
PLANNING PERFORMANCE FRAMEWORK 2022/23



Foreword



by **Councillor Clare Maitland**
Chair of the Planning Committee

As the chair of the Planning Committee, I am pleased to introduce East Ayrshire Council's twelfth Planning Performance Framework. The PPF is an annual report which is produced by all Scottish planning authorities. It sets out what we have done during the year to maintain and improve the quality of our planning services, as well as our commitment to continuous improvement.

We are of course, grateful to the Scottish Government for the feedback received on our 2021/22 PPF, and I was particularly encouraged by East Ayrshire's performance against the 15 key markers. This was the best set of results we have received since 2017/18, and this reflects on the hard work, commitment and professionalism of every member of staff within the Service. Our task now is to build on this and to continue to make good progress in all areas.

2022/23 proved to be yet another changing and sometimes challenging environment for the Planning Service. Budgetary and staffing pressures have impacted on service delivery. We have adapted our resourcing requirements in ever more innovative ways, via the recruitment of graduate interns and apprenticeships, and I hope that these young people will go on to have successful careers within the Planning Service.

The delivery of LDP2 continues to be a key focus. Following a formal public consultation on the Plan in summer 2022 which attracted over 300 representations, the proposed Plan was presented to Council in December. All documents have been submitted to the Scottish Government for examination, a process which commenced in February 2023. The outcome is expected towards the end of the year.

The new Ayrshire Economic Strategy was approved earlier this year, and the Planning Service will play an important role in facilitating projects and ensuring its success. Investment also continues to be made in new homes to meet East Ayrshire's housing need and demand with new affordable stock being delivered across our area.

The structure of this report follows the Scottish Government's PPF template and guidance produced by Heads of Planning Scotland. It includes feedback on our performance last year and provides a broad overview of how we are performing and our plans for 2022/23.

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1 Introduction

This Planning Performance Framework demonstrates the achievements and performance of the Council's Planning Service during 2022/23. The twelfth report of its kind, it reflects on performance during the year, and ahead, focussing on service improvements we intend to make during 2023/24. It will combine data which shows how we are performing against our key metrics, and commentary which explains what we have achieved during the year, where the main challenges lie and what we will do moving forward.

East Ayrshire covers a large area that extends from Kilmarnock, Stewarton and Darvel in the north to Loch Doon and the edge of the Galloway Forest Park in the South. Spanning some 490 square miles and with a total population of 121,600, the area offers a diverse mix of urban and rural communities, with areas of outstanding natural beauty, historic towns and excellent connections to the Central Belt and south of Scotland.



The East Ayrshire Community Plan is the sovereign strategic planning document for the delivery of public services in East Ayrshire. Its three themes (and, in particular, the Economy and Skills Delivery Plan) provide the framework in which our core planning functions are delivered. The Planning Service continues to make an important contribution to delivery of this Plan, which focusses on areas include Place-making, Net Zero projects and high quality developments.

Planning is central to East Ayrshire's continued recovery and regeneration. Increasingly, this work is taking place at regional level, via the Ayrshire Community Wealth Building Commission and Regional Economic Partnership. The launch of the new Ayrshire Economic Strategy sets out the ambitions of the partnership to make Ayrshire a unique destination in which to live, work, invest and visit. Key themes of the Strategy include Stronger Places and Communities and Enhancing Natural Capital, and we will work with our neighbouring Planning Authorities to deliver on these important areas.

A number of exciting regeneration projects have been progressed during the last 12 months in both town centres and locality areas. Looking ahead, a Strategic Vision for Kilmarnock Town Centre has been put in place and it sets out a number of short, medium and long-term outcomes designed to stimulate widespread and lasting change in the town.

The plans for Kilmarnock town centre will be highlighted in more detail in our case studies, where we will also look at the finalisation of the new Local Development Plan (LDP2). This section also shines a light on the opening of a new climbing facility in Kilmarnock, which was part-funded by RCGF, the Hagshaw Energy Cluster, and the establishment of new apprenticeship and graduate intern posts within the Service, which was funded by the Council's new Jobs and Training Fund.

This PPF has been subject to peer review by South Ayrshire Council, our partner authority for the 2022-2023 PPF submission, as recommended by the Scottish Government. East Ayrshire Council would like to thank our colleagues at South Ayrshire Council for their assistance.

2 National Headline Indicators

| Development Planning | 2022-23 | 2021-22 |
|---|---|---|
| Local and Strategic Development Planning: | | |
| Age of local development plan(s) at end of reporting period <i>Requirement: less than 5 years</i> | 6 years and 0 months (LDP) 3 years and 3 months (Minerals LDP) | 5 years and 0 months (LDP) 2 years and 3 months (Minerals LDP) |
| Will the local development plan(s) be replaced by their 5 th anniversary according to the current development plan scheme? | No | No Yes (Minerals LDP) |
| Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? | Yes (see note 1) | Yes |
| Were development plan scheme engagement/consultation commitments met during the year? | Yes (see note 2) | Yes |
| Effective Land Supply and Delivery of Outputs | | |
| Housing approvals | 174 units (see notes 3 and 4) | 693 units |
| Housing completions over the last 5 years | 2332 units (see note 4) | 1761 units |
| Marketable employment land supply | 198.48ha | 201.3 ha |
| Employment land take-up during reporting year | 2.19ha | 0.55 ha |

Commentary

Note 1 – The 2022 development plan scheme (DPS) reported that LDP2 would be submitted to Scottish Ministers in Q3/4 of 2022. The Plan was submitted in Q1 of 2023. This was largely down to a delay in finalising the Proposed Plan due to the timing of the draft NPF4 being published; additional time was taken to reflect, as far as possible and practical, the draft NPF4 within the Proposed Plan.

The 2023 DPS is the first scheme to set out an indicative timescale for the production of LDP3; submission to ministers is anticipated to be Q1 of 2027, however, the timetable will be further refined in the 2024 DPS, now that the LDP guidance has been published by Scottish Government.

Note 2 - At the Council meeting of 31 March 2022, the Proposed LDP2 was approved for consultation purposes. Consultation commenced on 23 May 2022 and continued until 22 July 2022. A number of events took place during the consultation period, including events in

Stewarton, Fenwick, Kilmarnock, Dalmellington and Auchinleck. 315 representations were received.

The findings of the consultation exercise were analysed and presented to Council on 15 December 2022. Council also agreed to the submission of all documents to Scottish Ministers for examination. The Proposed Plan is now a material consideration in the determination of planning applications, with the weight to be given to the Proposed Plan considered in light of a number of guiding principles. Submission to examination took place in February 2023 with the outcome of the examination expected in late 2023.

Once LDP2 is adopted in early 2024, it will replace LDP1 (adopted 2017) and the Minerals LDP (adopted 2020).

The LDP Member-Officer Working Group (MOWG) has met 30 times since its establishment in April 2019 and met to discuss representations in late 2022 prior to the Plan being presented to Council for permission to progress to examination. It has been a significant commitment for elected members on the group and for the officers involved across the Council. Various revisions and additions have been made as a result of this working group, ensuring corporate oversight of the Plan and cross-party political oversight by elected members.

The Policy Team have also worked closely with colleagues in Education, NHS Ayrshire & Arran, the Health & Social Care Partnership and Facilities & Property Management to ensure that the implications of our site allocations on education and medical services are well understood. In addition, the Council's Legal Services have assisted with matters related to the complex issue of developer contributions.

Note 3 - the figures above should be treated as draft. Work is underway to finalise the current Housing Land Audit, which will confirm the figures. It is anticipated that the HLA will be finalised and published in Autumn 2023.

Note 4 –The approvals figure is recognised as being lower than previous years. It is noted that several large approvals were granted just outwith the reporting period and that as a result this figure will likely be significantly higher in 2023/24.

| Development Management | 2022-23 | 2021-22 |
|--|--------------------------|--------------------------|
| Project Planning | | |
| Percentage and number of applications subject to pre-application advice on decision issued | 21% 114 | 20% 111 |
| Percentage and number of major applications subject to processing agreement | 67% 4 | 50% 2 |
| Decision Making | | |
| Application approval rate | 89.7% | 92.9% |
| Delegation rate | 96.5% | 96.1% |
| Validation | 19% | 21.2% |
| Decision-making Timescales | | |
| Major Developments | 42.1 weeks | 102.3 weeks |
| Local developments (non-householder) | 10.6 weeks | 14.5 weeks |
| Householder developments | 8.1 weeks | 8.0 weeks |

| Legacy Cases | | |
|--|-----------|-----------|
| Number cleared during reporting period | 17 | 19 |
| Number remaining | 18 | 14 |

| Enforcement activity | 2022-23 | 2021-22 |
|--|---|--|
| Time since enforcement charter published / reviewed Requirement: review every 2 years | Reviewed 31st March 2023 (0 months) | Reviewed 31st March 2022 |
| Complaints lodged and investigated | 192 | 162 |
| Breaches identified – no further action taken | 146 | 137 |
| Cases closed | 145 | 243 |
| Notices served | 16 | 12 |
| Direct Action | 0 | 0 |
| Reports to Procurator Fiscal | 0 | 0 |
| Prosecutions | 0 | 0 |

Commentary

We continue to offer a pre-application service to prospective applicants and this results in useful dialogue to allow early engagement and direction with noted benefits when the application is submitted. The uptake of this in terms of the number and percentage of formal pre-application enquiries remains broadly similar to the previous reporting year, with a very small increase in the proportion of applications subject to pre-application. We continue to encourage the use of this system through our website and during early contact with prospective applicants, particularly so where development proposals are more complex.

The last year has seen a notable improvement to decision making timescales for both major developments and local developments (non-householder), with only a marginal decline recorded in the householder developments category. The Service works proactively to manage these timescales, with active case management of more complex cases through processing agreements.

Legacy cases continue to be progressed and cleared in line with previous commitments to reduce overall numbers and it is pleasing to note that broadly, the numbers remain similar to the previous year in terms of cases cleared and numbers remaining. Some further detail of this is set out at case study 6.

Effective management of development within East Ayrshire is important to the wellbeing and economic growth of the area; to that end it is important to have a transparent and effective enforcement process for the Planning Service. In addition to the work detailed above which shows consistent strong performance and action on enforcement related matters, significant resources are also given over to the compliance monitoring of major projects. This now includes all Major developments, building on our long standing monitoring of large environmental projects, and bringing this in well ahead of forthcoming legislative requirements.

3 Official Statistics

Scottish Government Official Statistics

Decision-making timescales (based on 'all applications' timescales)

| Timescales | 2022-23 | | 2021-22 | |
|--|---------|------------|---------|-------------|
| Overall | | | | |
| Major developments | 6 | 42.1 weeks | 4 | 102.3 weeks |
| Local developments (non-householder) | 231 | 10.6 weeks | 219 | 14.5 weeks |
| • Local: less than 2 months | 158 | 7.2 weeks | 135 | 7.4 weeks |
| • Local: more than 2 months | 73 | 18.0 weeks | 84 | 25.9 weeks |
| Householder developments | 170 | 8.1 weeks | 199 | 8.0 weeks |
| • Local: less than 2 months | 143 | 7.2 weeks | 181 | 7.6 weeks |
| • Local: more than 2 months | 27 | 12.4 weeks | 18 | 12.1 weeks |
| Housing Developments | | | | |
| Major | - | - | 1 | 87.9 weeks |
| Local housing developments | 79 | 11.9 weeks | 76 | 17.4 weeks |
| • Local: less than 2 months | 58.2% | 7.4 weeks | 56.6% | 7.5 weeks |
| • Local: more than 2 months | 41.8% | 18.1 weeks | 43.4% | 30.2 weeks |
| Business and Industry | | | | |
| Major | - | - | - | - |
| Local business and industry developments | 69 | 11.1 weeks | 52 | 10.8 weeks |
| • Local: less than 2 months | 69.6% | 6.9 weeks | 65.4% | 7.8 weeks |
| • Local: more than 2 months | 30.4% | 20.7 weeks | 34.6% | 16.5 weeks |
| EIA Developments | 1 | - | 3 | 25.5 weeks |
| Other Consents | | | | |
| • Listed bldg. + cons. area consents | 44 | 8.6 weeks | 35 | 8.4 weeks |
| • Advertisements | 24 | 9.9 weeks | 16 | 11.0 weeks |
| • Hazardous substances consents | 0 | - | 0 | - |
| • Other consents and certificates | 11 | 9.4 weeks | 10 | 7.6 weeks |
| • Total | 79 | 9.3 weeks | 61 | 9.0 weeks |
| Planning/legal agreements | | | | |
| • Major: average time | 1 | 56.0 weeks | 2 | 102.3 weeks |
| • Local: average time | 0 | - | 2 | 224.6 weeks |

| Appeals and Reviews | | | | | |
|-------------------------------|---------------------------|--------------------------|--------|---------|--------|
| | | Original decision upheld | | | |
| Decision Making Type | Total number of decisions | 2022-23 | | 2021-22 | |
| | No. | No. | % | No. | % |
| Local reviews | 10 | 9 | 90.0% | 4 | 44.4% |
| Appeals to Scottish Ministers | 4 | 4 | 100.0% | 2 | 100.0% |

Commentary

The statistics show a general upturn in the numbers of applications received across most application types. Some improvement in performance is noted despite the increased application numbers although in some areas performance has reduced, albeit against a background of handling a greater number of applications than the last reporting period.

For Major developments, significant improvements have been made in relation to decision making timescales. Despite numbers of Major developments increasing, decision making timescales have fallen sharply. This is in part explained by the use of processing agreements where it is noted that two of the four met agreed timescales. Of the others, interim dates were met for one but not extended to include the final period of a legal agreement conclusion and the other was not extended by the applicant but could not be met legally as public consultation remained underway at the date of the expiry.

Turning to local developments, significant improvement in timescales are evident for local development (non-householder) despite the increased numbers of applications with two thirds decided well within the statutory target. Processing agreements and stop the clock protocols have been used to ensure that those cases going beyond the target are managed carefully.

Finally, householder development remains relatively static overall; however, this has in part been caused by a small number of applications exceeding the target, noting that more than 80% of the applications were determined within target and faster than in 2021/22.

In last year's PPF report, it was noted that recruitment to vacant posts had been particularly challenging and that a service review was to be undertaken to establish a permanent internal structure. Whilst the latter has been subject to delay during the reporting period, recruitment has largely been successful during the reporting year. A number of new staff members have joined the Development Management Team, including a range of professional and support staff (2 senior planners, 2 planners, one trainee/graduate planner, an assistant technician and a part-time senior administrative assistant).

Whilst some staff have left the authority during 2022/23, we have successfully recruited to most longstanding and newly vacant posts. This allows better management of workload and is impacting positively on performance statistics as evidenced in the table above.

Finally, the appeal process provides important checks and balances on the decisions made by the Planning Authority either at a delegated Officer Level or by the Planning Committee. In this period 60 planning applications or other consents were refused and 14 of those were appealed. This remains a small proportion of overall decisions and the total percentage of decisions upheld on appeal is very high, which demonstrates the Authority's robust decision-making processes and our professional integrity.

4 Workforce Information

Workforce information is a snapshot of the staffing position on 31 March 2023.

| | Tier 1 <i>Chief Executive</i> | Tier 2 <i>Director</i> | Tier 3 <i>Head of Service</i> | Tier 4 <i>Manager</i> |
|---------------------------------|---|----------------------------------|---|---------------------------------|
| Head of Planning Service | | | | 2 (Note 1) |

| RTPI Qualified Staff | Headcount | FTE |
|---|-----------|-------------|
| Development Management | 9 | 9 |
| Development Planning | 6 | 5.9 |
| Enforcement | 0 | 0 |
| Specialists | 0 | 0 |
| Other (including staff not RTPI eligible) | 0 | 0 |
| Total | 15 | 14.9 |

| Staff Age Profile | Development Management | Development Planning | Total Headcount |
|-------------------|------------------------|----------------------|-----------------|
| Under 30 | 3 | 2 | 5 |
| 30-39 | 6 | 6 | 12 |
| 40-49 | 4 | 3 | 7 |
| 50 and over | 17 | 5 | 22 |
| Total | 30 (Note 2) | 16 | 46 |

Context

In the 2021/22 PPF return it was explained that there had been some significant changes in structure and profile across the workforce. This was primarily as a result of the previous Head of Planning retiring, a restructure of services at Council level and officers acting into more senior roles. In addition, there was a number of vacancies across the service. Taking all of this into account, this was described in last year's PPF return as a year of transition.

In this reporting period, whilst the full restructuring has not been completed, no significant further structural change has taken place and we have been successful at recruiting into a range of vacant posts. Some acting roles continue to be undertaken, including the Operations Manager and Team leader level; however those undertaking such roles have not changed and continuity has been maintained. As such it is clear that, whilst longer term change and settling of interim positions is still required, the 2022-2023 period has been a more settled reporting year than last.

It was anticipated that the service review would have been undertaken as set out in the service plan (commitment 8) in the 2022/23 PPF. This process has not yet commenced as a result of pressures in the wider Governance Services portfolio in which Development Management is located. However, significant early and preparatory work has been undertaken to identify areas of change and improvement, showing some progress towards achieving this commitment and this will be formally taken forward for approval in the 2023-2024 period, including appointing a permanent replacement of the Operations Manager position.

Similarly it was hoped that the service review for Economic Growth, within which the Development Planning and Regeneration team sits, would be complete. This has been delayed due to uncertainties with funding for economic development services. At present, this has been completed to tier 4 management level with a new Strategic Lead for Development Planning and Regeneration being appointed. Significant early and preparatory work has been undertaken to identify areas of change and improvement showing some progress towards achieving this commitment and the remainder of the review will be formally taken forward for approval in the 2023-2024 period.

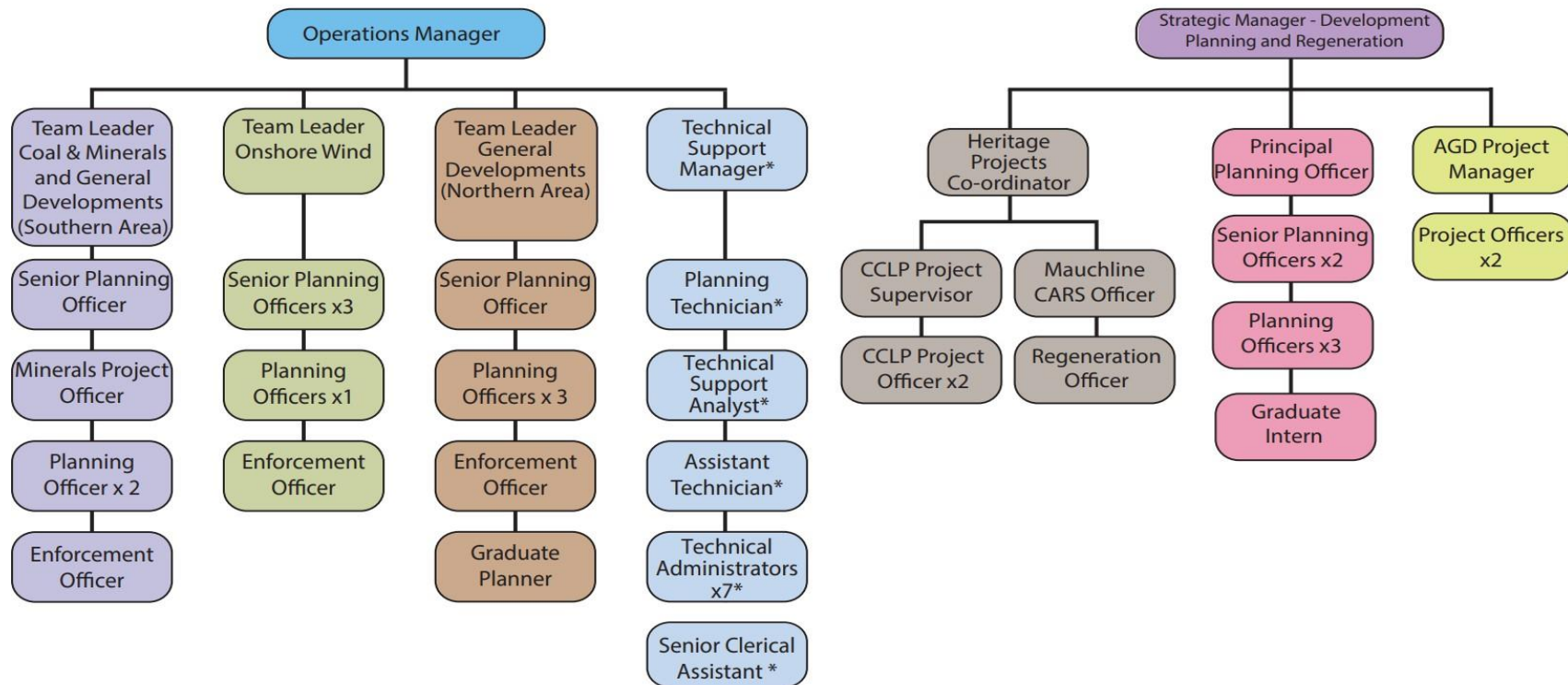
Of particular significance during this reporting period has been the success in recruiting to a number of the vacant professional and support staff roles within Operations and Development Planning. This has included a Principal Planning Officer (Policy), three senior planners, three planners, a trainee planner as well as a number of support staff including assistant technician and senior clerical support. Some of these appointments have been internal, with staff progressing to higher responsibility posts, demonstrating success in our efforts to make the roles attractive and to look for succession planning opportunities where available. In addition, Development Planning and Regeneration have appointed a Graduate Intern for 2 years who works across development planning and economic development.

Some more detail of these efforts is set out at section 6(1) and in case study 2.

Note 1 – Development Planning and Development Management functions currently split across two different managers with no single head of service for the Planning function.

Note 2 – This is the total number of staff, including a number of part time staff and is therefore not a FTE total of staff within Planning. The structure chart below highlights the maximum complement of staffing on structure albeit some posts are currently vacant or being filled on a part time basis. Also, the structure chart notes technical support staff have a wider remit than Planning support.

Development Management & Development Planning & Regeneration Staff Structure



Note:

* Technical Support staff also support Development Planning and Regeneration

** Admin Officers also support Building Standards

5 Planning Committee Information

| Committee & Site Visits | Number per year |
|-------------------------|-----------------|
| Full council meetings | 8 |
| Planning committees | 9 |
| Area committees | 0 |
| Committee site visits | 3 |
| Local Review Body | 10 |
| LRB site visits | 4 |

Commentary

The Planning Committee has provided a robust forum for debate relating to Planning Applications required under the Scheme of Delegation to be considered by Councillors. Planning Committees take place using a hybrid system with physical presence in Council chambers as well as online. Under the Council's guidelines for planning committee, objectors and the applicant are usually able to participate in the decision making process. A number of new Councillors have joined the planning committee since the May 2022 local government elections in addition to a number of returning Councillors who had previous experience of sitting on planning committee. Appropriate training was provided to new and existing elected members, with a further round of refresher training and updates reflecting NPF4 coming into force taking place during the reporting period.



6 Service Improvement

| No | Performance Marker | PPF11 rating | Comments By Scottish Government on 2021-22 | 2022/2023 Review |
|----|---|--------------|--|---|
| 1 | Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4] | Amber | <p>Major Applications Your average timescale of 102.3 weeks is slower than the previous year and the Scottish average of 44.6 weeks. RAG = Red</p> <p>Local (Non-Householder) Applications Your average timescale of 14.5 weeks is slower than the previous year and the Scottish average of 13.5 weeks. RAG = Red</p> <p>Householder Applications Your average timescale of 8.0 weeks is faster than the previous year and the Scottish average of 8.7 weeks. RAG = Green</p> <p>Overall RAG = Amber</p> | <p>1.1 Recruitment to vacant posts to achieve full staffing levels to reduce decision making timescales - Ongoing</p> <p>Evidence – as explained at the context under Section 4 above, the planning service underwent structural change during the last reporting period and the interim working arrangements in respect of the Operations Manager and Team Leader posts continue. A number of retirements and resignations during 2022-23 also occurred including one planner, one senior planner, one senior clerical and one assistant technician post.</p> <p>The Council has actively filled these vacant posts and those that were carried into the 22/23 period, recognising that this is essential to be able to deliver the service standards we seek. No moratorium on filling vacancies exists and all vacant posts have been advertised with varying degrees of success through MyJobScotland.</p> <p>During the 2022-23 period, two senior planner officers, two planning officers, a trainee/graduate planning officer, a senior clerical officer and an assistant technician post have all been successfully recruited in Development Management with a technical administrator post filled at the commencement of the 2023-24 period. (2021/22 Service improvement plan action 4) Some of these appointments backfill posts made vacant through internal candidate success, demonstrating that succession planning is taking place (see case study 2 for example).</p> <p>1.2 Promotion and use of Processing Agreements for all complex local and major developments at each pre-application meeting and during application process – Ongoing</p> |

| | | | |
|--|--|--|---|
| | | | <p>Evidence - <u>Planning Processing Agreements</u> - East Ayrshire Council (east-ayrshire.gov.uk) and <u>Planning Pre Application Guidance Leaflet</u> (east-ayrshire.gov.uk)</p> <p>Processing agreements continue to be offered for all major and complex local applications including as part of our formal pre-application process and this is promoted on our website and in guidance specific to our pre-application process. This has helped to project manage Major applications and other more complex local application decisions to revised decision making timescales, with approximately 50% of those meeting agreed targets (Planning Authority annual statistics, Scottish Government) and of the others, most have specific reasons why they have not and have generally been acceptable to applicants, noting that there have been no non-determination appeals against such cases, or indeed other cases. (Scottish Government - DPEA - Case List (scotland.gov.uk) and Local Review Body (east-ayrshire.gov.uk))</p> <p>1.3 Use of Stop the Clock process to remove time where the Planning Authority is waiting on critical information.</p> <p>Evidence - Planning Authority annual statistics, Scottish Government</p> <p>In some cases, matters arise during the processing of an application that prevent the application from being taken forward successfully. This can, and most frequently does occur where a consultee has asked for certain information or changes are required to take place. We encourage a project managed approach through processing agreements and engage with applicants accordingly. However, where this has not been agreed by the applicant, careful use of stop the clock protocols ensures that our returns accurately reflect instances where delay is outwith our control but often ensures that a positive determination can be achieved rather than refusing an application to meet a target. That approach reflects the Council's</p> |
|--|--|--|---|

| | | | |
|--|--|--|---|
| | | | <p>aspirations to encourage appropriate development and is expanded upon in case study 6.</p> <p>1.4 Continue to support, maintain and improve our digital based service model – ongoing</p> <p>Evidence - Full digital working is available and has been in place over a number of years. We have continued to build on this to refine and improve the offering for our customers and this contributes to reduced average timescales, in line with 2022/23 Service Plan action 18. This reporting period we have: (i) added QR codes to public notices, generated by coding within the template, which allows customers to scan and link direct to the application details on our website (ii) introduced an automatic electronic acknowledgement of receipt for objections enabling time to be saved by technical support in generating acknowledgement letters which can be used to support other validation tasks (iii) Placed orders for laptops to replace existing machines, ensuring that appropriate and up to date technology is available for all staff and that mobile working is maintained (2022/23 Service Improvement Plan action 17) (iv) introduced a weekly report to check receipt of payments made for applications and services following some lack of notification errors in our corporate payments system, ensuring that customers are not impacted (v) worked with external IT providers and our internal IT colleagues to roll out upgrades to Uniform and IDOX systems.</p> <p>1.5 Review of validation procedures – ongoing</p> <p>Evidence – In the 2021/22 PPF we committed to undertaking a review of validation procedures. That was to be linked to our pending service review under action 8; however, the service review was delayed and will now be undertaken in the first half of 2023/24 (and is underway during preparation of this submission). On this basis the review of validation procedures remains ongoing and will remain as a service improvement action. Some preparation work has taken place however, for example with a considerable review of the prior notification and</p> |
|--|--|--|---|

| | | | | |
|---|--|-------|---|---|
| | | | | <p>prior approval process undertaken, including creation of new draft templates and consideration of validation procedures. That new process will be rolled out during 2023/24 and is identified as a stand alone service improvement action for next year, as well as tying into the wider validation process review.</p> <p>As noted in the 2021/22 PPF, this complete review will consider our internal process from first receipt of an application to an application becoming valid, considering which staff are best placed to undertake this and using a single staff contact point during validation rather than the pooling of work approach currently used.</p> |
| 2 | Processing agreements: <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website | Green | <p>Processing agreements are offered for major and complex local applications. RAG = Green</p> <p>You promote the availability of processing on your website. RAG = Green</p> <p>Overall RAG = Green</p> | <p>2.1 Promotion of Processing Agreements for all complex local and major developments at each pre-application meeting – Ongoing</p> <p>Evidence - Planning Processing Agreements - East Ayrshire Council (east-ayrshire.gov.uk) and Planning Pre Application Guidance Leaflet (east-ayrshire.gov.uk)</p> <p>Processing agreements continue to be offered for all major and complex local applications including as part of our formal pre-application process and this is promoted on our website and in guidance specific to our pre-application process.</p> |
| 3 | Early collaboration with applicants and consultees <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information | Green | <p>An electronic process for applicants and updated guidance is available on your website. The proportion of applications subject to pre-application advice increased slightly to 25%. RAG = Green</p> <p>New pre-application process ensures that applicants are aware of the information required to support an application. Supplemented by information on Council website. RAG = Green Overall RAG = Green</p> | <p>3.1 Electronic Pre application process with charging matrix for major and non-householder developments continues to be promoted via the Council website - Implemented and ongoing.</p> <p>Evidence - Pre-application advice - East Ayrshire Council (east-ayrshire.gov.uk)</p> <p>This service continues to be actively promoted by the Council and the proportion and number of applications subject to pre-application has stayed relatively steady from the previous reporting year.</p> |

| | | | | |
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| | | | | <p>3.2 Quarterly meetings between Development Management and SEPA - ongoing</p> <p>Evidence – as part of an agreement to work collaboratively, representatives of the Planning Authority and SEPA have continued to meet during the reporting period. These meetings serve a number of functions including review of active casework, opportunities for SEPA to update on their most recent guidance and, relevant to this marker, an opportunity to engage early on pre-application and future proposals where flooding or other SEPA interest may be engaged. This has smoothed the process for prospective applicants of larger scale developments in particular and enables a pro-active approach by SEPA, allowing them to influence and shape relevant proposals before planning applications are submitted.</p> |
| 4 | <p>Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)</p> | Amber | <p>Your average timescales for determining applications with legal agreements is 132.3 weeks which is faster than last year but slower than the Scottish average of 33.2 weeks.</p> <p>The number of live applications more than 6 months after resolution to grant has stayed the same since the last reporting period.</p> <p>A quarterly reporting system has been implemented just prior to the reporting period and this continued to help throughout to help reduce the number of live applications.</p> | <p>4.1 Continue to report quarterly to planning committee on progress with applications subject to legal agreements with a view to reducing average timescales for determining such applications and to reconsider stalled applications – Ongoing</p> <p>Evidence - <u>Update Report on Progress of Planning Applications - August 2022 - Update Report on Progress of Planning Applications - August 2022.pdf (east-ayrshire.gov.uk)</u></p> <p>And <u>Update Report on Progress of Planning Applications Recommended for Approval - April 2023.pdf (east-ayrshire.gov.uk)</u></p> <p>Few applications are subject to legal agreement as evidenced by the statistics. As such average times can be greatly skewed by one application and significant yearly fluctuations are likely to occur dependent on the nature of the agreement being negotiated and the myriad reasons why delay occurs including, quite frequently, by the applicant or other signatories to such an agreement.</p> <p>To minimise delays and bring greater public scrutiny to such applications, quarterly reports are prepared for the Planning</p> |

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| | | | <p>Committee. These reports set out all applications with legal agreements, highlighting those that extend beyond the 6 month conclusion target. Continuous monitoring and evaluation provides additional scrutiny and helps to ensure that decisions on how to proceed with these applications are kept under review. Importantly this allows a bespoke approach to be taken, based on the facts of each case, to determine whether those applications that extend beyond the 6 month target period should be returned to planning committee. During the reporting period no applications were required to be returned to committee or be reconsidered however some applications were recommended for reconsideration should no progress have been made by the following reporting period (see for example page 5 item 1 of Update Report on Progress of Planning Applications - February 2023 - Update Report on Progress of Planning Applications - February 2023.pdf (east-ayrshire.gov.uk)).</p> <p>This approach has helped to leverage more focus and active management by the applicant's legal representatives and those where relevant landowners are also involved. It strikes the correct balance for East Ayrshire Council as we are mindful that significant economic investment sits behind most applications that are subject to a legal agreement and as such our assessment of unreasonable delay requires to balance speed of conclusion of a legal agreement with the wider benefits of working to a resolution with the parties.</p> <p>4.2 We do recognise that, whilst this reporting and scrutiny system and the provision of processing agreements has successfully driven down our average timescale as evidenced by the statistics for 2022/23, more work is required to attain the Scottish average. Following discussions during the latter part of the 2022/23 reporting period, we intend to advance a service improvement action for 2023/24 to try to further reduce average timescales. This will involve the creation of standard templates for section 75 agreements and the instigation of regular meetings</p> |
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| | | | | between managers in Development Management and Legal Services to ensure continued oversight of progress. Evidence – See proposed service improvement action 5. |
| 5 | Enforcement charter updated / re-published within last 2 years | Green | Your enforcement charter was renewed in March 2022. | <p>5.1 Annual review of Enforcement Charter – Complete (March 2023).</p> <p>Evidence - DM Enforcement Charter (east-ayrshire.gov.uk)</p> <p>5.2 Review of the compliance monitoring structure to accommodate provision for appropriate compliance monitoring of all Major development applications – complete and ongoing</p> <p>Evidence - DM Enforcement Charter (east-ayrshire.gov.uk)</p> <p>And Compliance Monitoring Update of Major Developments - April 2023.pdf (east-ayrshire.gov.uk)</p> <p>The Council's enforcement charter commits the Council to compliance monitoring of major development projects as we see fit, depending on the scale and nature of the particular development. We have presented a quarterly compliance monitoring update of major environmental developments to the Council's planning committee for a number of years, expanding and evolving over that time to cover most large scale development in East Ayrshire. 2021/22 Service Improvement Action Plan 5 committed to expanding this report again to include all Major developments, ahead of future statutory requirements under Section 44 of the Planning (Scotland) Act 2019 to report on monitoring of compliance of all Major developments. This was successfully introduced to the report presented at Committee in April 2023, but covering the reporting period of January to March 2023, as per the evidence link above.</p> <p>Evidence of works to restore and monitor the open cast restoration are also included within this report, as per 2022/23 Service Plan improvement action 6. Given the more routine nature of such monitoring and that only one complex remains to</p> |

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| | | | | be restored, and which is all addressed through the ongoing compliance reporting, that previous improvement action will not be rolled forward again as it has been largely completed. |
| 6 | Continuous improvement: <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified throughout PPF report. | Green | Last year's service commitments have either been completed or ongoing. 18 service improvement commitments have been identified for next reporting period. | <p>6.1 Continue with actions above to maintain and improve the staff resource, provide pre-application advice, strive to minimise and manage legacy cases, assess and determine all new applications within the statutory period, review and update the Enforcement Charter – As noted and ongoing.</p> <p>Evidence – Various actions and improvements set out throughout this service improvement table including filling of vacancies; building on and refining the digital service delivery model; continuing to provide and encourage pre application discussion; careful management of legacy cases as evidenced by official statistics and the links to quarterly reports; significant overall improvement in determining new applications within the statutory period; and completion of the review and update of the Enforcement Charter, per 5.1 above.</p> <p>6.2 Progress the markers set out in the Service Plan 2022/2023 - Ongoing.</p> <p>Evidence – as per the table above and below, all markers progressed to completion, remain ongoing or are no longer being pursued following detailed investigation.</p> <p>6.3 Improve decision-making timescales for all major, householder and non-householder applications. - Ongoing</p> <p>Evidence: Quarterly and annual statistics from Scottish Government show significant improvement in most areas, including Major and non-householder development. Householder development shows marginal slippage but can be attributed to a small number of applications missing the national target. Some explanation on this is set out in the commentary at sections 2 and 3 above. One of the key longer term challenges overall has been staff retention and recruitment which was noted as a service improvement action from 2020/21 and 2022/23 but</p> |

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| | | | <p>significant improvement during the reporting year has been achieved in Development Management which contributes to our improved performance. This remains an ongoing challenge to all local authorities and it is recommended that this will remain an action for 2023/24.</p> <p>6.4 In terms of other service improvement commitments made last year, not mentioned elsewhere in the report, the projects team in Development Planning and Regeneration has had a successful year.</p> <p>The development and implementation of the Mauchline CARS Action Plan (20-21 Action 2) is progressing well with a number of activities underway. The scheme will run until the end of March 2025, having been extended by a year due to Covid-19.</p> <p>Evidence - <u>Latest news about Mauchline CARS</u> · East Ayrshire Council (east-ayrshire.gov.uk)</p> <p>Good progress is also being made on the development of projects related to the Coalfield Communities Landscape Partnership project. (22-23 Action 3). A full update can be found here: Link no longer available.</p> <p>In terms of the completion of key actions to enable implementation of Ayrshire Growth Deal projects (22-23 Action 9), a number of updates are provided below.</p> <p>Ayrshire Growth Deal – Community Renewable Energy (CoRE) Project. Revised milestones for the project have been put in place following discussions with both governments.</p> <p>A programme business case will be submitted which will provide updates to the CoRE project following approval of the Outline Business Case in May 2022 relating to construction inflation and the cost of living crisis ensuring the project meets the needs to communities addressing fuel poverty and drives innovation in the energy transition. Thereafter we will submit separate FBC's for</p> |
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| | | | <p>the proposed building and demonstrator projects as previously agreed with both UK & Scottish Governments.</p> <p>Planning permission was granted for the CoRE Centre of Excellence in July 2022. Plans are currently on hold pending discussions with Strathclyde University, University of the West of Scotland, Ayrshire College and other stakeholders to identify potential options to reduce costs.</p> <p>Evidence - CoRE project moves forward – Ayrshire Growth Deal website https://www.ayrshiregrowthdeal.co.uk/core-project-moves-forward/</p> <p>Ayrshire Growth Deal – Ayrshire Manufacturing Investment Corridor (AMIC). Following Outline Business Case feedback, a further iteration is being prepared. The AMIC Team are engaging with local businesses to provide project updates to discuss the support required.</p> <p>Work commencing on AMIC branding with the Communications Team. Site investigations, which were delayed, commenced in November 2022.</p> <p>Ayrshire Growth Deal – Moorfield Industrial Estate (Phase 3). The Ayrshire Growth Deal included the development of proposals to expand the existing Moorfield Industrial Estate in Kilmarnock (Phase 3). This project includes the creation of additional serviced plots to support business growth in the area accompanied by the construction of a range of high quality modern industrial units. Agreement to purchase the land was reached at Cabinet on 30 March 2022 and the purchase was concluded in early 2023.</p> <p>ESRU have provided a first draft of the energy demand and generation report for the project. Initial discussions have taken place with SPEN in relation to grid infrastructure at this location.</p> |
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| | | | <p>Evidence - Capital Investment Update - Building a Future East Ayrshire https://docs.east-ayrshire.gov.uk/r/?f=https://docs.east-ayrshire.gov.uk/CRPADMMIN/2012%20AGENDAS/CABINET/23%20February%202022/Capital%20Investment%20Update%20-%20Building%20a%20Future%20East%20Ayrshire.pdf</p> <p>Another commitment was to progress RCGF funding bids to completion and develop new bids for 2022/23 (22-23 Action 10)</p> <p>As an example of progress on previous projects, the Council secured three RCGF allocations (total value £2.75m) towards the Kilmarnock Academy Legacy Project in partnership with Centrestage Communities Ltd (CCL). CCL started trading in August 2021 as the Ayrshire's Arts Academy, and their first production opened in November 2021. CCL continue to develop other areas of their campus to allow for further refurbishment of rooms and facilities. They continue to seek external funding.</p> <p>The West of Scotland Climbing Centre including both the Bouldering Hall and the Climbing Walls within the former Grange Church, Kilmarnock opened for business on 20 May 2023, following the conversion of the building that commenced in January 2021. The project secured £2.47m from the RCGF programme over the course of its conversion, the total cost of which is estimated at £4.5m. More information on this is provided in Case Study 4.</p> <p>In terms of 2023/24 projects, Take A Bow (Kilmarnock) was awarded £1.34m from RCGF for the project to redevelop the former New Farm Loch Community Centre and work has been ongoing to finalise the overall funding package. A revised development programme has been prepared setting out the key tasks and milestones in relation to the redevelopment work.</p> <p>The New Cumnock Re-Use Hub is being progressed. This project will create a viable social enterprise that develops skills and creates jobs and will also provide a welcoming space where the community can come together. Significant progress is being</p> |
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| | | | made by the Design Team and a range of options are being considered. Full details of progress of projects and 23/24 bids are available here: Regeneration Capital Grant Fund - Update - Regeneration Capital Grant Fund - Update.pdf (east-ayrshire.gov.uk) The Development Planning & Regeneration Team produces a regular newsletter which aims to raise awareness and provide updates on the progress of projects and plans. Issue 6 was published in October 2022: DPR Newsletter 6 (east-ayrshire.gov.uk) |
| 7 | Local development plan less than 5 years since adoption | Green | <p>Your LDP was adopted in April 2017 and therefore is less than 5 years old at the end of the reporting period. It is noted that the proposed LDP2 is in the latter stages and was considered by Council in March 2022 at the end of the reporting period and will head to examination at the end of 2022.</p> <p>7.1 Since the submission of the last PPF significant progress has been made in the preparation of LDP2. The Proposed Plan was published for consultation on 26 May 2022.</p> <p>Following analysis of all representations received and points of objection raised, a report was presented to Council on 15 December 2022 recommending that no notifiable modifications be made to the Plan, and that instead it be submitted to Scottish Ministers for Examination.</p> <p>This recommendation was agreed and a letter requesting an Examination be undertaken was submitted to Ministers, alongside all necessary documentation, on 23 February 2023.</p> <p>Three Reporters have been appointed to Examine the Plan. Conformity with the participation statement has been concluded and the Examination proper commenced on 11 May 2023. Whilst a timeframe for Examination is not known, it is anticipated that it may conclude around the end of 2023/early 2024. All documentation relating to Examination can be viewed online.</p> <p>Evidence - LDP2 Development Plan Scheme 2023 Development Plan Scheme 2023.pdf (east-ayrshire.gov.uk)</p> |

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| | | | | <p>Proposed local development plan 2 · East Ayrshire Council (east-ayrshire.gov.uk)</p> <p>Local Development Plan 2 - Responses to Proposed Plan Consultation and Procedures for Moving to Examination - local development plan 2 - responses to proposed plan consultation and procedures for moving to examination.pdf (east-ayrshire.gov.uk).</p> <p>Scottish Government - DPEA - Case Details (scotland.gov.uk)</p> |
| 8 | <p>Development plan scheme – next LDP:</p> <ul style="list-style-type: none"> project planned and expected to be delivered to planned timescale | Green | <p>You have acknowledged the delay in the adoption of LDP2 due to NPF4 and a new Local Development Plan Scheme was approved in March 2022.</p> | <p>8.1 Publication of new Development Plan Scheme in April 2023 – Complete.</p> <p>8.2 Continue to progress the Local Development Plan – Ongoing.</p> <p>The Development Plan Scheme 2023 was approved by Cabinet on 19 April 2023 - development plan scheme 2023.pdf (east-ayrshire.gov.uk).</p> <p>Consultation was held on the participation statement for a period of 3 weeks, closing on 12 May 2023. Following consideration of comments received, the DPS was adopted and published online on 19 May 2023. Development plan scheme · East Ayrshire Council (east-ayrshire.gov.uk).</p> <p>The DPS sets out the timeframe for the finalisation of LDP2 and anticipates adoption of the Plan in Quarter 1 of 2024. At that point in time LDP1 will have been adopted for 6.5 years, however, much of this extended timespan can be explained by the preparation of LDP2 running in parallel with the enactment of the Planning (Scotland) Act 2019; stages of LDP2 were delayed in order to be able to take on board new requirements coming out of the Act, in particular the preparation of NPF4.</p> <p>The DPS also sets out an <i>indicative</i> timeframe for LDP3 on the basis that the Development Planning Regulations and Guidance</p> |

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| | | | <p>had not yet been finalised at its time of adoption. The 2024 DPS will seek to refine the timeframe. Nevertheless, the current DPS anticipates adoption of LDP3 in quarter 1 of 2028, 4 years from the adoption of LDP2 and within 5 years of the Development Planning Regulations coming into force.</p> <p>Evidence: Development Plan Scheme 2023 - Development Plan Scheme 2023.pdf (east-ayrshire.gov.uk)</p> <p>Due to legislative requirements set out in the transitional arrangements to guide the transition to the new system brought in by the Planning (Scotland) Act 2019, the LDP2 Proposed Plan had to be published by June 2022 in advance of the publication of the revised draft NPF in November 2022. This means there are some unavoidable disparities between NPF4 and LDP2; whilst not uncommon across Scotland given the elevated status of NPF4, it does nonetheless create a complex Development Plan for users and decision-makers to navigate. This will likely be resolved through examination.</p> <p>Evidence - Local development plan 2 - East Ayrshire Council (east-ayrshire.gov.uk)</p> <p>The Council set out its concerns with NPF4 in its response to the consultation. (2021/22 Service Improvement Plan action 16).</p> <p>Evidence - National Planning Framework 4 - Scotland 2045 Consultation Response - National Planning Framework 4 - Scotland 2045 Consultation Response.pdf (east-ayrshire.gov.uk)</p> <p>The action programme for LDP1 was reviewed and approved by Cabinet on 2 June 2021. The Action programme will thereafter be reviewed on a two year cycle. The next update will be in 2023.</p> <p>Evidence - Local Development Plan - Action Programme Update.pdf (east-ayrshire.gov.uk)</p> |
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| 9 & 10 | <p>LDP engagement: stakeholders including elected members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation.</p> | Green | <p>A member-officer working group for LDP2 has been implemented, and is the subject of a case study in the PPF report. This reporting year the group have held seminars across various wards to provide an opportunity for comment and oversight on the Proposed Plan.</p> | <p>9.1 Member-Officer Working Group meeting regularly and taking forward a number of activities in relation to LDP2 preparation - Ongoing.</p> <p>Evidence – See case study 3.</p> <p>9.2 Approve policies for inclusion in the Proposed Plan – Complete.</p> <p>Evidence - the pre-MIR stage was complete in advance of the PPF year. The LDP2 Member-officer working group met for the first time in April 2019 and has met on more than 30 occasions since. It has been a significant commitment for Elected Members on the group and for the officers involved across the Council. The MOWG reviewed all parts of the Main Issues Report and has overseen and discussed the content of representations made to the MIR as well as the entire content of PLDP2. Various revisions and additions have been made as a result of this working group, ensuring corporate oversight of the Plan and cross-party political oversight by Elected Members.</p> <p>In addition, Ward seminars were carried out for Elected Members across December 2021 and January 2022. These meetings provided an opportunity for Elected Member oversight of the Proposed Plan content by Ward and a number of changes were made to the Proposed Plan as a result of Elected Member comments. In the PPF year, MOWG met to deliberate the outcome of the Proposed Plan consultation and to consider whether the Plan should be submitted for Examination. The MOWG also agreed the future remit of the Group, moving forward to LDP3, ensuring continued commitment to maintaining active involvement in the LDP process.</p> |
| | | Green | <p>The report and updated DPS outlines your approach to early engagement with stakeholders.</p> | <p>10.1 Whilst much of 2022/23 involved preparing for Examination, a stage of the plan-making process that does not by its nature require significant engagement, there has nevertheless been continued stakeholder engagement, where possible, most notably via:</p> |

- Consultation on the proposed plan – In addition to meeting legislative consultation requirements, various engagement activities were undertaken to engage stakeholders on the Proposed Plan consultation - all community councils were offered individual meetings with officers, one-to-one sessions were held in Stewarton with residents, drop in sessions were held in Cumnock and Dalmellington and officers attended a Saturday afternoon town centre event run by Celebrate Kilmarnock.



 **Celebrate Kilmarnock** · Follow
18 Jul 2022 · 🌐

Planners were keeping busy on Saturday explaining the [East Ayrshire Council](#) Local Development Plan to the public and answering questions from folks who came along 🍌

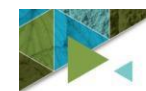
[#celebratekilmarnock](#)



- Member-Officer working group – the MOWG has been a critical form of engagement throughout the development of LDP2. It met once during the reporting year to (i) update members on the outcome of the Proposed Plan consultation and procedures for Examination and (ii) agree the future remit for the

group and continued commitment to maintaining membership, moving forward onto LDP3.

- Elected member engagement on the outcome of the consultation – during November and December 2022, 6 briefing sessions were held to give elected members of each Council ward an update on the objections received, specific to their ward, and the proposed Council response. Further individual sessions with individual members were held, for those that couldn't attend the ward sessions.



Wards 2, 3 and 5: Kilmarnock North, West and South

12 December 2022

Member Session

in advance of PLDP2 Full Council Meeting



Key Agencies Group – the Council has continued to engage with the KAG on projects in Stewarton and Kilmarnock, bringing interested parties together to seek solutions to complex infrastructure issues.

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| 11 | Policy advice Production of relevant and up-to-date policy advice | Green | Report indicates that a range of policy documents have been reviewed and updated during the reporting period. There has been a continuous production of supplementary guidance placemaking maps for the LDP2 over the reporting period. Various non-statutory guidance was also published including Financial Guarantees and Community Benefits. | <p>11.1 Throughout 2022/23, the Council has continued its commitment set out in the Adopted LDP, to working with communities to prepare placemaking plans and adopting these as statutory supplementary guidance:</p> <ul style="list-style-type: none"> • Following Cabinet approval in October 2022 and formal consultation, place plans for Auchinleck and Darvel/Priestland have been finalised and submitted to the Scottish Government. Place Plans for Auchinleck and Darvel and Priestland.pdf (east-ayrshire.gov.uk) • As reported in the Development Plan Scheme 2023, the Council is actively engaging with a number of other communities to advance Plans, including North West Kilmarnock, Mauchline, Kilmaurs, Gatehead, Drongan, Rankinston & Stair, Galston and Dalmellington, Waterside & Bellsbank. • With the new legislative footing for Local Place Plans, the Council is reviewing its processes in order to ensure that moving forward, support is targeted to where it is most required. <p>To support LDP2, a series of supplementary guidance documents were prepared and published along the Proposed Plan. These can be viewed online here:</p> <p>Information about local development plan 2 - East Ayrshire Council (east-ayrshire.gov.uk)</p> <p>These documents comprise the following:</p> <ul style="list-style-type: none"> • Kilmarnock Development Framework • Stewarton Development Framework • Dark Sky Park Lighting • Affordable Housing • Developer Contributions • Financial Guarantees • Community Benefits (non-statutory planning guidance) |
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| | | | | <p>The representations received and the outcome of the Examination on the Proposed Plan will be taken account of in order that the guidance documents can be finalised and adopted.</p> <p>In addition, further non-statutory planning guidance has been progressed which supports some of the aims and policies of the Adopted LDP:</p> <ul style="list-style-type: none"> • Mauchline Conservation Area Management Plan – adopted in March 2023, following a period of public consultation. The CAMP sets out a framework to ensure the long-term care of Mauchline Conservation Area, and to ensure that the necessary skills and procedures are in place. It is an important piece of planning policy to support the ongoing Mauchline Conservation Area Regeneration Scheme and the built environment policies of the Adopted LDP. (Mauchline CAMP (east-ayrshire.gov.uk)) • Hagshaw Renewable Energy Framework – taking an innovative and collaborative approach, the framework was produced by consultants LUC, guided by a partnership approach with East Ayrshire and South Lanarkshire Councils, NatureScot, A&DS and a number of renewable energy developers. Further details are provided in case study 5. Hagshaw Energy Cluster Development Framework Consultative (east-ayrshire.gov.uk) |
| 12 | <p>Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)</p> | Green | <p>Several case studies, including South Kyle Windfarm provide examples of how you have worked with other council services to the benefit of the applicant and community.</p> | <p>12.1 Continue the cross service pre and post application advice for the multi-service review of capital programme and Housing Improvement scheme projects – Ongoing.</p> <p>Throughout the reporting year, the Planning Service has worked constructively with a range of Council departments, with clear multiple benefits. Examples include:</p> <ul style="list-style-type: none"> • Liaison with housing services to assist in the delivery of the Strategic Housing Investment Plan (SHIP), |

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| | | | | <p>which sets the framework for the delivery of social housing – Development Planning and Development Management officers attend regular SHIP project board meetings, to discuss progress of projects and identify early any potential barriers and possible solutions. The high level of interaction between housing and planning colleagues at an early stage is critical in avoiding complications further down the line at planning application stage and in ensuring all policy requirements, such as open space standards, are understood at the outset. Planning officers also attend regular Housing Asset Management Framework (HAMF) meetings, focussed on existing housing assets and opportunities for investment, renewal and demolition. The role of planning is important to ensure matters such as placemaking and design are fully considered.</p> <ul style="list-style-type: none"> • Establishment of a new strategic group to take forward priorities in Kilmarnock town centre – as the largest commercial centre within East Ayrshire, Kilmarnock town centre faces a number of challenges, which in turn presents a number of significant re-development sites and investment decisions. The establishment of a Kilmarnock Strategic Group was agreed at Council in December 2022 (Kilmarnock Strategic Vision - kilmarnock strategic vision.pdf (east-ayrshire.gov.uk)), to oversee and lead on key opportunities within the town centre. The group is made up of a range of stakeholders including elected members, officers from across the Council including Development Planning, business and community representatives. Case study 1 provides more details. |
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| | | | <ul style="list-style-type: none"> Confirmation of 3 new Tree Preservation Orders in Mauchline – (TPO Mauchline No3 2021 (east-ayrshire.gov.uk)) Prior to 2022, no new TPOs had been confirmed in East Ayrshire for 14 years. Linked to the Mauchline CARS and the recognition of development pressures within the town centre, work was carried out to survey and then protect several key areas of trees with significant biodiversity and amenity value. Essential to this was inter-departmental working and collaboration between a number of Council services: <ol style="list-style-type: none"> 1. Development Planning – assessing the importance/value of the trees. 2. Greener Communities – assessing the health of the trees. 3. Legal Services – preparing orders and advising on land ownership matters. 4. IT/Technical support – preparing plans and adverts. <p>The confirmation of the TPOs is a significant step forward in safeguarding our natural assets, linking to aspirations of the National Planning Framework 4 and the emerging East Ayrshire LDP2.</p> <p>12.2 Strengthen working relationships with Community Development as part of delivery of LDP2 – Ongoing.</p> <p>Evidence - the LDP2 Member-Officer Working Group met for the first time on 17 April 2019 and has met on more than 30 occasions since. It has been a significant commitment for the officers involved across the Council. The MOWG reviewed all parts of the Main Issues Report and has thereafter overseen and discussed the content of representations made to the MIR as well as the entire content of PLDP2. Various revisions and additions have been made as a result of this working group,</p> |
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| | | | <p>ensuring corporate oversight of the Plan. Officers with remits related to community development form part of this group.</p> <p>Evidence - Local Development Plan 2 (east-ayrshire.gov.uk)</p> <p>https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/development-plans-and-policies/ldp2/ldp2-information.aspx</p> <p>Work has also increased with the Education service and calculations for new pupils as a result of new homes and future planning.</p> <p>Review of Measures to Align Housing Developments with the School Estate Capacity.pdf (east-ayrshire.gov.uk)</p> <p>https://docs.east-ayrshire.gov.uk/r/?f=https://docs.east-ayrshire.gov.uk/CRPADMMIN/2012%20AGENDAS/CABINET/6%20OCTOBER%202021/Review%20of%20Measures%20to%20Align%20Housing%20Developments%20with%20the%20School%20Estate%20Capacity.pdf</p> <p>School Estate Management Plan 2020-2021 - school estate management plan 2020-2021.pdf (east-ayrshire.gov.uk)</p> <p>https://docs.east-ayrshire.gov.uk/r/?f=https://docs.east-ayrshire.gov.uk/CRPADMMIN/2012%20AGENDAS/CABINET/16%20February%202022/school%20estate%20management%20plan%202020-2021.pdf</p> <p>12.3 Joint pre application advice provided to prospective applicants, led by Development Management but with relevant advice and input from colleagues across a range of Council services including Development Planning, Ayrshire Roads Alliance and Environmental Health – Ongoing.</p> <p>Evidence - Planning Pre Application Guidance Leaflet (east-ayrshire.gov.uk) (Page 4 references relevant internal</p> |
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| | | | | <p>stakeholders being involved in the pre-application process and their attendance at meetings).</p> <p>12.4 Collaboration on shop front improvement scheme – complete and ongoing.</p> <p>Evidence – The Council operates a grant fund through our Placed Based Investment Programme and Scotland's Towns Partnership to enable shop front improvements to be made across 6 East Ayrshire towns. Phase 1 of the project ran during 2021/22:</p> <p>Shop front improvement scheme: phase 1 · East Ayrshire Council (east-ayrshire.gov.uk)</p> <p>Phase 2 ran throughout 2022/23:</p> <p>Shop front improvement scheme · East Ayrshire Council (east-ayrshire.gov.uk).</p> <p>Noting that shop and building owners would require to seek consent for certain works, the Community Led Regeneration Team met with Development Management to agree a single point of contact in the Planning Service and to establish internal working protocols to ensure consistency and speed of early advice in respect of what types of permissions would be required. Furthermore a 'Frequently Asked Questions' section was developed between the services and placed on our website to help customers understand the process better and enable their funding applications to be smoother Frequently asked questions · East Ayrshire Council (east-ayrshire.gov.uk)</p> |
| 13 | Sharing good practice, skills and knowledge between authorities | Green | <p>You provide evidence of sharing good practice, skills and knowledge between authorities. This includes participation with HOPS and benchmarking groups as well as engaging with other councils with regard to developer contributions. You also continue to work with North and South Ayrshire to further develop the Regional Spatial Strategy.</p> | <p>13.1 Implementation of best practice within the Development Management and Development Planning service through HOPS and Benchmarking Groups – Ongoing.</p> <p>Evidence - The Planning Service continues to recognise the value in sharing good practice with other planning authorities and other stakeholders. Examples of such work include:</p> |

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| | | | <ul style="list-style-type: none"> Engagement with HOPS – Development Management engage with the Development Management sub-committee, whilst Development Planning engage with the Development Planning Sub-committee as well as the Climate Change, Energy and Resources Sub-committee. In terms of the DP Sub-Committee, the Council's Development Planning and Regeneration Strategic Manager has acted as Junior Vice Chair during 2022/23, moving to Vice Chair for 2023/24. Regular liaison with colleagues in North and South Ayrshire Council – officers meet regularly to discuss common themes and in particular the implementation of NPF4. Specifically, meetings have been held in the early part of 2023 on rural housing policies, whilst 2 meetings have been arranged to discuss early work on new LDPs and the forthcoming Ayrshire Regional Spatial Strategy. As a signatory to the pan-Ayrshire CWB commitment, we continue to work with fellow anchor organisations to implement a range of collaborative solutions and we contributed to the Ayrshire CWB Commission's response to the Scottish Government's consultation on the proposed CWB legislation. The Service was an active participant and helped to shape the development of the new Ayrshire Regional Economy Strategy, which will be launched in summer 2023. We have continued to work with North and South Ayrshire to further develop the indicative Regional Spatial Strategy (2021/22 Service Improvement Plan action 15). The Ayrshire authorities worked together on parts of the response to NPF4 related to RSS and the Ayrshire Growth Deal. (2021/22 Service Improvement Plan action 16). Engagement with authorities prior to Examination submission to understand common issues – the |
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| | | | | <p>Development Planning team liaised with authorities at a similar stage in the plan making process, to understand how they proposed to take on board NPF4 requirements at a relatively late stage in the process. This proved valuable in moving forward in a relatively uncertain context.</p> <ul style="list-style-type: none"> NPF4 biodiversity technical group – the group has been created to help deliver NPF4 Policy 3: biodiversity. Its primary purpose is to provide advice and early intelligence on implementation in practice, assessment methods and lessons learnt, to help inform draft guidance on the implementation of policy 3. A representative from the Development Planning Team is part of this group, alongside colleagues from 3 other planning authorities, Scottish Government, NatureScot and CIEEM. The group has met virtually 3 times since the start of 2023 and is intended to run for 12 months. It is proving a valuable means of understanding how this new policy is being implemented elsewhere and allowing an opportunity to collectively explore and seek solutions to common concerns and challenges. <p>Evidence: National Planning Framework 4 - Scotland 2045 Consultation Response - National Planning Framework 4 - Scotland 2045 Consultation Response.pdf (east-ayrshire.gov.uk)</p> <p>13.2 Quarterly meetings between development management and SEPA - ongoing</p> <p>Evidence – as part of an agreement to work collaboratively, representatives of the Planning Authority and SEPA have continued to meet during 2022/23. These meetings serve a number of functions including review of active casework, opportunities for SEPA to update on their most recent guidance and, relevant to this marker, an opportunity to engage early on</p> |
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| | | | | <p>pre-application and future proposals where flooding or other SEPA interest may be engaged.</p> <p>This has smoothed the process for prospective applicants of larger scale developments in particular and enabled a pro-active approach by SEPA, allowing them to influence and shape relevant proposals before planning applications are submitted.</p> |
| 14 | <p>Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old</p> | Green | <p>You have cleared 19 cases during the reporting year, which is more than the previous year. There are 14 cases still awaiting conclusion which is a reduction from 17 on the previous year.</p> | <p>14.1 Continue to manage, progress and clear legacy cases – Ongoing.</p> <p>Evidence – Statistics noted above at section 3. As set out at 4.1 above, a quarterly reporting system, focused on legacy applications and applications subject to legal agreements, continues to operate. This reporting system allows the Planning Committee to have oversight of these applications and ensures continued focus to prevent the application from becoming ‘stalled’. The statistics show a relatively stable number of applications determined and remaining in comparison to the previous year. Some fluctuations will occur during the year in terms of numbers of such cases remaining at any one time. However, it is clear that a relatively steady and consistent total of around 16 to 19 legacy cases on average are under review at any point in the year.</p> <p>Whilst we seek to continue to reduce legacy cases and certainly have no desire to allow applications to stall, the Council accepts that the complete elimination of such applications is not practical due to the complex nature of some applications and the potential for economic impact from concluding applications solely to prevent a case being live for more than one year.</p> <p>The particular circumstances of each legacy application is reviewed through the quarterly reporting process with updates provided on progress during the quarter. Subject to active case management and, ideally, agreed timescales for determination through processing agreements, the progression to determination of a small number of applications beyond one year</p> |

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| | | | | <p>old will be acceptable to this Council. As evidenced by the statistics, this approach has been successful in reducing overall legacy application numbers to a small proportion of our overall application casework.</p> <p>Further details of our approach can be found in case study 6.</p> <p>Update Report on Progress of Planning Applications - 28 October 2022 - Update Report on Progress of Planning Applications - 28 October 2022.pdf (east-ayrshire.gov.uk)</p> <p>Update Report on Progress of Planning Applications - August 2022 - Update Report on Progress of Planning Applications - August 2022.pdf (east-ayrshire.gov.uk)</p> |
| 15 | <p>Developer contributions: clear and proportionate expectations</p> <ul style="list-style-type: none">• set out in development plan (and/or emerging plan); and• in pre-application discussions | Green | <p>Your plan sets out policy for developer contributions and you have produced supplementary guidance on developer contributions. You have highlighted that developer contribution framework will be developed over the coming year and incorporated in the LDP2. The proposed developer contribution policy was approved by the Council in March 2022.</p> <p>RAG = Green</p> <p>Your pre-application service includes an assessment of what developer contributions may be required.</p> <p>RAG = Green</p> <p>Overall RAG = Green</p> | <p>15.1 Review implementation of Developer Contributions Supplementary Guidance as part of LDP2 – Ongoing.</p> <p>Evidence: issue 19 of the LDP2 Main Issues Report highlights the need for a review and update of the current Developer Contributions policy framework. The Council’s preferred option is to ensure that contributions are fair and appropriate through different links to the Action Programme, School Roll Forecasts, relevant Scottish Government and NHS needs. It would bring under one framework a diverse range of requirements, simplifying the process for applicants and officers, allowing for flexibility in terms of development viability and introducing certainty to developers and case officers. The LDP2 MOWG will ensure corporate working on the requirement for developer contributions.</p> <p>Taking on board responses to the Main Issues Report received during the PPF year, the developer contributions framework will be developed over the coming year and will be incorporated into the LDP2 Proposed Plan.</p> <p>Main Issue 19 of the <u>LDP2 Main Issues Report</u>.</p> |

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| | | | <p>LDP2: Proposed Plan was published for consultation in May 2022. The proposed Plan includes a new approach to developer contributions set out in policy of the Plan (See page 131 of link - LDP2-Volume-1 (east-ayrshire.gov.uk)). To support policy INF4, new Supplementary Guidance was published and consulted on alongside the Plan - view at link LDP2 Developer Contributions SG (east-ayrshire.gov.uk).</p> <p>The new approach to developer contributions reflects the 'infrastructure first' principles of NPF4 and ensures developer contributions are proportionate, based on a site specific assessment of the capacity of existing facilities and infrastructure to accommodate the proposed development. The supplementary guidance makes clear that the infrastructure assessment will consider a full range of infrastructure needs, consistent with NPF4, including education, transport, health care, community facilities and public realm. This is a significant change from the approach of the Adopted LDP, which seeks contributions for a narrower range of infrastructure needs.</p> <p>Through the public consultation on the Proposed Plan, Policy INF4 generated 11 representations. These are summarised and responded to here – Link no longer available. The consultation on the supplementary guidance generated 9 representations. Given the scale of the changes proposed in comparison to the LDP1 Developer Contributions policy, the level of objection is considered relatively low, and therefore encouraging in terms of the overall direction of the developer contributions policy approach.</p> <p>In the preparation of the LDP2 policy and supplementary guidance, the Council engaged with colleagues at NHS Ayrshire and Arran, East Ayrshire Health and Social Care Partnership, the Ayrshire Roads Alliance, East Ayrshire Leisure, and the Council's Education Service. All colleagues contributed to the preparation of the policy and supplementary guidance by</p> |
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| | | | <p>providing background information to inform the methodologies adopted to calculate contributions, projects costs or rates. In addition, they provided expertise and knowledge on matters that are addressed through the policy and guidance such as education, health and transport infrastructure.</p> <p>Engagement also took place with other Local Authorities to explore different approaches to collecting developer contributions and to identify what has worked successfully to ensure a robust policy approach. The guidance promotes an 'infrastructure first' approach to development in line with Draft National Planning Framework 4 and the PLDP2, supporting the provision of infrastructure, services and facilities that are necessary to create liveable and sustainable places.</p> <p>The proposed policy was also discussed in detail at various Member-Officer Working Group meetings prior to approval.</p> <p>Evidence: Developer contributions -</p> <p>https://docs.east-ayrshire.gov.uk/r/?f=https://docs.east-ayrshire.gov.uk/CRPADMMIN/2012%20AGENDAS/CABINET/1%20JUNE%202022/LDP2%20Supplementary%20and%20Non-Statutory%20Guidance.pdf</p> <p>15.2 As set out at 3.1 above, electronic pre-application process which includes an assessment of what developer contributions may be required continues to be promoted via the Council website - Implemented and ongoing.</p> <p>Evidence - Planning Pre Application Guidance Leaflet (east-ayrshire.gov.uk) – (see page 4).</p> |
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7 Service Plan 2023/2024

| Things we will do this year | |
|-----------------------------|--|
| 1 | Continued preparation of Local Development Plan 2, including examination and proceed to adoption. |
| 2 | Develop and implement the Mauchline CARS Action Plan. |
| 3 | Continued development of the Coalfield Communities Landscape Partnership and related projects. |
| 4 | Maximise the staffing complement within the Service and ensure that unfilled vacancies are recruited. |
| 5 | Establish template legal agreement documents and implement regular meetings between management representatives of Development Management and Legal Services |
| 6 | Finalise and implement revisions to prior notification/approval processes. |
| 7 | Via the Key Agencies Group, progress activities designed to manage the impacts of climate change and flood risk in Kilmarnock. |
| 8 | Undertake a Service Review process for Development Management to encompass staffing and application processing including validation procedures to ensure that service is fit for purpose and achieving best value. |
| 9 | Undertake a Service Review process for Development Planning and Regeneration to encompass staffing and consider new requirements from NPF4. |
| 10 | Complete key actions to enable implementation of Ayrshire Growth Deal projects |
| 11 | Assist communities to develop RCGF proposals for 2024/25. |
| 12 | Continue to build on and keep under review the digital-based service delivery model and embedding of flexible working practices. |
| 13 | Put in place opportunities for new apprenticeships within the Service via the Jobs and Training Fund. |
| 14 | Support the implementation of the Council's Climate Change Strategy. |
| 15 | Preparation of full Regional Spatial Strategy in conjunction with North and South Ayrshire Councils (pending further guidance from Scottish Government). |
| 16 | Continue with development of Placemaking Plans for Mauchline and Kilmaurs. Call for Local Place Plans in December. |
| 17 | In conjunction with the Economic Growth Service, prepare an over-arching IT Strategy for development and maintenance of IT systems to support the Service's objectives. |
| 18 | Replacement of laptops for Development Management and technical support to ensure that hardware and software remains fit for purpose and continues to support efficient electronic and remote working. |
| 19 | Continue with the upgrade of various electronic supporting systems including IDOX document management systems, updating IDOX data management system for GDPR and Public Access system (OPIS). |

8 Case Studies

In this section, there are a number of case studies which demonstrate some of the key projects that were undertaken during 2022/23, and they provide a flavour of the variety and depth of activities undertaken by our service.

In terms of measuring our outcomes, these case studies demonstrate this by analysing the value our planning service adds to development in East Ayrshire. The Service is committed to continuous improvement and development, which ensures that we are able to respond and adapt to changing circumstances.

Case Study 1 looks at the Kilmarnock Town Centre Vision and Action Plan, which was approved by Council in December 2022, and which sets out a range of proposals for the regeneration of the town centre.

Case Study 2 looks at Future Planners, and the efforts of the Service to create a pipeline of knowledgeable and skilled planners via the Jobs and Training Fund.

Case Study 3 highlights the new Local Development Plan 2, which was the subject of a formal public consultation during 2022 prior to its submission to Ministers for examination.

Above Adventure is a newly opened climbing and bouldering facility in Kilmarnock town centre, which has restored a derelict building and has the potential to attract new visitors to the town. This complex restoration project is the subject of Case Study 4.

Case Study 5 looks at the developing Hagshaw Energy Cluster, an established strategic location for large scale renewable energy projects located on the border between East Ayrshire and South Lanarkshire.

The final case study examines the efforts made by the Development Management Team to successfully reduce the number of legacy planning applications, and demonstrates the benefits in terms of maximising the efficiency of the service.

Case Study 1 – Kilmarnock Strategic Vision

The Kilmarnock Strategic Vision, which was approved by the Council in December 2022, sets out a strategic approach which will be deployed over the next five years to deliver sustainable regeneration and meaningful impacts for the town.

Location and Dates:

Kilmarnock Town Centre, 2022-27

Elements of a High Quality Planning Service this study relates to :

- Quality of outcomes
- Governance

Key Markers

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| <ul style="list-style-type: none"> • Developer Contributions | <ul style="list-style-type: none"> • Corporate working across services |
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Key Areas of Work

- | | |
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| <ul style="list-style-type: none"> • Town Centres • Placemaking | <ul style="list-style-type: none"> • Masterplanning |
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Stakeholders Involved

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| <ul style="list-style-type: none"> • General Public • Key Agencies | <ul style="list-style-type: none"> • Planning Committee • Authority Planning Staff • Authority Other Staff |
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Overview:

In 2022, the Kilmarnock Town Centre and South Central Kilmarnock Development Framework was approved as draft supplementary guidance, intended to support Proposed Local Development Plan. Specifically, the framework supports the spatial strategy 1) Supporting development in key places of change: 2) supporting the regeneration of Kilmarnock town centre and 4) Encouraging regeneration in South Central Kilmarnock and associated policies PROP1: South Central Kilmarnock and SS8: Development in South Central Kilmarnock. The Framework includes a place-making map setting out 3 proposed development zones in the north, centre and south of the town.

Elected members engaged in a number of workshop sessions in order to determine the Council's strategic priorities for Kilmarnock. The Place Standard Tool was used in order to provide a strong foundation to address inequalities and improve the wellbeing of communities.



The following strategic priorities were identified for Kilmarnock:

- Attracting people into town.
- Supporting local businesses to thrive and grow.
- Protecting and improving health and wellbeing.
- Improve accessibility in and around town.
- Promoting active travel and greening of the area's economy.

The Kilmarnock Vision considers the national and local policy context and demographic drivers for change. It describes the shared ambition of Kilmarnock shareholders and the town's assets, describing its proud heritage and puts the people of the town firmly at the centre of how collective change will be achieved.

The vision is:

'Kilmarnock is thriving: it is a town for families – a place to live, learn, play, grow and age well in an empowered community. It has good meaningful jobs, flourishing business and growth. It is a town to visit – it is clean and green with an amazing offer of experiences – arts, leisure, recreation, food, drink and retail, all of which is well connected through a vibrant town centre and is easily accessible. It is a town of investment – in its strategic location and effective partnerships, its unique combination of heritage and strive for constant innovation. It is a sustainable town – it is striving for net zero and has services that can meet its needs using available resources'.

Associated with the Vision and priority areas is an Action Plan which is intended to bridge and bring together existing commitments and provide the route map to the longer term programme of strategic interventions that are right for the town as it moves forward. The Action Plan deliberately focusses on the short term to allow a Kilmarnock Strategic Group to be convened to gather and collectively prioritise actions.



In terms of early actions, 10 have been prioritised. These include the establishment of a marketing and communications approach and spending developer contributions associated with the 2010 Local Plan and the Kilmarnock Core Area.

Pooling knowledge, expertise and funding has led to some great successes for Kilmarnock. These include the newly created and very popular mural depicting Lady Ann Boyd, Countess of Kilmarnock, the improved links between the town centre and the Cultural Quarter via the newly revamped Academy Steps and the recent award of £20m Levelling Up funding for

its "Cultural Kilmarnock" project which will renovate and create new facilities at the Grand Hall and Palace Theatre and surrounding green spaces.

Reaction to the mural has been positive and a further mural has been commissioned:

"It's beautiful & so lovely to have a forgotten piece of Kilmarnock history highlighted so nicely. Brightens up what would be a boring old wall beautifully"

"Beautiful art - it will lift the spirits of everyone who sees it and help people to have care for their town".

Quotes from residents.

Town centre health checks and future feedback on the implementation of the Levelling Up Fund will help us assess the impact of these successes on the built environment and our communities.

Working with Kilmarnock and Cumnock Business Associations and Celebrate Kilmarnock, the Council's Community Led Regeneration Team recently picked up the Visa Let's Celebrate Towns Award in recognition of their successful partnership working to encourage the Shop Local message and support the business community through some very challenging times.



In order to implement the strategic vision and build on this success, and recognising the vital contribution of collaboration in meeting future challenges, the Council has now instigated a Kilmarnock Strategic Group. This group brings together business, the local community, key partners and elected members to lead on regeneration decision-making to manage change in an economically challenging environment. It includes representatives from the Council, Celebrate Kilmarnock, Kilmarnock Business Association, Centrestage, and East Ayrshire Leisure. The group met for the first time on 28 February 2023.

Members of the new group have been selected for their passion, vision and specific knowledge and experience, coming from a variety of backgrounds to make innovative decisions to help carry the town centre into a more prosperous and eco-friendly future.

Goals (Kilmarnock Strategic Group)

- Analyse and prioritise suggestions for early success and previous commitments.
- Utilise a fund to achieve early successes.
- Oversee and connect activities taking place across workstreams and throughout the town to ensure joined-up planning and delivery and best value.
- Strategic influence over the approach to longer term and larger interventions.

Outcomes:

- Kilrnarnock has a stronger, fairer and more sustainable economy, where wealth is kept local, ensuring everyone has the opportunity to benefit from growth.
- Kilrnarnock is fairer, kinder and more connected and is free from poverty and inequality.
- The people of Kilrnarnock are well and well served in health, care and the promotion of equity.
- Kilrnarnock's children and young people grow up loved, safe and respected so that they realise their full potential.
- Kilrnarnock's carbon emissions are reduced and are on track to be net zero by 2030.
- The Council meets the diverse needs of Kilrnarnock in a financially sustainable way; the community has more control over decisions that affect their lives and more say in what we do and how we do it.

Name of key officer

Karen Purves, Strategic Manager: Development Planning and Regeneration

Case Study 2 – Future Planners

The Service is working to support the growth of entrants into the planning profession in Scotland by creating a pipeline and opening up opportunities for the next generation of planners.



Location and Dates:

East Ayrshire, 2022/23.

Elements of a High Quality Planning Service this study relates to :

- Quality of outcomes
- Continuous improvement

Key Markers

- Corporate working
- Continuous Improvement

Key Areas of Work

- Staff training
- Skills sharing

Stakeholders Involved

- Authority Planning staff

Overview:

In last year's PPF report, it was noted that recruitment to vacant posts had been particularly challenging. This is a picture that is not unique to East Ayrshire and is well recognised by the Scottish Government and the wider profession. To that effect, research has been undertaken by Heads of Planning Scotland and RTPi Scotland, culminating in the Future Planners Project Report, issued in July 2022 and recently updated in June 2023. There are varied recommendations within that report and over the coming years a great number of these will be required to ensure an adequate pipeline of qualified students enter the profession.



In East Ayrshire, it was recognised that sufficient experienced staff were difficult to attract and in October 2015 our Cabinet agreed a significant investment into the service to include a number of new posts, one of which was a trainee planner post. That post is based in Development Management and is specifically targeted at recent graduates. The purpose of the post was essentially to 'grow your own' experienced staff by introducing an entry level post that allowed supported career

progression through training and development structure. Similar posts have also been created within our Building Standards team.

The role offers a basic introduction to the planning system and the function of a development management officer, using peer mentoring, shadowing and training across the various elements of the local authority planning department. This includes building confidence and knowledge through general public duty enquiries and building up to householder and small application developments.



Over the years since introduction, the post has been held by four graduate planners. In every case the trainee planner has progressed, via competitive interview, onto a full planning officer post when vacancies have arisen with previous post holders now employed as planning and senior planning officers at this Authority. The quotes below are from two of the previous post holders:

"The trainee planner post was a fantastic entry point into the planning profession. This was my first job in planning and allowed me to learn the ropes in a pressure-free environment, without the expectation of having any previous professional experience. I gained a broad, and detailed, knowledge of development management which eventually allowed me to progress into a Planning Officer role here at East Ayrshire Council. I am grateful for the opportunity the trainee role

presented to gain experience in planning following completion of my university studies and in helping me to kick off my career in planning!"

Planning officer, Development Management

"I was successful in securing the Trainee Planner post at East Ayrshire while studying for my MSc in City Planning and Regeneration part-time. Although this was not my first post within the Planning department, it was a wonderful opportunity for me to gain invaluable experience working directly within the profession I was training for. I have been greatly supported in my professional learning and development across my career at East Ayrshire Council for which I am grateful. This has given me the confidence to apply for new opportunities which have arisen, both within Development Management and Development Planning & Regeneration where I am currently an Acting Senior Planning Officer. The Trainee Planner position was a great entry point into the planning profession."

Acting senior planning officer, Development Planning & Regeneration

Development Planning and Regeneration have employed a Graduate Intern for 2 years, the post being shared with Economic Development to provide experience across the Economic Growth portfolio. This is the first post but a second will be advertised during the PPF year. The quote below is from the current postholder:

"In March, I started as a Graduate Intern in Economic Growth for East Ayrshire Council, working across two departments. So far, I have really enjoyed my internship as I am getting the opportunity to see and get involved in what the different teams do, allowing me to understand better which areas I enjoy. Also, I feel like I have been given the responsibility to complete often complex tasks, making me feel much more confident and settled in the role. I have been made to feel really welcome and have already received a huge amount of help and support from all of the people within my two teams. This has been great as I know that if I am ever struggling with a task or just want to learn more, they are more than willing to give me their time and knowledge, which is only going to benefit me".

In recognising that the number of graduates has decreased over the years and that if the trend continues, the Planning Authority has also begun to consider and actively participate in other programmes to explore and support the ongoing provision of qualified staff.

The Council approved the establishment of a £6m Jobs and Training Scheme to support apprenticeships within the Council and local businesses in February 2022. From 2022/23 to 2024/25, 172 placements will be established for the Council, with a further 38 apprenticeships and 3 interns within the private sector.

109 young people have been appointed to posts (65 Modern Apprenticeships, 17 Graduate Interns and 38 within local businesses) across the Council. A further 33 young people have joined the Council's Modern Apprenticeship scheme via existing routes. All of the placements are being aligned to the Council's terms and conditions and importantly, will provide work based skills and qualifications at the conclusion of the apprenticeships.

Goals:

The introduction of more young people to our service will provide a range of benefits, including:

- The creation of an employability pipeline for the Development Management and Development Planning services.
- The introduction of new ideas and innovations.
- Renewed drive and enthusiasm, with development of both existing employees and new trainees.
- Acquisition of coaching and mentoring skills for existing employees.

Outcomes:

- Supporting recent graduates into employment.
- Building career progression and succession planning from within the local authority.
- Contribution to and improvement in performance statistics.
- Evidenced retention of good quality staff who have a strong and detailed knowledge of the area.

Name of key officer

David Wilson, Interim Operations Manager, Development Manager

Case Study 3 – Local Development Plan 2 (LDP 2)

The Council submitted its Local Development Plan 2 (LDP2) to Scottish Ministers for examination in February 2023. This marked the culmination of a detailed statutory process including public consultation. When adopted, the Plan will contain proposals and policies that will contribute to the transformation of East Ayrshire communities.

Location and Dates:

East Ayrshire

Proposed plan released for consultation: 27 May 2022 until 22 July 2022.

Plan approved to proceed to examination: 15 December 2022.

Examination commenced: 23 February 2023.

Elements of a High Quality Planning Service this study relates to :

- Quality of outcomes
- Quality of service and engagement
- Culture of continuous improvement
- Governance

Key Markers

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| <ul style="list-style-type: none"> • Continuous improvement • Stakeholders engaged appropriately | <ul style="list-style-type: none"> • Corporate working across services |
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Key Areas of Work

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| <ul style="list-style-type: none"> • Local Development Plan & Supplementary Guidance | <ul style="list-style-type: none"> • Collaborative working |
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Stakeholders Involved

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|---|---|
| <ul style="list-style-type: none"> • Authority planning staff • Authority other staff | <ul style="list-style-type: none"> • Elected Members |
|---|---|

Overview:

At its meeting of 7 March 2018, Cabinet approved the formation of a Member-Officer Working Group (MOWG) to help drive forward the production of LDP2 and to ensure that the views of local communities were effectively communicated and taken on board during preparation of the various documents at key stages prior to adoption. The MOWG is constituted of a number of Elected Members as well as representatives from across the Council's Services to ensure corporate oversight of, and input to, the Plan making process. The MOWG met for the first time on 17 April 2019.



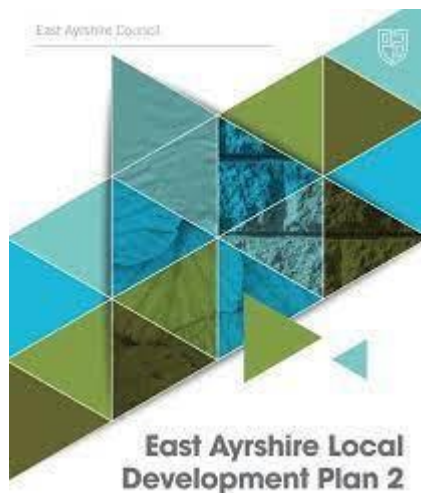
In the reporting year, the MOWG was well established and was continuing work towards the proposed plan and examination.

Public consultation was carried out from 27 May 2022 until 22 July 2022. At 8 weeks, the consultation period was 2 weeks longer than the statutory

requirement, allowing for part of the timeframe overlapping with the summer holiday period.

The consultation was publicised through local press adverts, the Council's website and social media.

Although Covid-19 restrictions were in place until quite close to the consultation period, and meant there was considerable uncertainty around what level of in-person consultation was achievable, a number of events were able to proceed. Drop in sessions were held in Kilmarnock, Cumnock and Dalmellington, where staff were on hand to answer questions and provide more information on the Plan. One-to-one in person sessions were held in Stewarton, in response to the complex issues in the town. In addition, all community councils and other community groups were offered the opportunity for officers to attend meetings to discuss the Plan. Officers responded to a number of enquiries during the consultation period and, as far as was reasonable, flexibility was given to respondents who requested additional time to submit their representations.



The MOWG has been a critical form of engagement throughout the development of LDP2 and has actively helped to shape the strategy and policies of the Plan. In many instances, draft policies were constructively debated at meetings, with officer then remitted to amend in line with discussions. For example, rural housing was an area that elected members had strong views on, informed by both local knowledge of their area and experience of the many rural housing applications that end up before them at Local Review Body. As a result, the Rural Protection Area was increased in size from officer's initial mapping and rural housing clusters are, for the first time in East Ayrshire, being identified, mapped and incorporated into Supplementary Guidance. Through public consultation these matters have been well received. This demonstrates that the MOWG has indeed enabled elected members to get involved in plan making for the benefit of the Plan overall. The MOWG met once during the reporting year to update members on the outcome of the Proposed Plan consultation and procedures for Examination and agree the future remit for the group and continued commitment to maintaining membership, moving forward onto LDP3.

Following the consultation process, all our elected members received information on the outcome of this exercise. During November and December 2022, 6 briefing sessions were held to give elected members of each Council ward an update on the objections received, specific to their ward, and the proposed Council response. Further individual sessions with individual members were held, for those that were unable to attend the ward sessions.

The MOWG has six elected members, helping to ensure a geographical and political spread. In addition to meeting with the elected members during the MOWG process, ward meetings were held with elected members in the Council's 9 wards during December 2021 and January 2022.

Outwith MOWG, the policy team have also worked closely with colleagues in Education, NHS Ayrshire and Arran, the Health and Social Care Partnership and Facilities and Property Management to ensure that the implications of our site allocations on education and medical services are well understood and catered for. In addition, the Council's Legal Services and other local authorities have assisted with matters related to the complex issue of developer contributions.

The group has also helped to foster better corporate relationships with people knowing who to contact about joint working, and raised the profile and understanding of development planning across the Council.



Goals:

- To ensure LDP2 aligns with the Community Plan and all actions therein.
- To ensure corporate oversight of the preparation of LDP2.
- To ensure continued elected member oversight of LDP2.
- To obtain contributions from other departments on areas of conflict and alignment.
- To ensure an 'infrastructure first' approach to development.

Outcomes:

We have delivered best value by:

- contributing to the achievement of sustainable development in a variety of ways including by looking to economy, efficiency and effectiveness in our use of assets.
- working with partners to identify a clear set of priorities which respond to the needs of the local community.
- operating in a way that seeks continuous improvement by looking at best practice.

Name of key officers

Karen Purves, Strategic Manager – Development Planning & Regeneration

Case Study 4 – Above Adventure

Above Adventure, which opened in May 2023, is Ayrshire's first and only indoor climbing centre. The redevelopment of a disused church was part-funded with RCGF funds and will breathe new life into this part of Kilmarnock town centre and add to the town's overall visitor proposition.

Location and Dates:

Above Adventure, the Grange Church, Woodstock St, Kilmarnock, KA1 2BE. Opened May 2023.

Elements of a High Quality Planning Service this study relates to:

- Quality of outcomes
- Quality of service and engagement

Key Markers:

- | | |
|--|--|
| <ul style="list-style-type: none"> • Early collaboration • Corporate working | <ul style="list-style-type: none"> • Continuous improvement |
|--|--|

Key Areas of Work:

- | | |
|--|--|
| <ul style="list-style-type: none"> • Town Centres | <ul style="list-style-type: none"> • Regeneration |
|--|--|

Stakeholders Involved:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Authority Planning Staff • Local Developers | <ul style="list-style-type: none"> • Authority Other Staff • Key agencies |
|--|---|

Overview:

The West of Scotland Climbing Centre opened for business on 20 May 2023, following a two year conversion project at the former Grange church, a much-loved and B-listed Victorian building. The project secured £2.47m from the Scottish Government's RCGF programme, a significant enabling contribution towards the total cost of £4.5m.

The Above Adventure project saw a charity who had never taken on a building before, be able to take on a Category B listed heritage asset that was at risk and successfully restore this into a vibrant community and sport facility. From the outset EAC were vital in encouraging capacity building in the client organisation, providing support in review of business cases, planning advice and advice on expenditure of funds, and providing critical funding support. This is a project which has faced a myriad of challenges during its construction phase and the counsel and advice of EAC Development Planning & Regeneration team and Historic Environment Scotland has been reportedly of great benefit to the design team and client.

The support from the EAC team was ever present throughout the project, a few examples of this include:

- At the very outset, in supporting the transfer of the ownership of the building to the charity and ensuring it was able to remain insured and secure as a wider community asset;
- The project received significant support from the team at EAC planning and building standards who helped manage difficult stages in the process such as when design changes had to be instituted to manage costs or maintenance issues, or when a phased opening approach was instituted;
- Advice and funding support related to project cost increases relating to the fact that this is a historic building which had lain empty for a number of years, the result being that the building

had suffered from a lack of maintenance and major rot outbreaks which threatened the buildings structure and finishes;

- Advice and funding support related to dealing with increased costs, delays and restricted working patterns due to the Covid-19 pandemic



LEFT: The bouldering hall, pre restoration - once on site it was identified that the ceiling was unstable and had detached from the rafters above. EAC were able to provide support in identifying funding to take the ceiling down, insulate and reinstate it. RIGHT: The bouldering hall complete.



Examples of various mould / damp / rot encountered once works began on site / that had developed during the time the building had been vacant and unheated



The ceiling in the main hall was also unstable, working with EAC and HES as well as specialists the design team were able to identify a method of retaining the existing details without fully renewing the ceiling, a solution that was acceptable to all.



Stained glass - one of the most decorative features of the church, and a critical part of the intended character of the new spaces. Vandalism etc had increased the cost of repairs to this item from the development stage to the delivery stage, and funding was secured to restore it as intended.



Above Adventure Climbing Wall

Ayrshire's first indoor climbing centre, it features both a state of the art Bouldering Hall and Climbing Walls and is equipped with all the tools that climbers need to climb with confidence, including safety equipment. It is designed to cater to climbers of all levels and abilities as Above Adventure's goal is to make climbing accessible to people of all ages, genders, abilities and backgrounds.



The climbing hall complete - with retained decorative ceiling and restored stained glass. Giving Kilmarnock a unique asset which combines heritage, community and sport.

As a social enterprise and charitable organisation, Above Adventure is committed to creating a community of climbers who share a passion for the sport and a commitment to inclusivity. The facility is managed by a dedicated team of volunteers, part and full time staff and a Board of Trustees.

An official opening will be held later in 2023 and the Council will continue to work with Above Adventure to maximise the centre's potential for Ayrshire both as a leisure and tourism attraction.

<https://aboveadventure.co.uk/>

Goals:

The new Above Adventure has many goals, which are aligned to the Scottish Government's Regeneration Strategy, and in particular the creation of Economically, Physically and Socially Sustainable Communities.



Economically Sustainable Communities

The Centre and extended Outreach Programme offers many volunteering, training, apprenticeship and employment opportunities – a direct pathway to the burgeoning Outdoor Tourism Sector.

The transferable skills learned & honed when participating in the sport in groups are also helping users and beneficiaries of the charity's outreach programmes to be better placed for work.

It will also be a stimulus for the further regeneration of Kilmarnock town centre, providing jobs, attracting visitors to the area and increasing the overall vibrancy of the place.

Physically Sustainable Communities

The redevelopment of this site has addressed the issue of vacant land and preserved the built environment for a sustainable use as an leisure and entertainment venue. It is being used to celebrate the heritage of the people who worshipped in and grew up beside the church, the building itself, Scottish mountaineering & the local fallen.

Looking to the future, derelict land to the rear of the building, inaccessible for parking or development is being considered for use as a community vegetable/sensory/dementia garden or similar. Ideas for the site will be explored through future community engagement.

The facility has been designed with inclusiveness and accessibility at its core. Wheelchair climbers are welcome and a Changing Places facility has been incorporated into the design. Specialist clubs, fully integrated for those with disabilities, are planned.

Socially Sustainable Communities

The impact on local communities has already been significant. The vast majority of Above Adventure members are local to Kilmarnock and East Ayrshire, as are the Trustees, Volunteers and the Youth Committee. The majority of beneficiaries are also local to Kilmarnock and East Ayrshire, although the charity is increasingly reaching out to deprived and disadvantaged communities in North and South Ayrshire.

Above Adventure's outreach programme has saw them work closely with communities via their network of volunteers, beneficiaries, trustees and Youth Committee members. The core emphasis on sport and leisure for everyone is resonating and contributing to the achievement of a range of health and wellbeing measures.

Outcomes:

There are a number of key outcomes associated with the opening of the Above Adventure facility:

- Creation of new jobs (2 full time and 12 part-time) for local people.
- Sensitive restoration of a prominent town centre building which had fallen into a state of disrepair incorporating 904m² of new business space.
- Creation of a regional climbing facility comprising both Climbing and Bouldering halls. Facilities also include meeting rooms, training areas, a café and space for private parties, all of which are available to the entire community.
- Establishment of an Outreach programme which is being driven forward by a committed and passionate band of volunteers and trustees.
- Collaboration with third sector groups and community organisations and formation of new partnerships with bodies including Climb Scotland and the Outdoor Partnership (Ayrshire).
- Creation of training opportunities (including volunteering and apprenticeships) which will provide a pathway into the burgeoning outdoor tourism sector.
- Promotion of sports, leisure, health and wellbeing for everyone.

Name of key officer

Karen Purves, Strategic Manager – Development Planning and Regeneration

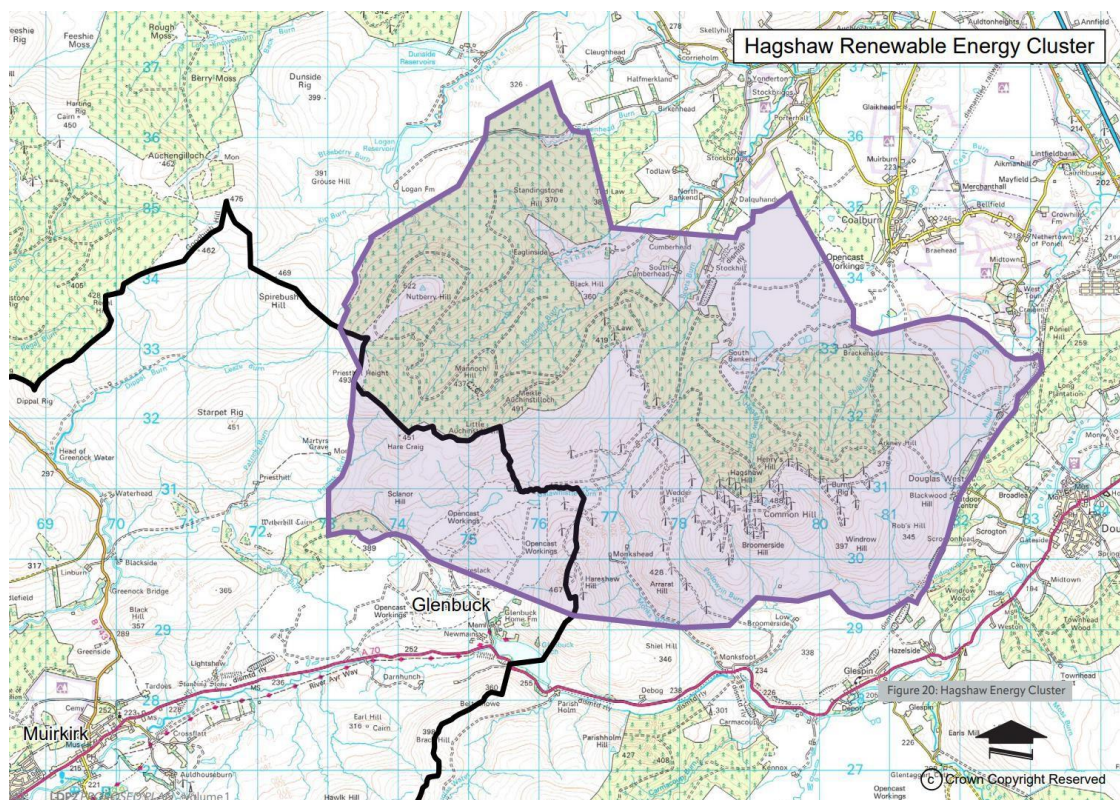
Case Study 5– The Development of the Hagshaw Energy Cluster Development Framework

The production and adoption of a development framework for the Hagshaw Energy Cluster.

Location and Dates:

- In 2019 a multi developer, agency and planning authority working group came together, initiated by NatureScot, who wanted to pilot a more strategic, joined-up approach to wind farm development.
- Following a scoping exercise to explore areas where collaboration could bring the most benefits, consultants LUC were appointed by the working group in July 2021 to produce a development framework
- A draft framework was approved by the relevant committees of East Ayrshire and South Lanarkshire Councils in September and October 2022 respectively.
- Formal consultation was undertaken from 28 October to 9 December 2022.
- The Framework was adopted as non-statutory planning guidance by both planning authorities in June 2023.

The area of the cluster bridges the South Lanarkshire and East Ayrshire border, with the larger part sitting within South Lanarkshire. It is to the west of the M74 corridor between the settlements of Muirkirk, Coalburn, Douglas and Lesmahagow.



Elements of a High Quality Planning Service this study relates to :

- Quality of outcomes
- Quality of service and engagement

| | |
|---|--|
| <ul style="list-style-type: none"> • Culture of continuous improvement | |
| Key Markers | |
| <ul style="list-style-type: none"> • Stakeholder engagement • Corporate working across services • Sharing good practice, skills and knowledge between authorities | |
| Key Areas of Work | |
| <ul style="list-style-type: none"> • Environment | <ul style="list-style-type: none"> • Collaborative working |
| Stakeholders Involved | |
| <ul style="list-style-type: none"> • Local developers | <ul style="list-style-type: none"> • Authority Planning Staff |
| Overview: | |
| <p>The overarching purpose of the Hagshaw cluster project has been to pilot a new way to plan for onshore wind energy in Scotland. The original Hagshaw wind farm was Scotland's first commercial wind farm when it became operational in 1995. Since then, the cluster has been incrementally extended, with around 10 separate schemes operational or currently coming forward. This will continue to evolve over the coming years, with repowering emerging as a significant development pressure. The ongoing development activity in the area, coupled with its strategic location adjacent to the trunk road network and nestled between active rural communities, made Hagshaw an ideal location to explore how the presence of the renewables sector could be maximised to benefit not just green energy output, but also people, place and the environment. The Framework process has been an innovative place based approach, using principles more commonly applied to new residential or town centre settings and applying them to a rural context, where energy is the predominant land use. This is understood to be the first time a development framework has been developed for an energy cluster such as Hagshaw.</p> <p>There are a number of aspects of the preparation of the Framework that help make it stand out as an innovative new approach to planning in East Ayrshire and indeed beyond:</p> <p><u>Collaboration between stakeholders</u></p> <p>6 different wind farm developers are active within the wind farm cluster, with different developments at different stages in the planning process. A key feature of the pilot project was to bring developers together to identify common challenges and opportunities for joint working, rather than developments progressing through the system in isolation. For example, work is ongoing as a result of the Framework to pull together habitat data to streamline EIA processes.</p> <p>The location of the cluster, spanning two planning authority areas, also presented opportunities for joint working between planning authorities. On reflection this worked well, with the authorities in agreement on key aspects of the framework. The work was also aided by the mix of planning authority expertise, with both Development Management and Development Planning engaged in the process, ensuring that the full range of planning matters were taken on board.</p> <p><u>Focusing on multiple benefits</u></p> <p>A fundamental purpose of the Framework approach is that through more joined up approaches to development, better outcomes can be achieved across a number of themes. Whilst maximising energy output is key, it is the associated multiple benefits that the Framework also</p> | |

focusses on. This is demonstrated through the aims of the Framework (see below), which illustrates the wide breadth of the considerations:

- Support the efficient delivery of the renewable energy potential of the cluster, taking account of all appropriate technologies and the optimisation, extension and repowering of existing wind farms.
- Maximise the social, economic and environmental benefits of renewable energy development within the cluster.
- Support the Just Transition to a low carbon future through a place-based approach.
- Minimise adverse impacts of development on the environment and local communities.
- Deliver investment in nature to enhance climate change and biodiversity resilience.

A focus on community engagement

The Hagshaw cluster is surrounded by a number of small rural communities. An important aspect of the project was to ensure the communities were fully engaged in the development of the framework. Specialist consultants, STAR development groups, were brought on board to lead on community engagement. The early engagement that helped to inform the draft framework was limited to an extent by Covid-19 social distancing requirements, however, consultants LUC developed an interactive online exhibition, that proved an engaging alternative to traditional village hall type in person events. Some in-person events with limited attendee numbers permitted did take place, primarily with the community councils of the surrounding settlements.



Importance of high level visioning

A key aim for the Framework was that it should focus on Hagshaw as a 'place' and set a vision for how the area could look in the long term. It was agreed by the partners that this should be shown graphically within the document with the use of drawings to paint a picture of a future Hagshaw, should the development framework be implemented. A cartographer was commissioned to illustrate in drawings the common vision for the area and the use of these drawings is considered critical in the overall success of the Framework as a visionary document. This is also a key learning point of the project that, where appropriate, will be used in other future planning guidance documents.



Goals:

To pilot a different approach to renewable energy development, focussing on:

- a more strategic approach to the renewable energy development, taking a joined-up, holistic perspective rather than looking at developments in isolation.
- a place based approach to renewable energy generation, providing a vision of how a windfarm landscape could look in the future.
- collaboration and engagement between stakeholders, including planning authorities, agencies, a range of developers and local communities.

The end goal of the process was to produce a development framework for the Hagshaw cluster, which would be adopted by both planning authorities (East Ayrshire and South Lanarkshire) as non-statutory planning guidance. The framework would provide a starting point for the delivery of a range of projects and priorities aimed at both maximising renewable output and maximising environmental enhancements and opportunities for local communities.

Outcomes:

Production of the Development Framework

The Development Framework was published for consultation by both East Ayrshire Council and South Lanarkshire Council in October 2022. 19 representations were received, which were fully considered and, where appropriate, taken on board in the finalised draft. The final

draft has been adopted as non-statutory planning guidance by both planning authorities, meaning the principles and opportunities contained in the document will be taken into account in the determination of relevant planning applications.

The process has positively demonstrated the merits in collaborative working and a place based approach; healthy relationships have been formed, a joint vision set out and opportunities identified to enable the cluster to deliver multiple benefits, for local communities, the natural environment and green energy production.

The Scottish Government On-shore Wind Policy Statement (December 2022) ([Onshore Wind Policy Statement 2022 \(www.gov.scot\)](https://www.gov.scot/publications/onshore-wind-policy-statement-2022/pages/1-introduction.aspx)) includes, at Annex 3 a case study on the Hagshaw Cluster, provided as an exemplar approach to collaborative working on renewable energy.

Delivery of the Development Framework

In order to support the delivery of the Framework, an Economic Development Officer has been appointed by South Lanarkshire Council with specific remit for the Douglas Valley and delivery of actions within the Development Framework, including cross-boundary working with East Ayrshire Council. Collaborative working is continuing; a steering group comprising developers and the planning authorities convenes quarterly to explore opportunities for joint working to deliver on some of the priorities of the Framework.

The delivery of the Framework will not be a short term project. The Framework sets out a long term vision for the kind of place Hagshaw could become with good planning, placemaking and joined-up working. Delivery of the framework is intrinsically linked to continued renewable development in the area, which is expected to turn to re-powering over the coming years, which will continue to present opportunities that take on board and implement the aims and aspirations of the Framework.

Name of key officers

Alison O'Kane – Acting Principal Planning Officer, Development Planning and Regeneration

Case Study 6 – Legacy Applications

The Planning Service has worked tirelessly in recent years to drive down the numbers of legacy planning applications. The success of these efforts is demonstrated in the latest performance figures for 2022/23.

Location and Dates:

East Ayrshire

Elements of a High Quality Planning Service this study relates to:

- Quality of outcomes
- Quality of service and engagement
- Governance
- Culture of continuous improvement

Key Markers:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Decision-making • Project management • Early collaboration | <ul style="list-style-type: none"> • Legal agreements • Continuous improvement • Stalled sites/legacy applications |
|--|---|

Key Areas of Work:

- | | |
|---|--|
| <ul style="list-style-type: none"> • Planning applications | <ul style="list-style-type: none"> • Development Management processes |
|---|--|

Stakeholders Involved:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Authority Planning Staff • Local Developers | <ul style="list-style-type: none"> • Authority Other Staff |
|--|---|

Overview:

One of the key measures of planning performance, as measured by the Planning Performance Framework, is the number of legacy planning applications being dealt with by a planning authority.

In simple terms, a legacy application is defined as any application which is more than one year old. Legacy applications can be delayed for a number of reasons. For example, the application can be considered by the Planning Committee or by an authorised officer and the decision is taken to grant permission, subject to the applicant entering into a legal agreement with the Council. Often these legal agreements take time to be concluded and on occasion, the applicant does not conclude the agreement at all. Additionally, certain cases are highly complex and involve negotiations with the applicant and can be subject to revised plans, sometimes on more than one occasion.

Recent history of East Ayrshire Legacy applications

| Year | Cleared | Remaining | RAG rating |
|---------|---------|-----------|------------|
| 2014-15 | 18 | 124 | |
| 2015-16 | 77 | 47 | |
| 2016-17 | 16 | 38 | |
| 2017-18 | 11 | 27 | |

| | | | |
|---------|----|----|-------|
| 2018-19 | 21 | 21 | |
| 2019-20 | 19 | 18 | |
| 2020-21 | 14 | 17 | |
| 2021-22 | 19 | 14 | |
| 2022-23 | 17 | 18 | ----- |

As can be seen above, legacy applications accounted for a large proportion of our application workload in 2014/15. At that time, a review of staff resourcing took place and significant further investment into the service was agreed, all as part of the review following the collapse of the open cast industry and the implications for, and role played by, the Planning Department in that sector. This, coupled with a concerted effort to clear the backlog of legacy cases (a number of which related to the open cast sector) resulted in clearing of over half of those cases, albeit at some cost to planning performance at that time. This effort largely comprised of bringing more active case management into place by pushing applicants to withdraw stalled applications and where withdrawal couldn't be secured, by bringing the others to a conclusion through decision making, drawing a line under older, complex and often challenging development proposals. Since that time, continued effort has been applied to keep pushing legacy cases lower, through withdrawal or determination of applications that have stalled, as can be seen from the remaining cases column.

To maintain this push, a quarterly reporting system focused on legacy applications and applications subject to legal agreements was introduced by the Planning Service in early 2021 and this has continued on a quarterly basis throughout the 2021/22 and 2022/23 reporting periods. This reporting system allows the Planning Committee to have oversight of these applications and ensures continued focus takes place to prevent the application from becoming 'stalled' albeit classed as a legacy case. The statistics presented above show that such cases continue to be cleared, although new legacy cases inevitably occur. It was particularly pleasing to achieve a green marker for the 2021/22 period after a number of years of amber markers.



Whilst we seek to continue to reduce legacy cases and certainly have no desire to allow applications to stall, the Council accepts that the elimination entirely of such applications is not practical due to the complex nature of some applications and the potential for economic impact from concluding applications solely to prevent a case being live for more than one year. Striking an appropriate balance between speed and certainty of decision making and ensuring that we have a healthy and vibrant economy is

critical for East Ayrshire.

This approach has been endorsed by our Planning and Governance and Scrutiny committees through the quarterly reports presented to the former and our annual review of our PPF markers at the latter. In effect, the Council is unlikely to continue to drive legacy cases to zero but will also not allow numbers to unreasonably increase. Whilst the latest figures show a slight increase in legacy cases during 2022-23 at the time of the snapshot on 31 March 2023, the first increase in many years, it remains statistically similar to the previous four reporting years in terms of total number and percentage of our overall applications, as well as the numbers cleared. Furthermore, in reviewing the trend over each quarterly report during the year, it is clear that overall numbers remain similar, evidence that we continue to push legacy cases to conclusion and preventing an accumulation of 'stalled' developments.

| |
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| |
| Goals: |
| The goal is to manage and improve the Council's performance in relation to legacy cases and in so doing, help to provide greater certainty in relation to future development. |
| Outcomes: |
| <p>There are a number of key outcomes:</p> <ul style="list-style-type: none"> • Reduction in stalled cases enables greater focus on achieving better performance across a range of other markers and areas as less time and resource requires to be given to older cases. • Greater certainty and clarity to developers and other stakeholders in the planning system. • Continued democratic overview of cases and opportunities for elected members to query Council officers in a public forum. • Ensuring that a project managed and proportionate approach is brought to the consideration of older applications to ensure that the economic benefits and other merits of a development are balanced carefully with speed of decision making. |
| Name of key officer |
| David Wilson, Interim Operations Manager, Development Manager |

Issues Covered by Case Studies – Check list

| Case Study Topics | Issue covered by case study | Case Study Topics | Issue covered by case study |
|----------------------------------|-----------------------------|---------------------------|-----------------------------|
| Design | | Interdisciplinary Working | |
| Conservation | | Collaborative Working | 3,5 |
| Regeneration | 4 | Community Engagement | |
| Environment | 5 | Placemaking | 1 |
| Greenspace | | Charrettes | |
| Town Centres | 1,4 | Place Standard | |
| Masterplanning | 1 | Performance Monitoring | |
| LDP & Supplementary Guidance | 3 | Process Improvement | |
| Housing Supply | | Project Management | |
| Affordable Housing | | Skills Sharing | 2 |
| Economic Development | | Staff Training | 2 |
| Enforcement | | Online Systems | |
| Development Management Processes | 6 | Transport | |
| Planning Applications | 6 | Active Travel | |
| Data and information | | Digital Practice | |
| Other | | | |



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