



National Planning Improvement Framework

Attribute 8: The planning authority has effective and efficient decision making processes

Planning Performance



For the year 2023/24 the returns from the Scottish Government indicate the following:

- *Approval rate: 92.1%*

Average processing times:

- *Major development: 17.9 weeks*
- *Local development (all): 11.3 weeks*
- *Householder development: 8.5 weeks*
- *Housing Major: 24 weeks*
- *Business and Industry Major: 15.3 weeks*
- *EIA development: 25 weeks*

In terms of comparison, our performance for Major development applications has substantially improved since 2022/23, noting that we have dropped to 17.9 weeks from 46 weeks in 2022/23, albeit fewer Major developments were determined than the last year, but no processing agreements were required to achieve this overall figure.

Our local and householder figures have slightly dropped, from 9.5 and 8.1 weeks to 11.3 and 8.5 weeks respectively. There are various reasons for this, primarily including a number of vacancies which required to be filled but which we were unable to recruit to due to insufficient quantity and quality of candidates and a drop in the number of processing agreements from the previous year for local developments. This Council also promotes a collaborate approach with applicants, working with them to resolve issues rather than solely determining applications to achieve better performance statistics. Whilst processing agreements and stop the clock can and are used to reflect delays, by the nature of this approach our determination period for some more complex and challenging applications will inevitably be longer, with average processing times therefore impacted.

Appeals

In terms of appeals to Scottish Ministers for planning decisions (i.e. excluding any enforcement related appeals or on any other grounds), 4 planning cases were determined by the DPEA, with one of those two original decisions being upheld, resulting in a 50% overturn rate. In addition, two enforcement notice appeals and a planning appeal were submitted but were rejected as being outwith the remit of the DPEA. Over the previous number of years the appeals of our decisions to DPEA have been relatively low, a trend that has continued during 2023/24. No judicial reviews of the Council's decisions were sought or allowed during 2023/24, a position that has remained steady for many years.

Local Reviews

In relation to local appeals through Local Review Body, 11 appeals were determined during 2023/24, with the original decision upheld in 10 of those cases with an average decision time of 12.7 weeks. A selection of five elected members from our planning committee sit on the Local Review Body at any one time, drawing on their knowledge and experience of planning matters in their decision making. LRB met 12 times during 2023/24 and will meet when business is required to be heard.

Enforcement

The enforcement charter, it remains within the two year period since last reviewed and updated (March 2023) and is currently being reviewed and will be updated before the current scheme reaches 18 months since last updated. It is located on our website at [DM Enforcement Charter \(east-ayrshire.gov.uk\)](https://www.east-ayrshire.gov.uk/DM-Enforcement-Charter).

This Council places considerable importance on the planning enforcement function. We currently have three dedicated enforcement officer posts within our structure, one of which is currently vacant and has been since mid-2023 following the retirement of one of our long standing enforcement officers.

This post is under active review, with the service review undertaken during 2023/24, in conjunction with other vacant posts in the service. In addition to the normal enforcement function of investigating planning breaches, our enforcement function plays a large part in compliance monitoring the construction of large scale environmental projects and Major developments.

A quarterly report is prepared for the consideration of our planning committee which details compliance related matters over the previous quarter and any recommendations flowing from that. Section 44 of The Planning (Scotland) Act 2019 will introduce a requirement on Scottish planning authorities to have statements in their enforcement charters in respect of monitoring of compliance with planning permissions that have been granted in respect of Major developments. This Council already has such a statement and the quarterly report to our planning committee on all significant large scale environmental projects, as well as Major developments, is considered to already meet, and exceed, the future legislative requirements. This is highlighted within a specific case study.

In relation to the information requested to be submitted the following figures are applicable to East Ayrshire:

- *Complaints lodged and investigated; 224*
- *cases closed (resolved); 307*
- *notices served; 24*
- *direct action; 0*
- *Reports to Procurator Fiscal; 0*
- *Prosecutions. 0*

Improvement Action Plan (Tools theme)

(Scoring: 1 - Making excellent progress, 5 - No progress)

Attribute	Score
6. The planning authority has a robust policy and evidence base	2
7. The planning authority makes best use of data and digital technology	3
8. The planning authority has effective and efficient decision-making processes	2

Based on the grading above, the following areas of improvement have been identified. Their level of importance (High/ Medium/ Low) and by when (short – 1 Year/ medium – 3 Years/ long term – 3+ Years).

Improvement Action	Owner	Importance	Timescale	Resources
Attribute 6/ 7: Introduce new GIS system and layers, which will contribute to a spatial evidence base for LDP processes and planning decision-making, and corporate spatial data sharing and management. Consider linkages of various systems with spatial data to streamline processes – e.g. Uniform and GIS.	Corporate	High	Medium	Planning Service, IT and other services. External resources.
Attribute 7: Explore further opportunities to use digital solutions to increase	Planning Service	High	Short	Planning Staff and IT

automation and improve workflow and provide seamless communication with other systems where relevant – e.g. Implement electronic Enforcement forms and Mailbox to focus delivery and reduce timescales and handling.				
Attribute 7: Review Planning and Enforcement web presence to provide a better and more customer friendly experience which is quality, accurate and accessible.	Planning Service	High	Short (review) Medium (implementation)	Planning Enforcement and Support Staff
Attribute 8: Update Enforcement Charter to ensure it reflects the Council's current approach to the use of enforcement controls and the monitoring of development.	Planning Service	Medium	Medium	Service Managers/Enforcement Officers
Attribute 8: Introducing new measures to improve local development performance figures, including review of front and back end of planning application processes and benchmark with other Planning Authorities.	Planning Services	Medium	Medium	Development Management and support staff