

# AGENDA ITEM 13

## APPENDIX I

### FEEDBACK PLANNING PERFORMANCE FRAMEWORK 2014-15

Cabinet Secretary for Social Justice, Communities and Pensioners' Rights  
Alex Neil MSP

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Mr Grant Moir  
Chief Executive  
Cairngorms National Park Authority



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5<sup>th</sup> October 2015

Dear Mr Moir

## **PLANNING PERFORMANCE FRAMEWORK 2014-15**

Thank you for submitting your authority's annual Planning Performance Framework (PPF) report covering the period April 2014 to March 2015.

Please find enclosed your authority's feedback on the 15 performance markers. I intend to share the performance ratings with the High Level Group on Performance when we next meet at the end of October.

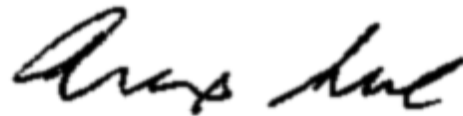
You will note that this year we have only provided feedback on the performance markers. I am encouraged to hear that supported by Heads of Planning Scotland, you will be providing wider feedback to other authorities through your benchmarking groups. I am grateful to HOPS for taking this proactive approach and I very much hope that it will help communication and better support the sharing of practice amongst authorities.

I am pleased to report that Scotland-wide performance is improving and the number of red markings has reduced considerably over the last 3 reporting periods. Overall, I am impressed with the commitment to improvement and the good position that many authorities are now in. There are however, a small number of authorities where progress in delivering the markers has been slower. I will be encouraging COSLA and Heads of Planning Scotland at the next High Level meeting to ensure that those authorities are supported.

I would also like to thank those of you who submitted information on your live applications which are over a year old. The study shows that there are over 1800 legacy cases, dating as far back as 1983. I accept that there are circumstances where applications will take an extended amount of time and that withdrawal or

refusal is not in the best interests of either the applicant or authority. However, it is critical that action is taken to reduce the number of legacy cases and I would again encourage you all to put strategies in place to prevent cases reaching legacy status. I will discuss legacy cases at the next High Level Group and the Chief Planner will also set up a meeting to discuss the situation with HOPS and the development industry.

You will be aware of my recent announcement to hold a review of the planning system. The review will depend on the co-operation, expertise and input of all those with an interest in the planning system. There will be opportunities to provide evidence to the panel and I strongly encourage planning authorities to actively participate. We will communicate further information through our website, e-alerts and twitter feeds as soon as the panel confirm the process and timetable.

A handwritten signature in black ink, appearing to read 'Alex Neil', is positioned above the printed name.

**ALEX NEIL**

**CC:** Murray Ferguson, Head of Planning

## PERFORMANCE MARKERS REPORT 2014-15

Name of planning authority: **Cairngorms National Park Authority**

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

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

No.	Performance Marker	RAG rating	Comments
1	<b>Decision-making:</b> continuous reduction of average timescales for all development categories [Q1 - Q4]	<b>Amber</b>	<p><b>Major Developments</b></p> <p>Your average decision making timescales have almost halved however at 130.9 weeks this remains considerably slower than the national average of 46.4 weeks.</p> <p>RAG = Amber</p> <p><b>Local (Non-Householder) Developments</b></p> <p>Your decision making timescales have increased to 22.2 weeks this year from 19.4 weeks last year. This remains slower than the national average of 12.9 weeks.</p> <p>RAG = Red</p> <p><b>Householder Developments</b></p> <p>Your 11.5 week decision making timescales for this development are longer than the Scottish average of 7.5. We note that there is no comparable data from last year.</p> <p>RAG = N/A</p> <p><b>TOTAL RAG = Amber</b></p>
2	<p><b>Processing agreements:</b></p> <ul style="list-style-type: none"> <li>offer to all prospective applicants for major development planning applications; and</li> <li>availability publicised on website</li> </ul>	<b>Green</b>	<p>Processing agreements now offered for all applications. Two of your case studies demonstrate the value these can bring to an application.</p> <p>Availability of processing agreements is also outlined on your website.</p>

3	<b>Early collaboration</b> with applicants and consultees <ul style="list-style-type: none"> <li>availability and promotion of pre-application discussions for all prospective applications; and</li> <li>clear and proportionate requests for supporting information</li> </ul>	Amber	<p>There has been an increase in the number of applications subject to pre-application discussions and you have been working with your constituent authorities to improve the pre-application process.</p> <p>You have produced guidance on cases you are likely to be involved in but your report lacks information on how you would make clear and proportionate requests for supporting information.</p>
4	<b>Legal agreements:</b> conclude (or reconsider) applications after resolving to grant permission <ul style="list-style-type: none"> <li>reducing number of live applications more than 6 months after resolution to grant (from last reporting period)</li> </ul>	Amber	<p>Only 2 major applications subject to a legal agreement however at 361.6 weeks this is an increase from 251 weeks last year and is much higher than the national average.</p> <p>You have halved the timescales for dealing with local applications, moving from 50 weeks last year to 25 weeks this year. Much quicker than the national average.</p> <p>Protocol put in place in 2013-14 whereby cases with outstanding section 75 or developer obligations would be returned to committee.</p> <p>The removal of all legacy cases has demonstrated that this protocol has been effective in removing and preventing the creation of legacy cases although it is clear that it has had an impact on decision timescales.</p>
5	<b>Enforcement charter</b> updated / re-published within last 2 years	Green	Enforcement Charter updated during the reporting year.
6	<b>Continuous improvement:</b> <ul style="list-style-type: none"> <li>progress/improvement in relation to PPF National Headline Indicators; and</li> <li>progress ambitious and relevant service improvement commitments identified through PPF report</li> </ul>	Amber	<p>Timescales for local and householder applications have increased and are above the Scottish average. The reduction in the timescales for major applications is welcomed but needs to be improved. It is hoped that the removal of legacy cases from the system will have a positive impact in the coming year. Also good progress on other NHIs particularly the use of processing agreements and the uptake in pre-application discussions.</p> <p>A good range of commitments identified for the coming year, however some did not flow from the issues in the report and further context on improvement priorities in future reports would be useful. Good progress has also been made on the commitments made in 2014-15.</p>

7	<b>Local development plan</b> less than 5 years since adoption	Green	LDP adopted in March 2015.
8	<b>Development plan scheme</b> – next LDP: <ul style="list-style-type: none"> <li>on course for adoption within 5 years of current plan(s) adoption; and</li> <li>project planned and expected to be delivered to planned timescale</li> </ul>	Green	LDP only just been adopted. Project planning will commence in the next reporting period.
9	<b>Elected members engaged early</b> (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i>	n/a	
10	<b>Cross sector stakeholders*</b> engaged early (pre-MIR) in development plan preparation – <i>if plan has been at pre-MIR stage during reporting year</i> <i>*including industry, agencies and Scottish Government</i>	n/a	
11	<b>Regular and proportionate policy advice</b> produced on: <ul style="list-style-type: none"> <li>information required to support applications; and</li> <li>expected developer contributions</li> </ul>	Amber	<p>You have produced guidance on cases you are likely to be involved in but your report lacks information on how you would make clear and proportionate requests for supporting information.</p> <p>RAG = Amber</p> <p>LDP policy outlines expected developer contributions.</p> <p>RAG = Green</p>
12	<b>Corporate working across services</b> to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Green	Good evidence of cross sector working across a number of areas including with Cairngorms Business Partnership and Cairngorms Economic Forum on the development of the Cairngorms Economic Strategy. Also good evidence of continuous work with constituent authorities to improve planning process.
13	<b>Sharing good practice, skills and knowledge</b> between authorities	Amber	Evidence of facilitating and participating in a number of networks and forums throughout the reporting year. It is noted that you will be participating in benchmarking in the coming year.

			As noted last year there is a lack of detail about skills and knowledge sharing between you and other authorities. You should provide this in next year's report.
14	<b>Stalled sites / legacy cases:</b> conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	<b>Green</b>	Pleased to see that all legacy cases have been cleared and that a protocol has been implemented to prevent legacy cases occurring in the future.
15	<b>Developer contributions:</b> clear and proportionate expectations <ul style="list-style-type: none"> <li>• set out in development plan (and/or emerging plan); and</li> <li>• in pre-application discussions</li> </ul>	<b>Green</b>	<p>Policy set out in LDP and officers use tests in circular 3/2012. You will monitor effectiveness in the future.</p> <p>RAG = Green</p> <p>You note that your improved pre-application procedures, where you provide advice to the authority, will also improve clarity on expectations for applicants.</p> <p>RAG = Green</p>

**CAIRNGORMS NATIONAL PARK AUTHORITY**  
**Performance against Key Markers**

Marker		2012-13	2013-14	2014-15
1	Decision making timescales			
2	Processing agreements			
3	Early collaboration			
4	Legal agreements			
5	Enforcement charter			
6	Continuous improvement			
7	Local development plan			
8	Development plan scheme			
9	Elected members engaged early (pre-MIR)	N/A	N/A	N/A
10	Stakeholders engaged early (pre-MIR)	N/A	N/A	N/A
11	Regular and proportionate advice to support applications			
12	Corporate working across services			
13	Sharing good practice, skills and knowledge			
14	Stalled sites/legacy cases			
15	Developer contributions			

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

<b>2012-13</b>	4	4	5
<b>2013-14</b>	3	5	5
<b>2014-15</b>	0	6	7

**Decision Making Timescales (weeks)**

	2012-13	2013-14	2014-15	2014-15 Scottish Average
Major Development	190.6	251.0	130.9	46.4
Local (Non-Householder) Development	18.5	19.4	22.2	12.9
Householder Development	9.0	-	-	7.5