



National Planning Improvement Framework

Attribute 12: The planning authority supports the delivery of consented development

Delivering consented development



The requirement for a legal agreement is highlighted in pre-application discussions and guidance on pre application advice is on the website. Some legal agreements are concluded within 6 months but a number of others are not. There can be various reasons for delays longer than 6 months and this is not always in the control of the Planning Authority. However, to manage this process a quarterly report to our planning committee providing updates on progress towards conclusion of the legal agreement and recommendations should the process become stalled. In terms of the Local Development Plan, there are several references made to legal agreements. Specifically, reference to legal agreements are made in relation to development in the settlement of Stewarton and in line with the associated Development Framework; policy INF4 developer contribution requirements; policy FIN1 financial guarantees compliance monitoring; and in relation to transport assessments.

In terms of the approach to imposing conditions, we have regard to the requirements and tests set out in Circular 4/1998 on the use of planning conditions. Draft decision notices require to go through a minimum of two professional planners for sign off, including at least a team leader level, therefore opportunity for challenge and review of the conditions is built into the process. We have had no planning appeals challenging the imposition of conditions during 2023/24.

The planning authority has an ambitious local housing land requirement. A minimum all-tenure housing land requirement (MATHLR) of 4050 residential units (both market and affordable) has

been established for East Ayrshire. To ensure that there is a generous housing land supply, additional residential capacity has been allocated above the MATHLR.

The recently adopted LDP2 identifies development sites able to accommodate around 6145 residential units – an additional 52% to the established MATHLR. A housing land pipeline has been established to support the achievement of the MATHLR. Sites allocated for residential purposes in the LDP have been divided into Short Term, Medium Term, and Longer Term delivery.

Determination of timescales for the delivery of allocated housing sites during the Plan period has been informed by programming from the 2021 Housing Land Audit, proximity to existing services and infrastructure, transport connections and other factors. The local housing land requirement is therefore on track to support delivery.

The planning authority has an effective delivery programme in place that supports the delivery of development on the ground. The Delivery Programme was approved by East Ayrshire Council Cabinet on 26 June 2024 and can be viewed here: [Information about local development plan 2 · East Ayrshire Council \(east-ayrshire.gov.uk\)](https://www.east-ayrshire.gov.uk/information-about-local-development-plan-2)

East Ayrshire Council signed 27 processing agreements with applicants during the 2023/24 period, which is slightly more than half of the processing agreements signed during the previous year and therefore is a fall in total numbers. We continue to offer processing agreements to all Major and complex local planning applications during pre-applications discussions and via our website, however such agreements require both parties and therefore the total numbers of such agreements is out with the hands of the Planning Authority. Despite having no processing agreements for any major application during 2023/24, our determination timescale was substantially less than the year before and our average timescale for such applications is only slightly out with the statutory target itself. This demonstrates that Processing Agreements can be a useful application management tool in the right circumstances and that the signing of them is not always necessary and ultimately a lack of yearly increase in such agreements should not be viewed as a failing or weakness by the Planning Authority. The good performance result for Major applications demonstrates working more closely with applicants to get early decisions.

Improvement Action Plan (Place theme)

(1=Making excellent progress, 5= No progress)

Attribute	Score
11. The planning authority supports the delivery of sustainable, liveable and productive places	3
12 This planning authority supports the delivery of appropriate development	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 Actions	Owner	Importance	Timescale	Resources
Attribute 11: Build on relationships with NHS to build better links to health and wellbeing outcomes through LDP3 and other service departments and link to Attribute 5.	Planning Service/ NHSAA and Improvement Service	High	Medium	Planning staff
Attribute 12: Create template for legal agreements for most common heads of terms to reduce timescales for completion. Consider and integrate with work being undertaken by HoPS on template legal agreements. Place these documents on our website. Encourage twin tracking of legal agreement drafting during planning application assessment to minimise time post recommendation and work closely with Legal Colleagues.	Planning Service/ Legal Services and HoPS	High	Short	Planning and legal staff with potential to draw on work being undertaken by HoPS

Summary of Improvement Actions

Attribute	Rating	Improvement	Priority
1	3	Review of the Enforcement Function	High
1	3	Undertake a Specialist Skills Review in the Delivery of NPF4 and LDP3 and relate to Service Structure	High
2	2	Undertake Workforce Strategy	Medium
2	2	Promote Positive Healthy Workplace	Medium
3	2	Review of Customer Feedback form and process in connection with planning decisions.	Medium
4	2	Review of Scheme of Delegation to bring it up to date	High
4	2	Elected member training to bring forward a more structured and consistent approach	Medium
5	2	Corporate Management Team workshops to show links between planning and other departments e.g. developer contributions, place and wellbeing outcomes	Medium
6/7	2/3	Introduce new GIS system and layers which will contribute to a spatial evidence base for Local Development Planning processes and planning decision-making and corporate spatial data sharing and management	High
7	3	Explore further opportunities to use digital solutions to increase automation and improve workflow	High
7	3	Review Planning and Enforcement web presence and accessibility	High
7	3	Horizon scanning of digital solutions which could enhance delivery of the planning service.	Medium
8	2	Update Enforcement Charter	Medium
8	2	Introduce new measures to improve local development performance figures	Medium
9	3	Review our chargeable pre application service and the use of Processing Agreements	Medium
9	3	Hold a meeting with agents for householder and local development in terms of validation and registration of applications and customer service.	Medium
10	3	Promote the use of Engagement HQ for consultation with communities and other service departments and external stakeholders.	Low
10	3	Engage with communities on Local Place Plans and Community Action Plans and how these will interface	High

		with LDP3	
11	3	Build on relationships with NHS to build better links to health and wellbeing outcomes through LDP3 and other service departments and link to Attribute 5.	High
12	2	Create template legal agreements for most common heads of terms to reduce timescales for completion.	High