

**Development Management Performance Update – FQ3 2023/24**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 This report provides an update on the performance of the Development Management Service for the reporting period FQ3 2023/24.
- 1.2 The attached document Appendix 1 provides an overview of the current demands upon the Development Management Service, its output during this period, the handling of the current backlog of casework, and the average time taken to determine planning applications.

**2.0 RECOMMENDATIONS**

- 2.1 It is recommended that PPSL:
- (a) Note the content of the report.**

**3.0 DETAIL & BACKGROUND**

- 3.1 The performance of the Council's Development Management Service continues to be significantly impacted by the legacy effect of the Covid Pandemic upon interruption to workflow and a subsequent increase in demand for regulatory activity relating to new development. This situation has been exacerbated by the Service having previously been down-sized in response to the longer-term wider financial pressures facing the Council combined with a number of long-term vacancies that proved extremely difficult to fill as a result of a national shortage of planning professionals. The determination of planning applications has also been impacted by the uncertainty created by a changing planning policy backdrop with the Scottish Government's adoption of National Planning Framework 4 (NPF4) in February 2023 with minimal transition arrangements having had a noticeable adverse impact on FQ4 2022/23 output as a result of a significant volume of casework requiring to be reassessed prior to its determination. The cumulative effect of these extraordinary pressures has given rise to a significant backlog of planning casework that continues to impact upon the ability of the Council to deliver the Development Management Service in an efficient and effective manner at this time, and impacts upon customer service. At FQ4 2022/23 the backlog of applications amounted to approximately 375 formal applications and 175 pre-application enquiries.

- 3.2 The Development Management Service receive approximately 2000 planning and related application case work items on an annual basis. The Development Management Service is resourced with the expectation that demand will be relatively constant and steady throughout the year. Whilst the volume of new submissions decreased by approximately 10% during 2020/21 they had returned to and exceeded pre-pandemic levels during 2021/22. Submission rates have subsequently been maintained at a high level and during 2022/23 were 5% up on pre-pandemic levels. Appendix 1, Sheet 1 shows that whilst submission rates have reduced slightly in 2023/24 the volume of new applications received during remains within the expected range.
- 3.3 The resource constraints and performance of the Development Management Service have been highlighted at a senior level within the Council and continue to be subject to regular reporting to Policy Leads/ELT. An improving financial position following the reform of statutory planning fees by the Scottish Government in April 2022 has supported the creation of 3 new professional officer posts that will provide additional capacity within the Service once these posts have been filled. During FQ3 2023-24 the DM Service has largely operated with a full staff compliment (with the exception of two new posts created within the Major Applications team) however unplanned absence and the impact of work related stress upon staff who remain at work continues to impact significantly on resource availability and productivity across all area based teams. In an effort to make further inroads in the backlog of casework, an additional two agency staff have been employed within the MAKI and BCHL teams for the duration of FQ4 2023/24 to support existing staff and improve productivity.
- 3.3 The positive impact of the increased availability of professional officer resource within the DM Service has however been evident with the continued delivery of above average output demonstrated in FQ3 2023/24 (Appendix 1, Sheet 2) and significant inroads being made in the casework backlog (Appendix 1, Sheet 3). At the end of FQ3 2023/24 the backlog of formal casework had reduced to approximately 225 applications from 330 the previous period. The increasing proportion of older applications being determined from FQ3 2022/23 onwards is also demonstrated in the bar graphs that provide a breakdown of application age within the average time measures (Appendix 1, Sheet 5 and Sheet 6) and demonstrate that 'legacy' applications are being actively targeted for determination. Demand for pre-application advice remains higher than average and whilst the backlog of submissions remains around 200 items output during FQ3 kept pace with the receipt of new submissions during this period; the volume of enquiries which remain undetermined at the end of FQ3 (Appendix 1, Sheet 1 and Sheet 3).
- 3.4 The ongoing focus on 'legacy' applications continues to have significant consequence for average time performance measures as the determination of a relatively small number of older applications significantly impacts upon these KPIs. This is particularly evident within the 'householder' average time measure (Appendix 1, Sheet 5) where despite 84% of all householder determinations being determined in an average time of 11.8 weeks this measure is significantly

impacted by the determination of 12 older applications that have cumulatively added 5 weeks to the average time period for determination of this KPI. It is further noted that during F3 the overall average time period improved from 18.1 weeks to 16.8 weeks.

- 3.6 The determination of 'legacy' applications had a similar impact upon the average time taken measure applied to all other 'local' planning applications (Appendix 1, Sheet 6) where the determination of 28 older 'legacy' applications cumulatively add 11.4 weeks to an average time measure that reports on the determination of 155 applications in total. During FQ3 2023/24 82% of all other 'local' applications determined were less than 1 year old at the time of their determination and were determined in an average of 18.8 weeks. (61% of the total were less than 6 months old and determined in 12.7 weeks on average). The average time taken to determine 'all other local applications' has deteriorated during FQ3 from 27.4 weeks to 30.2 weeks. It is however highlighted that this position relates to 'raw' data and does not factor in delays which have arisen as a result of matters outwith the control of the Council. During FQ3 the Council determined a number of legacy applications which have impacted on the raw data relating to the average time period, including a marine fish farm submission that took in excess of 3 years to determine largely due to matters outwith the control of the Council.
- 3.7 The backlog of planning casework (Appendix 1, Sheet 3) at the end of FQ3 has reduced by 113 formal applications (reduced from 330 to 225 applications) however nearly 200 pre-application enquiries remain outstanding. Whilst this is an improving position it is highlighted that the additional burden of the backlog volume upon existing staff resource will continue to impact upon performance over an extended period and into 2024/25. The effect of the determination of 'legacy' applications will continue to skew average time measures for the remainder of 2023/24 although these should start to improve after the oldest cases are dealt with and the volume of legacy determinations starts to decline; it is currently expected that an improving trend is expected by the end of 2023/24 and a commitment to work toward that aim has been set out in the recent PPF 12 which was submitted to the Scottish Government in July 2023.
- 3.8 In addition to resolving capacity issues through the creation of new and filling vacant posts work is also ongoing to review current working practices and procedures with a view to maximising the use of professional officer time for determination of applications and improving output. This workstream will include a review and implementation of new workflow and performance reporting systems in the backoffice, and has seen the introduction in the use of existing technical staff resource within the validation team to assist in the assessment stage of less complex statutory notification processes. The use of additional short-term professional resource has been implemented as means of resolving issues with individual caseloads that have been unsustainably high for an extended period of time with consequent impact on the health and wellbeing of the team and their output. Three additional Agency planning officers have subsequently commenced work with the Council and have provided additional capacity from late FQ3 through to the end of 2023/24 with the aim of making significant inroads in the casework backlog, and is currently planned to be extended into 2024/25 to

continue this progress.

#### **4.0 IMPLICATIONS**

4.1 Policy	None
4.2 Financial	None
4.3 Legal	None
4.4 HR	None
4.5 Fairer Scotland Duty	
4.5.1 Equalities Protected Characteristics	None
4.5.2 Socio-Economic Duty	None
4.5.3 Islands	None
4.6 Climate Change	None
4.7 Risk	Failure to determine planning and related applications in efficient and effective manner would have potential to adversely impact upon the local economy, delivery of housing, and health and wellbeing of individuals.
4.8 Customer Service	Requirement to manage customer expectations in the determination planning and related applications
4.9 The Rights of the Child (UNCRC)	None

**Executive Director of Development & Infrastructure**

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8<sup>th</sup> March 2024

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#### **APPENDICES**

Appendix 1 – FQ3 2023/24 DM report to ELT