



Planning and Access Committee

Monday 27th February 2023

Agenda item 5

SUBMITTED BY: Director of Place

SUBJECT:	Planning Performance Framework 11 2021/22 - feedback from the Scottish Government
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1. Summary and reason for presentation

1.1. This paper provides Members with an update on the 11th annual Planning Performance Framework (PPF) report, which was submitted to the Scottish Government in September 2022. It includes feedback from the Scottish Government received in December 2022 and a summary of progress on the service improvements identified for the year 2022/23.

2. Recommendation

2.1. That Members: **CONSIDER and NOTE** the content of this report.

3. Planning Performance Framework: Background

3.1. The Planning Performance Framework (PPF) report is submitted annually and covers our work across our statutory planning functions including Development Management and Development Planning. Its purpose is to demonstrate the continuous improvement of our planning service in the National Park Authority and is a statutory requirement for all planning authorities in Scotland. The 'Framework' approach is provided by guidance from the Heads of Planning Scotland (HoPS), so that there is a consistency in format, layout and content included across planning authorities, with a range of qualitative and quantitative indicators.

3.2. There are four overall measures against which our performance is assessed in the PPF and the report is split into four sections covering these:

- Quality of outcomes – demonstrating the added value delivered by planning;
- Quality of service and engagement.
- Governance – ensuring that our structures and processes were proportionate, effective, and fit for purpose; and
- Culture of continuous improvement.

3.3. The Scottish Government feedback is summarised under section 4 of this report. PPF 11 covers the period from April 2021 to March 2022. This includes a recap and follow up on previous workstreams or improvement projects such as our community stakeholder engagement, and our performance improvement project. The latter shows the journey of improving planning application determination times following the Covid-19 challenges. The PPF further highlights the gradual move from remote working to hybrid working and making increased use of digital platforms for communication with communities and staff alike.

3.4. The highlights of the 2021/22 report included in-depth case studies on:

- Our Future Spatial Strategy – building the evidence base.
- Community engagement and Local Place Plan Workshops
- New Housing Development within the National Park
- A notable planning enforcement case – effective co-ordination of key agencies

3.5. The PPF report is a useful record of the work of the National Park Planning Authority through selected representative case-studies. It demonstrates the ongoing commitment to continuous improvement and sets out the service improvement areas for the year ahead. Past and current PPFs are available on the National Park website under the heading Planning – our team – how we perform: [How we perform - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](#)

4. Planning Performance Framework: 11 Feedback

The Scottish Government provides feedback to each local planning authority on their PPF report each year. They provide a table marking performance against 'Key Markers', together with the previous year's results for comparison.

LOCH LOMOND AND THE TROSSACHS NATIONAL PARK AUTHORITY
Performance against Key Markers

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

4.1. In 2021-22 we have been assessed with one 'red' rating and three 'amber' ratings. This compares with one red and five 'amber' ratings in 2020-21. The background to each 'red' and 'amber' rating is provided below:

4.2. Local Development Plan (red) : Criteria for achieving a 'green' on this is: Local Development Plan less than 5 years since adoption. Our plan was 5 years and 3 months at the end of the reporting period of the PPF 2021-22. We have anticipated this scoring and delaying the preparation of the new Local Development Plan was an informed decision, agreed in 2020 by the then Planning and Access Committee. The report can be accessed here: [Planning and Access Meeting 31st August 2020](#) . The reason for delay is further explained in PPF 11 itself and the [The Development Plan scheme](#).

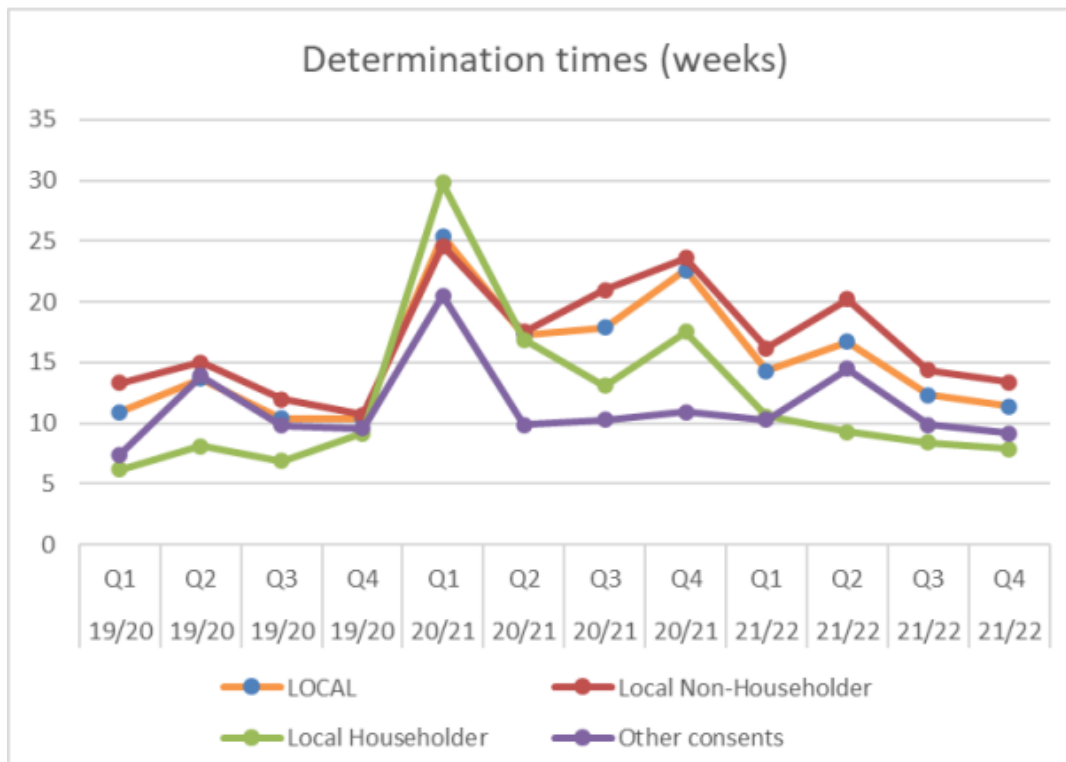
4.3. In summary, the plan period has extended beyond the 5 year period to ensure alignment with the enactment of the 2019 Planning Act and, importantly to ensure that preparation of the new Plan can take account of National Planning Framework 4 and new development planning guidance and regulations (expected imminently). The Scottish Government were aware that numerous planning authorities would, as a result of this timing, have Development Plans running beyond their five year lifespan.

4.4. Annual monitoring of our Local Development Plan development strategy and our use of its policies demonstrates that these are still relevant and generally performing well. Where necessary we have prepared and issued topic based planning guidance to ensure a strong policy basis upon which to take

planning decisions, these have included refreshed guidance on Active and Sustainable Travel and on Safeguarding Important Local Facilities and Business. The recently prepared Strathard Framework has also been adopted as planning guidance. Our Supplementary and non-statutory Planning Guidance can be found on our website.

4.5. Decision making timescales (amber) for Major, Local (non-householder) and Householder applications. In the previous reporting year this was marked red, 2021-22 saw significant improvements made to our average determination timescales - however still slower than the Scottish Average. Householder Applications: the Park Authority average determination time of 9.1 weeks is faster than the previous year but slower than the Scottish average of 8.7 weeks.

4.6. Case study 4 in the PPF 2021-22 details the targeted actions that were taken to reduce the decision-making timescales. The 9.1 week average time to determine a householder application in 2021-22 compared with 16.3 weeks in 2020-21, and this improved each quarter through the year. 'Local' applications (all Local applications including Householder) were determined in an average of 13.9 weeks (compared to 20.6 weeks in 2020-21) and 'local non-householder' cases in 16.3 weeks (compared to 22.2 weeks in 2020-21). There is still room for improvement as the figures could be reduced further, so this will continue to be a Service Improvement for 2022- 23.



4.7. Legal agreements (amber) We have also reduced the time for processing applications subject to legal agreements, however this was marked amber as our determination time was slower than the Scottish average. We achieved

an average of 38.6 weeks, down from 49.1 weeks the previous year for Local applications with legal agreements. There were no 'major' planning applications subject to legal agreements within the reporting period. The Scottish average determination times for local applications subject to legal agreements in 2021/22 was 27.5 weeks - and 81.9 weeks for major applications.

4.8. Development Plan Scheme (red) As the LDP is not on course to be adopted within a five-year timeframe an 'amber' is given for this. Since the PPF 11 report was submitted, we have published a revised Development Plan Scheme later which reflects our current position and anticipated timescale for preparing the next LDP.

4.9. Improvements on the previous year:

The following markers have moved from amber to green since the previous PPF:

- Enforcement Charter: The Enforcement Charter should be updated every two years, however this was not done the previous year due to a focus on other service delivery work. The Enforcement Charter has since been reviewed and was formally updated in March 2022.
- Continuous improvement: We successfully completed 5 out of 5 service commitments identified last year. A range of improvements have been identified to take forward this year.
- Stalled sites/legacy cases: The number of 'legacy cases' (live applications which are undetermined after a period of one year) was reduced from 26 to 12 through this PPF reporting period. In part this was due to the determination of eight linked housing applications in and around Luss A total of 15 applications were cleared from the 'legacy list' in 2021-22; 7 remained on the list and 5 further cases became added. This is a significant reduction on remaining cases compared with the previous reporting period.

PPF scoring compared to previous years

4.10. The table below shows how we have scored over the previous years. Despite being marked down because our plan was 5 years and 3 months old at the time of reporting, which affected both the Development Plan Scheme and the Local Development Plan markers, we have nevertheless succeeded in the highest number of green markers since 2014-2015.

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

2013-14	1	5	9
2014-15	1	2	10
2015-16	2	4	7
2016-17	0	4	9
2017-18	0	4	9
2018-19	1	5	7
2019-20	0	4	9
2020-21	1	5	7
2021-22	1	3	10

Update on Service Improvements

4.11. Each PPF sets out Service Improvements for the coming year. Part 3 of the PPF set out the five service improvements for 2022/23. These are:

- 1) Planning Application Determination Times Continue positive momentum to reduce determination times. Developing enhanced caseload management and reporting tools to enable monitoring of determination times on a monthly basis.

Update on 1) The feedback on decision making performance recognises the improvements that have been made to average determination times relative to the preceding year. An ongoing focus has continued on performance - utilising reporting tools to monitor caseload management, recording 'stop the clock' dates when cases cannot be progressed while awaiting key information from applicants and adopting the option to refuse some applications when progress is stalled due to insufficient supporting information not being forthcoming.

- 2) Improved monitoring of Section 75 agreements Establish a new monitoring system of the pipeline of Section 75s to enhance tracking between external legal advisors and Park Authority staff. This will also extend to keeping a note of compliance with the requirements set out in the Section 75s.

Update on 2): Progress continues to be made in this area – notably through a regularly updated list of ongoing S.75 cases prepared by the Legal team and discussed with the DM Planning manager.

- 3) Prepare updated infrastructure requirements with public body partners for key strategic sites To work with Stirling Council and consultants to undertake a piece of work that will result in updated Callander South Planning Guidance. This work will provide further clarity on developer contributions where it is anticipated that the updated planning guidance will set out expectations from each development parcel for infrastructure in their 'plot' and set out the common infrastructure that developers will be expected to contribute to across the masterplan area. Further review will also be

undertaken for other key strategic development sites in Arrochar and Balloch.

Update on 3): Work has been underway with Stirling Council to prepare updated planning guidance for Callander South Planning Guidance with the draft approved by Planning Committee on 19th December 2022 for public consultation. The planning guidance is currently out for public consultation for 6 weeks and closes on the 27th February. The updated Planning Guidance sets out details of a shared infrastructure phasing plan. This highlights in a table corresponding to a map in the planning guidance the expected type of contribution each “plot” should make and prioritises these. This seeks to help provide developers with more certainty and inform discussions at development management stage and help deliver a co-ordinated development that will achieve the aspirations set out in the masterplan framework. To support this work a separate study has been undertaken to provide indicative costs for each of the listed infrastructure.

4) Integrated approach to new strategic plan preparation

With the review of the National Park’s Partnership Plan underway, this will establish the overall approach for the next Local Development Plan. There is also a new requirement for the Park Authority to prepare a Regional Spatial Strategy and (working in partnership with others) – a Regional Land Use Framework. There are opportunities for streamlining our approach to preparing these plans by taking an integrated approach through developing shared vision and central narrative. Efficiencies can also be achieved by integrating key tasks such as research, evidence base, stakeholder engagement and developing monitoring frameworks.

Update on 4): So far this year we have been preparing a detailed evidence base that will inform our suite of new Strategic Plans. This includes undertaking housing market research, gathering information from key agencies on infrastructure and services and undertaking research into nature networks and supporting communities to prepare Local Place Plans. We are also developing an engagement plan and have been engaging with stakeholders about issues that will inform all our plans such as the Youth Committee, the National Park Destination Group, our housing stakeholders including communities. We have supported targeted work with the Lochgoil community to learn more about effective community engagement in land-use decision making. This programme has recently completed and offers lots of useful learning for how communities can be involved in developing a future National Park Land Use Framework.

5. Conclusion

5.1. The PPF feedback from the Scottish Government highlights areas for improvement. Regarding the red score against our Local Development Plan, work is well underway on preparing the next Local Development Plan and we

are currently liaising with the Scottish Government on our draft timescales for this to ensure these align with the roll out of new regulations and their work programme and scrutiny of plans now much earlier in their preparation process. In addition, we expect the action steps implemented for the Decision timescale improvement project to have a continuous positive effect but are mindful that this is an area where there is still room for improvement and will be monitoring this. Work is underway in relation to this year's performance improvements.

5.2. It is yet to be confirmed when our next report (PPF 12 for 2022-23) will be submitted to the Scottish Government however we envisage this will be between July and September 2023.

6. List of Appendices

- 6.1. Appendix 1 Planning Performance Framework 11 (2021-22) [Planning Performance Framework 2020/21 \(lochlomond-trossachs.org\)](https://www.lochlomond-trossachs.org/plan-and-access/development-planning/planning-performance-framework-2020-21)
- 6.2. Appendix 2 Enforcement charter [Planning Enforcement and Monitoring - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](https://www.lochlomond-trossachs.org/plan-and-access/development-planning/planning-enforcement-and-monitoring-lets-do-net-zero)
- 6.3. Appendix 3 updated and new planning guidance [Our Local Development Plan - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](https://www.lochlomond-trossachs.org/plan-and-access/development-planning/our-local-development-plan-lets-do-net-zero)
- 6.4. Appendix 4 [Planning and Access Meeting 31st August 2020](#)
- 6.5. Appendix 5 [Development Plan Scheme](#)