

ITEM: 12
APPENDIX 1



PLANNING PERFORMANCE FRAMEWORK

**ANNUAL REPORT
2015 - 2016**



the **moray** council

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INTRODUCTION

The Moray Local Development Plan 2015 was adopted on the 31st July 2015, two months earlier than anticipated in the previous annual Development Plan Scheme. To support the adoption process, a series of engagement events were held with Council staff, developers and community groups to raise awareness of the new policies and priorities set out in the Plan.

One of the three primary policies in the new Plan is Placemaking and to support the policy aims, the Council has continued to work collaboratively with local landowners and developers on a programme of large scale masterplans at Findrassie (Elgin), Dallas Dhu (Forres) and Elgin South. The Council has also introduced a quality audit process to evaluate the design quality of development proposals at pre-application and application stage. The audit is completed by a multi-disciplinary team of officers from transportation, development plans, development management and housing and uses a traffic light scoring system to assess proposals against 12 criteria. The audit identifies possible mitigation and improvements and these form the basis for further discussions with developers.

The other Primary Policies are on Sustainable Economic Growth and Climate Change. The Council continues to facilitate development and ensure an effective housing and employment land supply is available to support growth and promote a range of measures to support the requirements of the Climate Change legislation.

Development proposals that have been recently approved and are progressing on the ground with the most significant investment being that of the Macallan Distillery/Visitor Centre which is now scheduled for opening in the summer of 2017.

In terms of education, work has commenced on Elgin's replacement High School and will provide enhanced education and sporting facilities for the area. There has also been a significant increase in the take up of employment land with smaller industrial units on the Waterford Industrial Estate in Forres being provided and occupied as well as larger units on the Forres Enterprise Park which is a positive sign that the economy in Moray continues to expand.

The work on the Elgin Flood Alleviation Scheme has also been completed this year with a new bridge, cycle ways and landscaping adding the finishing touches to a five year programme of works which has delivered significant environmental improvements to Elgin.

The fifth planning performance framework includes a number of case studies to highlight how the service delivers its service to a range of customers as well as demonstrating continued improvements that have been through increased partnership working. Moray is keen to support all business proposals through the planning service has a vital role to play in supporting the Scottish Governments economic strategy by ensuring that the Local Development Plan is kept up to date and contributes significantly to the overall housing targets that are set for Scotland through both affordable and private housing schemes .

Jim Grant, Head of Development Services

PART 1

National Headline Indicators (NHI's)

The table below provides performance figures for key indicators within both Development Management and Development Planning.

KEY OUTCOMES	2015/2016	2014/2015
Development Planning <ul style="list-style-type: none"> Age of local/ strategic development plan(s) (full years) Will the local/strategic development plan be replaced by their 5th anniversary according to the current development plan scheme? (Y/N) Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past Year? (Y-earlier/Y-later/N)? Where development plan scheme engagement/consultation commitments met during the year? (Y/N) 	1 year Y N Y	6 years N Y Y
Effective Land Supply and Delivery of Outputs <ul style="list-style-type: none"> Established housing supply 5-year effective housing land supply 5-year housing supply target 5-year effective housing land supply (to one decimal place) Housing approvals Housing completions over the last 5 years Marketable employment land supply Employment land take-up during reporting year 	13,123 units 4,958 units 2,690 units 9.2 years 704 units 1695 units 99.41 ha 4.41 ha	6,421 units 2,474 units 1,900 units 6.5 years 709 units 1815 units 56.29 ha 3.83 ha
Development Management Project Planning <ul style="list-style-type: none"> Percentage of applications subject to pre-application advice Number of major applications subject to processing agreement or other project plan Number of applications subject to other project plan Percentage planned timescale met 	24% 6 0 66.7%	35% 1 N/A 100%
Decision Making <ul style="list-style-type: none"> Application approval rate Delegation rate 	91.0% 97.6%	93.6% 97.9%

KEY OUTCOMES	2015/2016	2014/2015
Decision – making Timescales Average number of weeks to make decisions: <ul style="list-style-type: none"> • Major developments • Local development (non-householder) • Householder developments 	20.0 7.5 6.3	13.1 7.7 5.8
Legacy Cases <ul style="list-style-type: none"> • Number cleared during reporting period • Number remaining 	0 1	0 0
Enforcement <ul style="list-style-type: none"> • Time since enforcement charter published/reviewed • Number of cases identified/resolved 	4 months 243/255	13 months 168/188

EXPLANATORY NOTES

The Moray Local Development Plan was approved on 31st July 2015 and this has released a substantial number of new housing and employment land sites. Housing completion rates have remained steady and are projected to increase over the next few years with a number of mid-market rental projects being built and the gradual recovery of the housing market continuing.

Providing an effective employment land supply continues to be a priority and the Council are working with partners to investigate opportunities for this Plan period and looking ahead towards the next plan period.

The new Development Plan Scheme was approved in February 2016 and early project planning and engagement work is taking place to lead into the start of the formal review process in 2017.

The Housing Land Audit and Employment Land Audit were published in April and reported to Committee on 14th June 2016.

The average decision-making timescales are continuing to be reduced for local developments and are below that of the national average. Householder average has increased slightly but is still below the national average. The approval rate is slightly down on the previous year whilst the level of delegation has remained fairly level. Major application timescales have increased as well but are still below the national average. The use of processing agreements has increased but the percentage of timescales met has fallen as in the previous reporting year only one was used (many have been missed by a small number of days). Three experienced staff in Development Management were on maternity leave during 2015-16 which has had a significant impact on workloads and impacted on overall performance levels.

Performance Markers Report 2015/16

No.	PERFORMANCE MARKER	EVIDENCE/COMMENTS
1.	Decision-making Authorities demonstrating continuous evidence of reducing average timescales for all development types	Official statistics. There has been continued improvements in decision making for local developments. Householder developments have seen a slight increase in average timescales. Major application timescales have also seen an increase but all average timescales are at a level well below the national average.
2.	Project management: 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 offered in advance to all applicants submitting major planning applications and is publicised on the web site. Standard template and guidance note available. Numbers of agreements being entered into have increased.
3.	Early Collaboration with applicants and consultees on planning applications: <ul style="list-style-type: none"> • Availability and promotion of pre-application discussion for all prospective applications; and • Clear and proportionate requests for supporting Information 	Pre-application advice is recorded in Uniform and the figures show that 24% of applications were subject to Pre-application advice. Major Pre-application advice offered, link on the web site to form, guidance and calendar of meeting dates. Pre-application advice for local development is provided in a template form similar to major applications which has provided a more consistent level of advice. Regular engagement with developers has been established before the pre-application stage, with a specific emphasis upon promoting the Council's new Primary Policy on Placemaking, which supports Creating Places and Designing Streets. Case study to demonstrate how pre-application advice is clear and proportionate requests for supporting information.
4.	Legal Agreements: Conclude (or reconsider) applications within 6 months of 'resolving to grant'	Official Statistics. Improvements in timescales for applications subject to a legal agreement and targets set for them to be within 4 months from date instructions issued to legal. Agreed by Committee in March 2015 and targets to be monitored.
5.	Enforcement Charter <ul style="list-style-type: none"> • Updated/re-published 	Link to website to revised Enforcement Charter reviewed in March 2016 and approved by SG.

No.	PERFORMANCE MARKER	EVIDENCE/COMMENTS
6.	Continuous Improvement: Show progress/improvement in relation to PPF National Headline Indicators; Progress ambitious and relevant service improvement commitments identified through	Improvements have been made to average timescales for local developments. Average timescales shown in the NHIs and official statistics are all below the national average. The LDP is now adopted and is less than 1 year old. The service improvement progress is detailed in Part 4 of this report. Service improvements progress has been detailed in the PPF report Section on service improvements.
7.	Local development plan • Less than 5 years since adoption	The Local Development Plan is less than 1 year old since Adoption.
8.	Development Plan Scheme Demonstrates next LDP on course for adoption within 5 year cycle; project planned and expected to be delivered to planned timescale	The Development Plan Scheme approved in February 2016 identifies key milestones in the early preparation of the next Local Development Plan, with work started on the new Housing Need & Demand Assessment. Links to minutes and report on Development Plan Scheme.
9.	Elected members engaged early (pre-MIR) in development plan preparation	Not relevant during 2015/16.
10.	Cross sector stakeholders, including industry Agencies & Scottish Government, engaged Early (pre-MIR) in development plan preparation	Not relevant during 2015/16.
11.	Production of regular and proportionate policy, advice, for example through supplementary guidance, on information required to support applications	See Council Web site as regards what a developer needs to consider before submitting an application. Supplementary Guidance on Developer Obligations prepared and approved by Committee in June 2016. The availability of Processing Agreements gives prospective applicants the opportunity of obtaining clarity about timescales and the extent of supporting information which is expected from them. All PANS that are submitted are reported to committee and any comments received are reported back to the applicant to help front load the application.

No. PERFORMANCE MARKER	EVIDENCE/COMMENTS
12. Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined up services; single contact; joint pre-application advice)	<p>The Street Naming and Numbering function has transferred to Development Plans now forming part of the duties of the GIS/CAG officers. Planning & Transportation liaison meetings are held regularly. We have joined up pre-application advice service, continue to offer a duty officer service and have an up to date protocol with Cairngorms National Park.</p>
13. Sharing good practice, skills and knowledge between authorities	<p>Benchmarking meetings - SOLACE family Group 2. CNPA Liaison meetings. Attendance at HOPS DC-Sub Committee & Active Participation and chairing of meetings on a rotational basis of the North of Scotland Development Plans Forum, HOPS representative on SPSO Working Group.</p>
14. Stalled Sites/legacy cases: Conclusion/withdrawal of planning applications more than one year old	<p>One new legacy case over 12 months in the system subject to a S.75 agreement and processing agreement. One application withdrawn.</p>
15. Developer Contributions: Clear expectations set out in development plan and in pre-application discussions	<p>Supplementary Guidance on Developer Contributions was consulted upon during 2015 and responses reported to committee in December 2015. Fundamental changes were agreed and a second consultation ended in May 2016. Responses to the second consultation were reported to Committee in June 2016 and a final version of the Guidance is expected to be operational in July 2016. Pre-application advice is available through pre-arranged meetings attended by the Planning Obligations Unit Officer.</p>

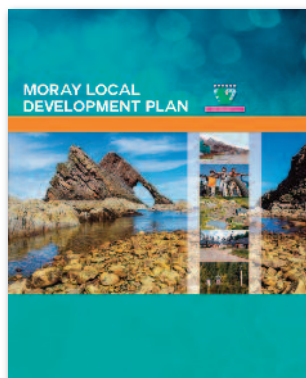
PART 2

Defining and Measuring a High Quality Planning Service

QUALITY OF OUTCOMES

Local Development Plan 2015

The Moray Local Development Plan 2015 has now been approved and adopted and makes Placemaking one of three Primary Policies reflecting national and local aspirations to raise the quality of design standards. A Quality Auditing process was approved by Committee in December 2015 and this has been introduced with officers from Development Plans, Development Management, Transportation and Housing working together to assess proposals, carry out the audit, identify mitigation measures and discuss these with the applicant. Changes to the audit results are being monitored to assess the effectiveness of the system which will be reviewed after one year in operation.

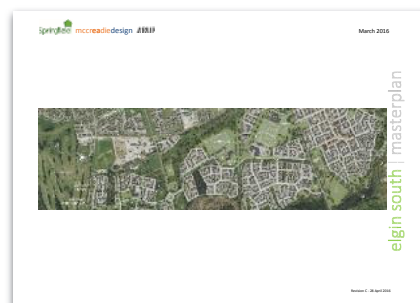
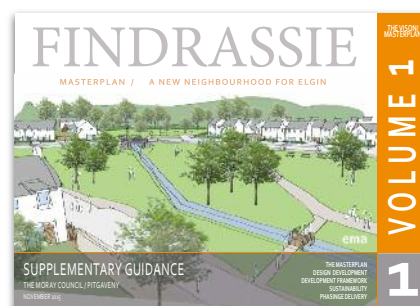


Supplementary Guidance

In addition to a current and up to date Local Development Plan there are 7 Supplementary Guidance documents (these support specific policies in the Local Plan) and 1 that is currently in draft form on Developer Obligations.

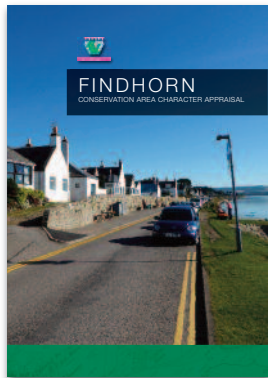
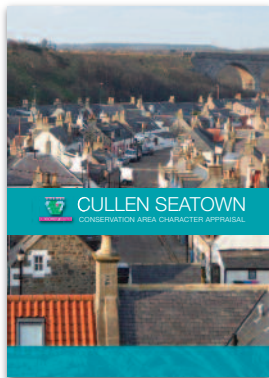
Masterplans

The programme of masterplans and development briefs being prepared have Placemaking firmly embedded within them and these are seen as an important way of setting design requirements and aspirations at an early pre application stage. Findrassie Masterplan - The final Masterplan was approved on 25th August 2015 and has been subject to the Architecture and Design Scotland review panel process. The Masterplan involved close collaborative working between the landowners agents, their commissioned masterplan team and Council officers and the result is a high quality, landscape led masterplan proposing 1500 houses, primary school and community facilities.



Conservation Area Appraisals

The Council approved Conservation area appraisals for Findhorn and Cullen and these have been subject to public consultation. These are designed to assist the development management process by explaining the character of the conservation areas and providing design guidance to manage pressures on these areas.



Conservation Area Regeneration Schemes

The Keith Conservation Area Regeneration Scheme (CARS) was established in April 2011 and has run for a five year period and was made possible through funding from Historic Scotland, The Scottish Government and European Community, Moray Leader 2007-2013 programme and Moray Council. The Elgin CARS was launched in August 2013 and is now part way through a five year programme.



2015 Scottish Awards for Quality in Planning

Category: Development Plans

The Moray Council was granted an Award in the Scottish Awards for Quality in Planning in relation to Delivering an Effective Housing Land Supply. The reason the award was given was that "The innovation of this approach towards housing which had been welcomed by major land owners and developers in Moray, impressed the Judges who gave this an award".

Category: Development on the Ground

The Moray Council was granted a Commendation in the Scottish Awards for Quality in Planning for the development approved at Dalmunach Distillery, Speyside. The reason given for the commendation states "In understanding the significance of the building, the planning authority dealt with the application effectively through pre-application stage and supported its high quality ambition, through the whole process".



Elgin Town Centre Regeneration Action Plan

Following on from the Elgin Public Charrette team a Regeneration Action Plan for Elgin was presented to the Economic Development and Infrastructure Committee in August 2015 which comprised 12 separate action plans. These have been progressed but have been constrained due to a lack of finance to implement the plans. Alternative funding sources are being applied for as and when they come available.

CASE STUDY 1

PROVIDING A DEVELOPMENT FRAMEWORK

FINDRASSIE MASTERPLAN

The Local Development Plan promotes long term expansion areas to the north and south of Elgin and requires masterplans to be prepared which will be adopted as Supplementary Guidance.

Findrassie Masterplan - The masterplan was approved as Supplementary Guidance in December 2015 and covers a 1500 house site to the north of Elgin, which also includes 12 hectares of employment land, a primary school and community facilities. The Council has worked collaboratively with the landowners, Pitgaveny Estate and their agents to produce and approve the masterplan.

The masterplan takes a landscape led approach with a central "spine" of open space forming the focal point. The collaborative approach between the Council and landowner has been praised by elected members of Moray Council and Elgin Community Council along with Architecture and Design Scotland (A&DS) who considered the relationship to be exemplary with the dedication, approach and commitment by the local authority cited as national best practice.

The high quality masterplan was reliant on a joint project team progressing all stages co-operatively with the landowner and Council investing significant time and resources and having a shared vision for delivering a high standard of design. Bi-monthly internal stakeholder meetings to update Council departments on progress were followed by meetings with the landowners project team to maximise communication and co-ordination of the masterplan.

Council officers and the landowner's agents jointly attended three A&DS design forum reviews, which added value to the masterplan by challenging the robustness and deliverability of the concepts and terminology.

FINDRASSIE WOOD

ELGIN SOUTH MASTERPLAN

Elgin South is identified as a LONG term site in the Local Development Plan with a requirement to prepare a masterplan to ensure a co-ordinated approach is taken to infrastructure delivery.

The Council has been working with Springfield Properties to prepare the Masterplan, with a draft approved for consultation in April 2016. The draft has been informed by an initial stakeholder workshop, facilitated by Architecture and Design Scotland, which was then followed by a series of Steering Group meetings, with sub-groups on Transportation and Design feeding into the detail of the masterplan.

The masterplan seeks to deliver three distinct village forms, designed to complement each other and offer

scope for a well-planned, logical programme of phasing. The draft masterplan covers a period of approximately 30 years and consists of around 2,800 houses, two primary schools, a new sports centre, shared sports fields, new health centre, retail and community uses with extensive open spaces. Each of the three villages have their own distinctive character with Easter Linkwood based upon a traditional Scottish village with a hard landscaped town square and a much needed new cemetery; the main village of Linkwood will provide the key land uses including the new primary school and sports centre with shared facilities, a Central Park and range of residential properties; Wester Linkwood is more of a garden village with 2 central greenspaces linked by a series of green corridors, with lower density housing and a second primary school.



Figure 10
Concept Masterplan

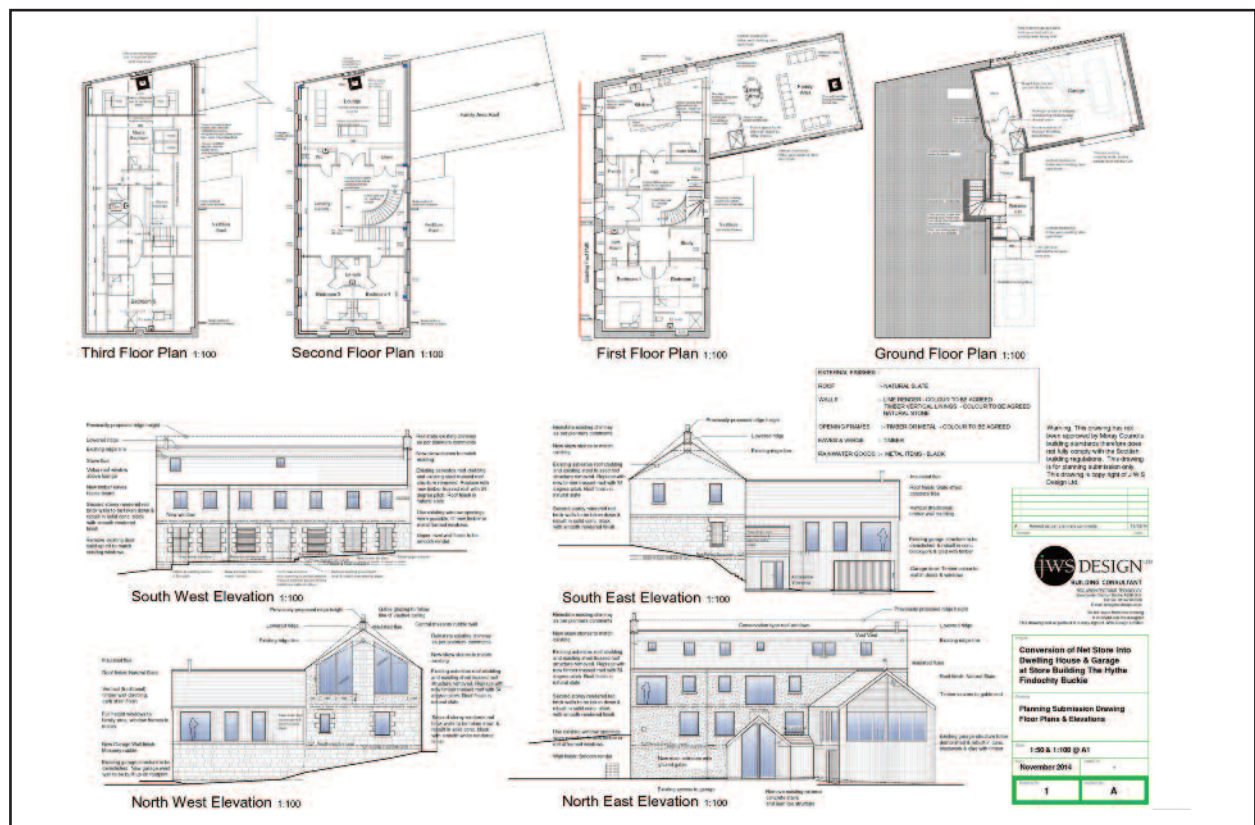
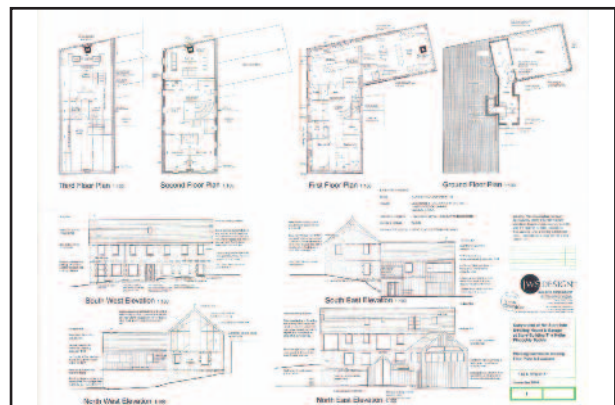
CASE STUDY 2

NEGOTIATED DESIGN IMPROVEMENTS

A planning application was submitted to convert a disused net store to a dwelling house and garage situated within a Conservation Area in a coastal settlement in Findochty. The application required a Contaminated Land assessment to be carried out and a meeting was held to discuss design amendments to the design of the proposal.

A revised application was submitted with the appropriate assessments and amended plans which were subsequently approved. A high quality development was achieved in a Conservation Area through pre-application discussions following the withdrawal of an original scheme.

Design changes through negotiation for the conversion of a disused net store to a dwelling in a Conservation Area in Findochty.



CASE STUDY 3

QUALITY AUDIT

On the 1st December 2015 the Council introduced a quality auditing process to support delivery of the Moray Local Development Plan 2015 Primary Policy 3 Placemaking. The audit process also supports the Scottish Planning Policy aim of adopting “a consistent and relevant approach to the assessment of design and place quality....”.

The quality audit is a series of checks to inform the design process and provide opportunities for developers to explain their reasoning and to explore options and alternatives. Applicants are encouraged to prepare a quality audit using a template at pre-application stage and supporting information to accompany a formal planning application. The audit is then assessed by a multi-disciplinary team of officers from Development Plans, Development Management, Transportation and Housing. The officers check the information provided, discuss issues arising, identify mitigation and potential solutions to reach a common understanding of the proposal and a way forward.

The audit uses a traffic light system to assess proposals, where;

- Applications should aspire to score green
- Applications scoring amber will be encouraged to move towards green through mitigation measures identified by officers
- Applications should not be scoring red as they would be recommended for refusal on design grounds.

The principle aim of quality auditing is to bring a consistent approach to encouraging higher quality placemaking being delivered on the ground. High standards of design can encourage inward investment, reduce anti-social behaviour, reduce car dependence and encourage healthier lifestyles.

QUALITY AUDIT



CASE STUDY 4

REVITALISING TOWN CENTRES

KEITH CONSERVATION AREA REGENERATION SCHEME (CARS)



Keith Conservation Area Regeneration Scheme

Keith Conservation Area Regeneration Scheme was established in April 2011 as part of a bigger objective to boost the economy and built environment of Keith on a long term basis. Repair and restoration works were

undertaken on key historic buildings around the Mid Street Conservation Area in Keith, which includes Mid Street, Reidhaven Square and the A-listed St Thomas' Catholic Church on Chapel Street. An additional small grants scheme was made available to property owners to make external repairs to buildings that are traditional in character. In addition, training and educational opportunities were provided for conservation professionals and the public.

The Keith Conservation Area Regeneration Scheme was the first of its kind to be run in Moray and was made possible through funding from Historic Scotland, the Scottish Government and European Community Moray LEADER 2007-2013 programme and the Moray Council.

Pop-up model

Part of the remit for Keith CARS was to deal with the shop vacancy rates on Mid Street. The pop-up model was employed, with great success, to do so. This involved taking over an empty shop for free and letting a number of different businesses use the space for free in the hope that one of them was successful enough to take on the shop on a permanent basis. In the event that this happened, we were able to then approach the owners of another empty shop having

successfully found a new permanent use for the previous one. Whilst in use for pop-up, the shop is still marketed by the owner.

This model is especially advantageous for the owner of an empty shop unit as the shop is being used and maintained whilst being marketed for sale rather than sitting empty, which is a better look for would-be buyers and puts off vandals etc. Issues such as heating being used prevent building decay, whilst pop-up use means the owner is freed from paying rates on the building. The other, more obvious benefit to the building owner is that CARS is effectively offering a second marketing campaign for the sale/rental of the building for free.

The shop was offered for periods up to four weeks for existing businesses who might be interested in establishing a permanent presence on Mid Street, or a temporary presence (i.e., over the Christmas period), start up businesses who might not have the working capital to pay rent, rates etc immediately, or who want an idea of how their business might work on Mid Street and community use, for example local arts groups for gallery use, cycle maintenance classes etc.

The shop was offered to tenants free of charge except for the payment of utility bills.

The only stipulation of use was that any business which traded out of the shop was not in direct competition with an established business on Mid Street. There was a contract drawn up upon entry of the pop-up shop to ensure that it was be open in regular hours as a shop and not used simply as a window for advertising.

147 Mid Street

Keith CARS took over the empty former DE Shoes shop in December 2013. The shop and upstairs flat had been vacant for around seven months and was being marketed through a local estate agent with little interest in the building.

The shop was advertised for pop-up use by Keith CARS in late December 2013 and was booked almost straight through until September 2014 within 2 weeks. All bookings were on the understanding that if the shop was to be sold or let then one month's notice is given to vacate and try to find another shop.

Within two months of the shop being open, an offer was made on both the shop and flat, the sale of which concluded successfully.

175 Mid Street

175 Mid Street was taken over as a new Pop-Up Shop which opened on 1st July 2014. Since then, 23 different small businesses used the shop, some having booked again due to particularly successful periods of trading. The shop was booked solid until the end of the CARS in March 2016. As a direct result of using the pop-up shop at 175 Mid Street, three businesses have taken leases on long-term empty shops on Mid Street and several more have opened shops outside of Keith.

Outcome

When the pop-up shop project started, Keith Mid Street had the highest percentage of empty shops in Moray. By the end of the CARS it had the lowest. The pop-up project has enabled local people to take control of a failing high street and turn it around dramatically.



HISTORIC
ENVIRONMENT
SCOTLAND | ÀRAINNEACHD
EACHDRAIDHEIL
ALBA



Moray
LEADER



QUALITY OF SERVICE & ENGAGEMENT

Planning officers are continuing to engage early at pre-application stage on development management issues, but also on a number of policy areas such as Accessible Housing and Developer Contributions, to understand the pressures on the development industry. Earlier and regular dialogue with developers results in better programming of resources to meet everyone's aspirations for a quality planning service.

This developing relationship has been evidenced at two information sessions hosted by the Council for the development industry to express their views on the draft Developer Obligations guidance to elected members. This involved a series of presentations followed by a Q and A session, which all parties found to be beneficial.

Council officers also attended a Homes for Scotland Regional meeting to discuss Accessible housing, Developer Obligations and Housing Land Audit processes and policies. A follow up meeting is scheduled for May 2016, where the programme for the next Local Development Plan will be outlined.

One of the key issues over the last 12 months has revolved around Developer Obligations and the need for clear guidance to provide certainty to landowners and developers. This is a complex task and when finalised the Council will have a policy basis for consistent application of developer obligations.

Work is ongoing on a programme of masterplans, with public consultation on Findrassie Masterplan, covering a 1500 house development at the north of Elgin, taking place during April 2015. Early work has started in Elgin South LONG and Dallas Dhu, Forbes.

One of the keys to our open for business approach is how we deal with planning applications for major developments and we have been successful in securing processing agreements with all current major applications pending consideration. The demand for pre-application meetings for major applications during 2015/16 has reduced which may increase once the new Development Plan is adopted. These continue to be available and meetings are scheduled on a monthly basis, six months in advance which helps gives internal and external consultees advance notice of meetings improving attendance. All major applications currently in the system are now the subject of a processing agreement which enables the development proposals to be project managed right through the process to discharging of conditions post decision.

All Applicants are offered a Processing Agreement which provides them with the opportunity of obtaining clarity about timescales and the extent of supporting information which is expected of them. This assists developers with their timescales and smooths the process for the implementation of the project.

All PAN's that are submitted are reported to the first available Planning & Regulatory Services Committee and comments that are received from all Members (including those not on the the Planning Committee) are reported back to the applicant so that these can assist in front loading the application process. This process has been operating for over a year and has been a way of highlighting issues at an early stage. Ten PAN's have been reported to Committee during 2015/16.

During 2015/16 the Moray Economic Partnership continued to hold quarterly meetings at the premises of Moray Businesses. These meetings provide the business community with an insight into the work of the partnership to grow and diversify the local economy and an opportunity for business to meet with partners advising them about their operations and development plans. This fosters closer working and understanding not limited to planning and physical development but can be used to help identify and address training and skills deficits, facilitate access to labour, which can then lead to more employment.

The Chair of the Moray Economic Partnership and Corporate Director met with a number of local developers and businesses over the last 12 months to seek feedback on performance and engagement levels. The results of these meetings were fed back and actioned and were almost universally positive.

These were held in the following locations:

- May 2015 – Pluscarden Abbey (Visitor Attraction);
- September 2015 - Horizon Scotland (Highlands & Islands Enterprise Park);
- December 2015 – Moray Council (Local Authority); and
- February 2016 – Moray College (Education /UHI)

In November 2015 the Moray Business Community held the inaugural Moray Business Week, a programme of events, seminars and engagement.

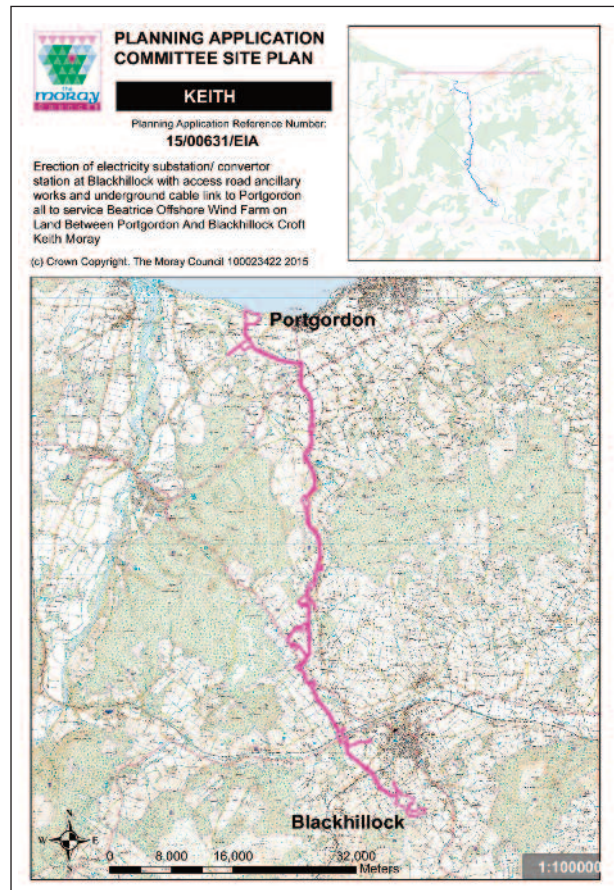
CASE STUDY 5

DELIVERING NATIONAL DEVELOPMENTS

We are continuing to support the delivery of strategic national development by ensuring that our processes are efficient and streamlined to support applications that have important economic implications for Scotland.

We granted planning permission for an Electricity substation/convertor station with access road and underground cable link to service an off shore windfarm.

The proposal was subject to our major pre-application process which enabled us to identify the value of a processing agreement and to ensure that all consultees had the opportunity to identify their requirements for supporting information prior to the application being submitted. The application was determined by a pre-determination hearing and was dealt with in line with the timescales set out in the processing agreement which required a special meeting to be arranged. This was achieved by efficient project management and a coordinated approval to dealing with developments. All conditions have now been discharged and work has commenced on site.



GOVERNANCE

A Customer Charter Focus Strategy and Customer Charter for Moray Council has now been adopted as a corporate document and is applicable to the delivery of a high quality customer focused planning service.

Planning and Development Officers continue to meet with local developers to discuss proposals and timescales for bringing forward sites designated in the new Local Development Plan. A database of landowners has been compiled and officers will be engaging with landowners and developers to establish the effectiveness of sites as the Council progresses the next Local Development Plan.

The Development Management team operate a single point of contact/case officer for all applications, direct dial and e-mail contact details are provided in all correspondence and applicants are encouraged to enter into pre-application discussion at an early stage in the process which is currently a free service.

The Council has a formal complaints procedure in place and customers are directed to this from the web site. The complaints that have been received during 2015/16 have been the subject of review and improvements will be fed into future team meetings with an action plan to address concerns raised which have been added into service improvements for 2015/16.

The Moray Council has a central contact centre for dealing with all calls from members of the public and it is therefore important that this team is kept up to date with changes in the planning service so they have a greater understanding of customer needs.

The Council continues to offer a duty officer service between 2pm and 4 pm every afternoon where members of the public can seek general planning advice without an appointments and this continues to be a valuable service.

Consultation with external agencies on planning applications is carried out electronically without the need to send letters/copies of plans. A link to the on line planning systems allows agencies to access plans and correspondence.


The web site is an important means of communication with customers and this is kept up to date with all links checked and meeting dates for major pre-application meetings regularly reviewed.

A recent telephone survey undertaken on behalf of Development Management with local agents and applicants was informative and feedback extremely useful to inform service improvements.

The planning service is based at the Council Headquarters in Elgin. The structure of our teams are set out in Appendix 2 – Workforce and Financial Information. Service Managers for Development Management and Development Plans report to the Head of Development Services.

Strong collaborative working with other Council Services takes place in both pre-application consultation/discussion on planning applications and in joint working on master planning, planning briefs, quality audits and affordable housing provision.

Officers have collaborated to deliver joint objectives with other departments in the Council, neighbouring authorities and with other public bodies such as Highlands & Islands Enterprise (HIE). Over the last year Officers have worked closely with housing colleagues and are represented on the housing board meetings. The FIRS group (Future Infrastructure Delivery Group) has been re-established to bring together the Planning Obligations Officer with other members from transportation, Education , Sports & Leisure and Environmental Protection.



Joint working exists through the provision of service level agreements with Aberdeenshire Council on the provision of Archaeological advice and developer obligations for planning applications.

Monthly budget returns are produced by the accountancy team to enable managers to monitor income and expenditure and monthly meetings are held with the service accountant to ensure that budgets are on track and fee income is monitored.

The overall performance of the Planning Service in 2015/16 compares well with the National Average in a number of areas and shows an improvement in performance compared with last year. These figures are highlighted in Appendix 1.

In terms of legacy cases, previous years have resulted in their removal and during 2014/15 we have one legacy case pending a decision which is subject to a S.75 legal agreement being signed but is covered by a processing agreement.

For decisions that fall outside the agreed delegation scheme these are shared between the Planning & Regulatory Services Committee who meet every two months and determine all major planning applications as well as make decisions on development plan policy issues. The Economic Development & Infrastructure Services Committee consider economy related projects and funding from the core economic development budget. Committee meetings are scheduled for hearings to be held every two months and Special meetings are arranged for hearings and where applicants are unable to attend scheduled meetings or to enable the timescales to be met where set out in processing agreements.

The scheme of delegation was reviewed and approved by Scottish Ministers in 2014. Over the last 12 months the level of delegation as projected has increased marginally and this has assisted in improving average performance levels for all types of developments.

The Local Review Body meetings are timetabled monthly to ensure that reviews are dealt with timeously.

CASE STUDY 6

LISTENING TO OUR CUSTOMERS

In March 2016, we carried out a telephone survey with a selection of our agents and applicants that we dealt with over the last 12 months. We asked our customers a series of questions and it was encouraging that the majority were happy to participate in the survey as well as provide additional feedback comments on the service they received.

As well as reviewing the feedback we took the opportunity to agree to review the Development Management Customer Charter and its effectiveness.

It was encouraging to see the high level of satisfaction with agents but these were less with applicants and this is an area that needs to be improved. Here are a selection of the results:

1. Do you think the planning service promotes an "open for business" culture within its staff?

Response – 94% of agents and 74% of applicants surveyed answered yes.

2. How would you rate the Planning Service against the quality of advice, the professionalism of staff and the guidance and forms on the website?

Response – 94% of agents and 85% of applicants surveyed replied with Good or Excellent .

3. How satisfied were you with the registration of your application, ease of contacting the officer dealing with your case and communicating issues relating to your application?

Response - 90% of agents and 73% of applicants surveyed were either satisfied or very satisfied

4. How satisfied were you with the time period within which your application was considered?

The report of handling prepared and the final decision was consistent with the development plan?

Response – 90% of agents and 73% of applicants surveyed replied with either satisfied or very satisfied

As part of the survey we also asked for other comments and as result of these we propose to reinforce/review the following service provision areas:

1. Reinforce the importance of returning telephone calls timeously and ensure telephone messages are kept up to date
2. Review the payments process
3. Arrange training for agents over policy issues and consider introducing a quarterly newsletter for circulation as a way of keeping agents up to date with changes to procedures/policy/legislation.
4. Review and update the Development Management Customer Charter

CULTURE OF CONTINUOUS IMPROVEMENT

Development Services is fully committed to improving the Planning Service and this is demonstrated in our 2015/16 Service Plan. Each service plan has a section which states “you said, we did” looking at what has changes as a direct result of feedback.

The Principal Planner (Development Plans) carries out ERDP interviews for staff annually, with ongoing workload reviews on a one to one basis every four to six weeks. The section work plan is updated every 6 months with an annual section discussion on priorities for the next 12-18 months.

The work plan for Development Management combines service plan improvements and day to day operational duties, and has to accommodate the introduction of new legislation as they are rolled out. Team meetings are held monthly and individual work review meetings with Principal Planning Officers are held on a regular basis. Individual work review meetings with Planning and Enforcement offices are held as and when required depending on need of the individual. ERDP interviews are held annually.

The Council Management team are the subject of ‘360 degree’ feedback from their teams and other colleagues as part of the Council’s leadership development programme. The results have been used to improve and identify where strengths and weaknesses lie.

The planning service has participated in the Career Ready Scheme which has created a mentoring opportunity for a student to take place and consisted of a four week summer placement in 2015.

The Moray Council has set up a leadership forum which all third tier Managers, Heads of Service and Corporate Directors attend to work together and identify solutions to management issues.

In 2015/16 Officers from the planning service attended the following training courses/CPD:

- Improvement Service training session on Hazardous Substances Legislation and High Hedge legislation
- Health & Safety Executive Training Update
- Historic Scotland Environment Training Session, Inverness
- Internal Training Session on Natura Assessments and Compensatory Woodland Planting in conjunction with Scottish Natural Heritage and The Forestry Commission
- Cairngorm National Park training on implementing the newly adopted CNP Local Plan 2015
- In house training session on Resilient Managers
- Morton Fraser in house Law training session on Planning Law Update & S.75’s
- Scottish Natural Heritage briefing on Marine Protected Areas
- Training session held internally on the implementation of the new Local Development Plan 2015
- Town Centre Regeneration Conference

Officers also attended the following forums:

- North of Scotland Development Plans Forum
- Heads of Planning Development Management Sub-committee
- Heads of Planning Enforcement Forum
- Heads of Planning representative on the SPSO Sounding Board

In addition there has been specific IT training given on IDOX Uniform conditions monitoring module.

Moray is in the SOLACE family group 2 for benchmarking purposes and so far two meetings have been held. The exchange of best practice and common problems as well as developing relationships with other authorities and the support of the Improvement Service are welcomed. Some of the service improvements to be examined over the coming year are as a direct result of the benchmarking group such as the introduction of a telephone survey.

PART 3

Supporting Evidence

In preparation of this report we drew on a wide range of sources of information to review the performance of our service and we utilised the following sources:

QUALITY OF SERVICE & ENGAGEMENT

Moray Local Development Plan Scheme

www.moray.gov.uk/minutes/data/RR20160223A00.pdf

Housing Land Audit & Employment Land Audit 2016

www.moray.gov.uk/moray_standard/page_100442.html

Making a preliminary enquiry – local developments guidance and form

www.moray.gov.uk/moray_standard/page_41735.html

Making a Planning Application – What Information is required

www.moray.gov.uk/moray_standard/page_59521.html

Major Developments Pre-application Advice/ Processing Agreements

www.moray.gov.uk/moray_standard/page_79962.html

Proposal of Application Notice Reports

<http://www.moray.gov.uk/minutes/data/RR20160223/Item%2014-1600053PAN%20Elgin%20Long%20-R.pdf>

Developer Obligations Supplementary Guidance

<http://www.moray.gov.uk/minutes/data/RR20160614/Item%209-Developer%20Obligations%20SG-R.pdf>

Moray Council Complaints

www.moray.gov.uk/moray_standard/page_1379.html

Planning Enforcement Charter – March 2016

www.moray.gov.uk/downloads/file103308.pdf

Customer Care

www.moray.gov.uk/moray_standard/page_98953.html

Unacceptable Customer Actions Policy

<http://www.moray.gov.uk/downloads/file99112.pdf>

Development Management Service Charter

<http://www.moray.gov.uk/downloads/file93673.pdf>

QUALITY OF OUTCOMES

Scottish Awards for Quality in Planning 2015 & RIBA Award winner

www.gov.scot/Resource/0048/00488780.pdf

Design Quality Audit

www.moray.gov.uk/minutes/data/RR20151201A00.pdf
www.moray.gov.uk/downloads/file104177.pdf

Draft Developer Obligations Supplementary Guidance

www.moray.gov.uk/moray_standard/page_98597.html

Town Regeneration

www.moray.gov.uk/moray_standard/page_85062.html

Findrassie Masterplan Supplementary Guidance

www.moray.gov.uk/minutes/data/RX20150825A00.pdf

Conservation Area Appraisals Findhorn and Cullen

www.moray.gov.uk/minutes/data/RR20151201A00.pdf

Elgin & Keith Conservation Area Regeneration Schemes (CARS)

<http://elgincars.org.uk/>
www.moray.gov.uk/moray_standard/page_90232.html

Central Elgin Regeneration – Public Design Charrette & proposed Central Elgin Action Plan

www.moray.gov.uk/minutes/data/DC20150825A00.pdf

GOVERNANCE

Major Development Pre-application Advice

www.moray.gov.uk/moray_standard/page_79962.html

The Moray Council Corporate Plan 2015-17

www.moray.gov.uk/downloads/file98504.pdf

Scheme of Delegation:

www.moray.gov.uk/downloads/file60539.pdf

Committee Diary:

www.moray.gov.uk/downloads/file81765.pdf

CULTURE OF CONTINUOUS IMPROVEMENT

Development Services Service Plan 2015 Report to Committee & Service Plan 2015/18

www.moray.gov.uk/minutes/data/RR20150324A00.pdf

Planning Performance Framework 2013/14 – Feedback Committee report – S.75 Targets

www.moray.gov.uk/minutes/data/RR20151201A00.pdf

PART 4

Service Improvements

2015/16

Looking back at the Service Improvements we identified for 2015/16 and those carried over from 2013/14 we are proud of the progress made against the vast majority of these:

Commitment: A database of landowners and developers will be established with a programme of engagement to increase knowledge of landowner and developer future plans.

Progress: This work is now complete.

Commitment: Monitoring of S.75 legal agreements - set up continuous monitoring system to ensure the process is consistent.

Progress: Monitoring system set up in uniform complete.

Commitment: Transfer works to trees from Development Plans to Development Management and ensure requests are logged in uniform.

Progress: After further consideration, this duty remains with Development Plans. New processes for serving TPO's and a change of staff has meant that the duty is less onerous than it was previously and will remain with Development Plans.

Commitment: Investigate developer forum or a developer bulletin and continue to improve dialogue with developers.

Progress: To be rolled over into 2016/17.

Commitment: Review Development Management procedures since e-planning were introduced.

Progress: A third of the procedures have been reviewed and updated and this task will be continue in 2016/17.

Commitment: Engage young people in the planning process – a proposal will be developed in support of the RTP1 future Planner project during 2015 which will be implemented during 2016 as it will fit into the timetable for the next Local Development Plan.

Progress: Ongoing. Young people have been engaged through a series of school days for the Findrassie Masterplan and through participation in the Elgin Charrette. As part of the Local Development Plan Review it is proposed to work up a project involving students from Moray College and school pupils to make films about the issues facing their local area.

Commitment: Implement On Line Data Protection Guidance agreed by Committee – 18 month rolling programme.

Progress: Completed and back redaction continuing in 2016/17.

Commitment: Improve and merge the Council's Planning Service web site (currently split into Development Management and Development Plans) and review and increase use of social media such as use of Facebook.

Progress: Ongoing, a review is currently underway, updating and reviewing all web links, reviewing format and looking at improving links between the Development Management and Development Plans webpages.

Commitment: Transfer street naming and numbering from Transportation to P & D (sits better with the GIS/CAG function) and is closely linked with other mapping systems and is more efficient.

Progress: Complete. The street Naming and Numbering function has been transferred to Planning & Development with the GIS/CAG officers carrying out the duties.

Commitment: Joint training event hosted by Forestry Commission Scotland for Development Management and Planning & Development planners on tree surveying to support new Supplementary Guidance and compensatory woodland planting.

Progress: Complete – event was held on 2 September 2015 covering Compensatory Planting and Woodland Protection, hosted by the Forestry Commission.

Commitment: Continue to discuss and raise awareness of planning issues with community groups.

Progress: This is an ongoing action to foster relationships. Over the last 12 months, Planning & development Officers have hosted a number of events for community groups as part of a programme of awareness raising which supported introduction of the new Local Development Plan. Officers have also attended meetings held in Forres, Findhorn and Elgin Community Councils on planning matters.

Commitment: Introduce quality audit process, similar to Creating Places Street Technique, to support the new primary Policy on Placemaking.

Progress: Complete. Quality auditing was approved by Committee in December 2015 and has been implemented and agreed to be a material consideration in determining planning applications.

Commitment: Facilitate town centre investment and local area regeneration through a full Charrette for Lossie Green. Regeneration projects and preparation of a town centre protocol.

Progress: The Charrette was held in March over a period two days and a draft report has been prepared by the consultants which is due to be reported to the Planning & Regulatory Services Committee in August with a detailed action plan. The town centre protocol is to take on the pilot project that is being run by Heads of Planning.

Commitment: Supplementary Guidance will be prepared to improve quality of proposals in Conservation Areas i.e. shop front and signs to assist with implementation of CARS schemes in Elgin and Keith.

Progress: A Conservation Area Appraisal for Cullen and Findhorn has been approved by Committee following consultation and guidance on windows and doors is out for consultation.

Commitment: Supplementary Guidance issued and implement revised developer contributions to improve certainty.

Progress: Draft Supplementary Guidance on Developer Obligations was agreed at the Planning and Regulatory Services Committee in March 2015 and fundamental changes have been made requiring a second round consultations and will be reported to Committee in June 2016 and adopted.

Commitment: Review Model Planning Conditions to ensure they meet the circular tests.
Progress: Will be complete by end Dec 2016.

Quality Improvements for 2015/16

In addition to the Service Improvements commitments we made for 2015/16 some of which are still in progress as detailed previously, in 2016/17 we will:

- Engage with Community Planning Partnership on the programme for the next Local Development Plan to promote joint working and longer term strategies
- Set up an Infrastructure Delivery Group, to support preparation of the next Local Development Plan and longer term co-ordinated infrastructure planning
- Set up sub-group on Engagement and ICT requirements for next Local Development Plan
- Review the Development Management Customer Charter
- Prepare Supplementary Design Guidance on shop fronts and signs in Conservation Areas and on Listed buildings
- Introduce an annual training day for the Planning Service covering a range of topics
- Introduce a process for monitoring of Processing Agreements through Uniform
- Review current Service Level Agreement for Developer Obligations and consider delivering this service in house
- Investigate the use of On-line forms for Development Management Enquiries

PART 5 | Official Statistics

A: DECISION MAKING TIMESCALES

CATEGORY	TOTAL NUMBER OF DECISIONS 2015-16	AVERAGE TIMESCALE (WEEKS)	
		2015-16	2014-15
Major Developments	4	20.0	13.1
Local Developments (non-householder)			
Local: less than 2 months	679	7.1	6.6
Local: more than 2 months	39	12.9	21.7
Householder Developments			
Local: Less than 2 months	199	6.3	5.8
Local: more than 2 months	3	10.8	11.2
Major Housing Development	1	33.3	N/A
Local Housing Developments			
Local: less than 2 months	301	7.1	7
Local: more than 2 months	13	13.0	16
Major Business and Industry	1	13.9	16.4
Local Business and Industry			
Local: less than 2 months	110	7.2	6.8
Local: more than 2 months	11	12.9	40.5
EIA developments	3	42.6	82.1
Other consents*			
All Other Consents	86	7.4	N/A
Listed Buildings & Conservation Area	61	7.7	7.9
Advertisements	24	6.7	7.7
Hazardous Substances	0	-	8.0
Other consents and certificates	1	3.0	3.1
Planning/legal agreements**			
(major applications)	1	33.3	N/A
(local applications)	1	23.7	23.1
Local Reviews	27	9.8	11

B. DECISION MAKING: LOCAL REVIEWS AND APPEALS

TYPE	TOTAL NUMBER OF DECISIONS	ORIGINAL DECISION UPHELD			
		2015-16		2014-15	
		No	%	No	%
Local reviews	27	10	37.0%	14	78.6%
Appeals to Scottish Ministers	2		0.0%		62.5%

C. ENFORCEMENT ACTIVITY

TYPE	2015-16	2014-15
Cases Taken Up	243	188
Notices served ***	1	0
Reports to Procurator Fiscal	0	0
Prosecutions	0	0
Number of breaches resolved	255	168

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

* Consents and certificates: Listed buildings and conservation area consents. Control of Advertisement consents. Hazardous Substances consents. Established Use Certificates, certificates of lawfulness of existing use or development, notification of overhead electricity lines, notifications and directions under GPDO Parts 6 & related to agricultural and forestry development and applications for prior approval by Coal Authority or licenced operator under classes 60 & 62 of the GPDO.

** Legal obligations associated with a planning permission concluded under section 75 of the Town and Country Planning (Scotland) Act 1997 or section 69 of the Local Government (Scotland) Act 1973

Context

In general, performance on planning application determination timescales has improved for local developments in comparison to last years' figures and also compares favourably with the national average and in all instances being well below of the national average. Performance on householder and local applications has seen a slight fall and the reason for this is as a result of experienced Planning Officers being on maternity leave and the re-allocation of resources that has had to take place to accommodate temporary replacement staff.

Major applications has also seen an increase but this is due to the number of major applications that have been dealt with compared to the previous years as a well as time spent on a Public Inquiry.

There has been an increase in the number of processing agreements but numbers are still relatively small when compared to the overall total number of application determined.

PART 6

Workforce and Financial Information

The information requested in this section is an integral part of providing the context for the information in part 1-5. Staffing information should be a snapshot of the position on 31 March. Financial information should relate to the full financial year.

	TIER 1	TIER 2	TIER 3	TIER 4
Head of Planning Service	0	0	1	2

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

		DM	DP	ENFORCEMENT	OTHER
Managers	No. Posts	1	1	Covered by DM Manager	0
	Vacant				
Main grade posts	No. Posts	10.2	7	1	0
	Vacant	0			
Technician	No. Posts	1	2	1 (part time assistant)	0
	Vacant				
Office Support/Clerical	No. Posts	3	0	Covered by DM support	0
	Vacant				
TOTAL	27.5	15.2	10	1.3	0

Note: Managers are those staff responsible for the operational management of a team/division. They are not necessarily line managers.

STAFF AGE NUMBER	PROFILE
Under 30	1
30-39	7.5
40-49	11
50 and over	8

COMMITTEE & SITE VISITS*	NUMBER PER YEAR
Full council meetings	5 + 4 specials
Planning committees	12
Area committees (where relevant)	Not applicable
Committee site visits	10
LRB**	10
LRB site visits	10

Notes:

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

** This relates to the number of meetings of the LRB. The number of applications going to LRB are reported elsewhere.

	TOTAL BUDGET	COSTS DIRECT*	INDIRECT**	INCOME***
Development management	£233,707	£596,582	£243,302	-£606,177
Development planning	£645,510	£465,202	£226,681	-£46,373
Enforcement	£69,887	£69,887		
Other	£491,659	£333,540	£158,119	
TOTAL	£1,440,764	£1,465,211	£628,102	£-652,550

Notes:

* Direct staff costs covers gross pay (including overtime, national insurance and superannuation contribution). The appropriate proportion of the direct cost of any staff member within the planning authority spending 30% or more of their time on planning should be included in costs, irrespective of what department they are allocated to (for example, legal advice, administration, typing). Exclude staff spending less than 30% of their time on planning.

** Indirect costs include all other costs attributable to the planning service. Examples (not exhaustive) include accommodation, IT, stationery, office equipment, telephone charges, printing, advertising, travel and subsistence, apportionment of support service costs.

*** Include fees from planning applications and deemed application, and recharges for advertising costs, etc. Exclude income from property and planning searches.

CORPORATE DIRECTOR OF ECONOMIC DEVELOPMENT, PLANNING AND INFRASTRUCTURE

Rhona Gunn

HEAD OF DEVELOPMENT SERVICES

Development Management, Development Plans, Building Standards, Community Safety,
Economic Development, Environmental Health, Trading Standards and Museums

Jim Grant (HOPS)

Manager (Development Management)

Beverly Smith (MRTPI) (HOPS)

Principal Planning Officer

Angus Burnie (MRTPI)

Listed Buildings/
Conservation
Planning Officer
Craig Wilson
(MRTPI)

West Team
(All major and mid
range applications
in area)
Planning Officer's
Maurice Booth
(MRTPI)
Richard Smith
(MRTPI)
Lisa MacDonald
(MRTPI)

Systems Technical
(All Moray
Applications)
Teresa Ruggeri

Enforcement Team
(All Moray, all types
of applications)
Stuart Dale
Amanda Cruickshank

East Team
(All major and mid
range applications
in area)
Planning Officer's
Shona Strachan
Iain Drummond
(MRTPI)
Emma Mitchell
(MRTPI)

Principal Planning Officer

Neal MacPherson (MRTPI)

Householder Team
(All householder
applications in
Moray)
Planning Officer
Cathy Archibald
(MRTPI)
Planning Asst.
Fiona Olsen

