Committee endorsed our intention not to begin preparation of our next LDP under the 'old' legislation and regulations but to prepare LDP3 under the new provisions of the 2019 Act once they are laid in Parliament and published. An updated Development Plan Scheme was agreed by Planning Committee in September 2021 which revised the indicative timetable to account for the delay in the publication of the Local Development Planning Regulations, which were initially expected to be published in December 2021.

It is anticipated that the current timetable for producing LDP3 may be subject to further delay in-line with the publication of the Regulations, now expected to be "later in 2022". In the meantime, we are progressing with scoping work around the content and data requirements of the Evidence Report and developing a Participation Strategy for LDP3, including through discussions with other local planning authorities at the same stage of plan preparation (see case study D2).

A number of monitoring workstreams are being progressed which will inform the Evidence Report. Ongoing audit work includes on town centres, local nature conservation sites and landscape areas, GP and school capacity, employment land and housing land. Our 2020/21 Housing Land Audit was published in February 2022 after being agreed with Homes for Scotland as we continue to work closely

with the housebuilding industry to deliver new homes in North Ayrshire.

Another key focus of the Strategic Planning team during 2021/22 has been the adoption of Development Frameworks for two of the LDP's Strategic Development Areas at Ardrossan North Shore and Hunterston. The LDP calls for co-ordinated action and a masterplanned approach at Hunterston and the Planning Service has worked alongside site owners Peel Ports and other stakeholders to bring forward a Framework which supports the site's development and to promote Hunterston as a 'National Development' within the National Planning Framework (NPF).

Finally, responding to the Scottish Government consultations on Draft NPF 4, proposals for regulations and draft guidance on local development planning, open space strategies and Play Sufficiency Assessments was a significant undertaking for the Strategic Planning team in the final four months of 2021/22. The team engaged with services across the Council, including through the preparation of topic-specific briefings, to ensure a comprehensive response to NPF4 was submitted covering a range of different topics. The Strategic Planning Manager also led on responding to the consultation on Local Place Plan regulation for Heads of Planning Scotland in June 2021.

► LDP webpage: <https://tinyurl.com/yym1blen>

► Development Plan Scheme: <https://tinyurl.com/y6a2q933>

| | | | | | | |
|--|--------------------|--------------------|--------------------|----------|------------------|--------------------------|
| PM7. Local Development Plan | 2020/21 ● | | | | | |
| PM8. Development Plan Scheme | 2020/21 ● | | | | | |
| | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
| Age of local development plan at end of reporting period (requirement: < 5 years) | 2 years, 10 months | 3 years, 10 months | 4 years, 10 months | 4 months | 1 year, 4 months | 2 years, 4 months |
| Will the local development plan be replaced by its fifth anniversary according to the current development plan scheme? | Y | Y | N | Y | Y | N |
| Was the expected date of submission of the plan to Scottish Ministers in the Development Plan Scheme changed over the past year? | N | N | N | N/A | N/A | Y |
| Were development plan scheme engagement/ consultation commitments met during the year? | Y | Y | Y | N/A | N/A | N/A |

Land Supply and Development

NB. Latest Housing Land Audit covers 2020/21

| Indicators & Statistics | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|---|---------|-------------------|-------------------|-------------------|-------------------|-------------------------|
| Established housing land supply (units) | 8800 | 9249 | 9110 | 8620 | 9115 | 8665 |
| 5-year effective housing land supply – programming (units) | 2674 | 2405 | 2443 | 2491 | 2558 | 2654 |
| 5-year effective housing land supply – total capacity (units) | 7012 | 4984 | 4714 | 5099 | 4888 | 4697 |
| 5-year housing supply target (units) | 2090 | 1585 ¹ | 1585 ¹ | 1585 ¹ | 2036 ² | 2036² |
| 5-year effective housing land supply (years) | 6.4 | 7.6 | 7.7 | 7.9 | 6.3 | 6.5 |
| Housing approvals (units) | 580 | 451 | 551 | 378 | 892 | 965 |
| Housing completions over last 5 years (units) | 1553 | 1305 | 1320 | 1447 | 1445 | 1425 |
| Marketable employment land supply (ha) | - | 416 | 416 | 416 | 416 | 514³ |
| Employment land take-up (ha) | - | - | - | - | - | - |

¹ Housing Supply Target updated from Local Housing Strategy 2018-22 agreed by Cabinet 12 December 2017

² Figure from adopted Local Development Plan (November 2019)

³ Figure from draft Employment Land Audit 2021 following review and reclassification of all employment sites.

PM11. Regular and Proportionate Advice

2020/21 ● The Scottish Government's feedback on last year's PPF acknowledged that work to update and rationalise non-statutory and statutory supplementary guidance was ongoing, with a draft policy guidance note on new housing development in the countryside being published and that we continued to develop advice on climate change in response to the council's declaration of the Climate Emergency.

2021/22 A comprehensive review of our supplementary and other planning guidance is ongoing following the adoption of the Local Development Plan, which forms the basis of our proportionate approach to providing policy advice, in November 2019. The overall aim is to update, streamline and reduce the amount of guidance. In June 2021, a new policy guidance note on new housing in the countryside was adopted and in February 2022 a Design Guide for a self-build scheme in Millport was revised. Work to prepare guidance on climate change and sustainability will be prepared this year following the publication of the Council's strategy on this important subject and in line with NPF4.

► Planning Guidance: <https://tinyurl.com/yaigprto>

PM14. Legacy Cases

| | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---|---------|---------|---------|---------|---------|---------|
| Number of cases cleared during reporting period | 3 | 2 | 0 | 1 | 0 | 0 |
| Number remaining | 4 | 2 | 2 | 1 | 1 | 1 |

2019/20 ● At the end of March 2021, the number of legacy cases (applications over 1 year old) remained at one. This remaining legacy case relates to a key regeneration project under development and the applicant has indicated the intention not to withdraw the application.

2020/21 No change.

Officers continue to ensure that all new applications are progressed effectively, pro-actively managing cases using a range of approaches including weekly programming meetings, time management of casework, use of processing agreements, and pre-application discussions to enable 'right first time' submissions. We continue to focus on negotiating out issues which, in the past, would have resulted in S75 obligations, which limit the likelihood of an increase in legacy cases in the future.

PM15. Developer Contributions

- 2020/21** ● The Scottish Government feedback rated us 'green' against this Performance Marker, noting that we do not routinely require developer contributions as a means to encourage investment in North Ayrshire and that where contributions are required, the LDP policy sets out the requirements.
- 2021/22** As noted last year, to support development and regeneration in North Ayrshire we do not routinely require developer contributions. The LDP expects most of the new development to be directed towards sites that have infrastructure or services in place. Where further provision is required, the Supporting Development Objective: Infrastructure and Services policy within the LDP (p.16) sets out clear and proportionate expectations and the need for relevant assessments is highlighted alongside each development site where potential infrastructure deficiencies are known. The Council's position with regard to education capacity is currently being reviewed.

Local Development Plan ► <https://tinyurl.com/y8e79jgn>

Part 3 – Service Improvements

Delivery of service improvement actions committed in previous year and planned service improvements in 2022/23

| 2021/22 | | 2022/23 | |
|---|---|---|---|
| 2020/21 Commitment | Progress | | 2022/23 Commitment |
| <p>Ayrshire Growth Deal: Support the Director of Growth and Investment in the implementation of the Ayrshire Growth Deal in North Ayrshire and the wider growth and investment opportunities.</p> <p>Progress Masterplan for Hunterston in partnership with site owners.</p> | <p>✓ Development Frameworks for Ardrossan North Shore and Hunterston approved at Planning Committee in April 2021 and December 2021</p> <p>✓ Planning represented on Programme Boards for Growth Deal projects.</p> | <p>Repositioning the Planning Service to promote Placemaking</p> | <p>Continued commitment for 2022/23 with focus on supporting delivery.</p> |
| <p>Support economic recovery and renewal by contributing to a cross service/Council approach to economic development, centred on placemaking and Community Wealth Building.</p> | <p>🔄 Ongoing. Planning represented on the Regeneration Sounding Board and Inward Investment Group.</p> <p>Supported plans for £100m plus investment in a new global manufacturing centre at Dalry, announced during COP 26.</p> | <p>Repositioning the Planning Service to promote Placemaking</p> | <p>Continued commitment for 2022/23 with focus exploring the alignment of Planning and Community Wealth Building, including in context of NPF4.</p> |

| | | | |
|---|---|--------------------------------------|---|
| Development Management: Continue to provide an efficient and effective Development Management Service. | ✓ Sector leading performance maintained | Driving Improved Performance | Continued commitment for 2022/23 |
| Service Delivery: review changes to service delivery necessitated by COVID-19 and new working patterns to identify potential opportunities to improve robustness of service delivery. | ✓ see Case Study B1 | Driving Improved Performance | Continued commitment for 2022/23 including further improvements to communication processes, especially in relation to the handling and publishing of public comments online, are planned. |
| Development Planning: Following the timetable set out in the Development Plan Scheme, develop Evidence Base to inform LDP3. Explore how Community Wealth Building can be embedded within the new LDP. | 🔄 Development Plan Scheme revised to reflect delays in implementation of new legislation on Local Development Planning A number of audits are ongoing to inform the Evidence Report and next LDP | Promoting the Plan-led System | Continued commitment for 2022/23 with focus on promoting a corporate approach to developing LDP3. |

Workforce Information at 31st March 2022

| | Tier 1 <i>Chief Executive</i> | Tier 2 <i>Director</i> | Tier 3 <i>Head of Service</i> | Tier 4 <i>Manager</i> | |
|---------------------------------|---|----------------------------------|---|---------------------------------|----------------|
| Head of Planning Service | | | | ✓ | See Appendix 1 |

| Headcount | Chartered RTPI | Licentiate RTPI | All |
|-----------------------------|-------------------|--------------------|-----|
| Development Management | 3 | 1 | 5* |
| Development Planning | 2 | 2 | 4 |
| Technical Support | | | 4 |
| Total (inc. Senior Manager) | 5 | 5 | 14 |

*One vacant post in Development Management at 31st March 2022 which has subsequently been filled.

| | Age Profile |
|-------------|--------------------|
| Under 30 | 2 |
| 30-39 | 3 |
| 40-49 | 5 |
| 50 and over | 4 |

Planning Committee Information

| Committee & Site Visits | Number per year |
|------------------------------------|------------------------|
| Full Council meetings | 9 |
| Planning committees | 10 |
| Area committees | n/a |
| Committee site visits | 0 |
| Local Review Body | 8 |
| Local Review Body site visits | 1 |

Appendix 1 – Corporate Structure

(at May 2022)



Our Contact Details

For more information or advice, please contact:

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This Planning Performance Framework can be made available in other formats such as on audio tape, on CD, in Braille or in large print. We can also provide it in other languages if you ask us to.



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath