



**Clackmannanshire
Council**

www.clacksweb.org.uk

Greenfield, Alloa, Scotland, FK10 2AD (Tel.01259-450000)

PLANNING COMMITTEE

Thursday 28 November 2013 at 9.30 am

Venue: Council Chamber, Greenfield, Alloa, FK10 2AD

For further information contact Finance and Corporate Services, Clackmannanshire Council, Greenfield, Alloa, FK10 2AD
Phone: 01259 452106/2004 Fax: 01259 452230 E-mail: customerservice@clacks.gov.uk www.clacksweb.org.uk

Date	Time
------	------

Scheme of Delegation: Duties and Responsibilities Delegated to Committees

Planning Committee

Subject to paragraphs 3.28 and 11.4 of the Scheme of Delegation, the Planning Committee has responsibility for taking decisions on planning applications and enforcing planning laws, and;

Carrying out the local authority's function in relation to street naming under section 97 of the Civic Government (Scotland) Act 1982; and

Dealing with regulatory and enforcement issues arising from matters delegated to or delivered by Community and Regulatory Services related to Building Standards.

20 November 2013

A MEETING of the PLANNING COMMITTEE will be held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 28 NOVEMBER 2013 at 9.30 am.

**ANDREW WYSE
Solicitor, Legal Services**

B U S I N E S S

	Page No.
1. Apologies	--
2. Declaration of Interests Members should declare any financial or non-financial interests they have in any item on this agenda, identifying the relevant agenda item and the nature of their interest in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	--
3. Confirm Minutes of Meeting held on 31 October 2013 (Copy herewith)	07
4. Planning Application: Mixed Use Development Comprising` 39 Flats and 4 Commercial Ground Floor Units (Classes 1, 2 or 3) With Associated Parking, Footpaths, Open Space and Landscaping at Former Co-op, 11 Primrose Street, Alloa (Ref. 13/00206/FULL) - report by the Principal Planner (Copy herewith)	11
5. Planning Performance Framework Annual Report 2012/13 report by the Development Quality Team Leader (Copy herewith)	29

PLANNING COMMITTEE – MEMBERS

Councillors

Wards

Councillor	Alastair Campbell	(Convenor)	5	Clackmannanshire East	CONS
Councillor	Graham Watt	(Vice Convenor)	3	Clackmannanshire Central	LAB
Councillor	George Matchett, QPM		1	Clackmannanshire West	LAB
Councillor	Tina Murphy		1	Clackmannanshire West	SNP
Councillor	Les Sharp		1	Clackmannanshire West	SNP
Councillor	Walter McAdam, MBE		2	Clackmannanshire North	SNP
Councillor	Bobby McGill		2	Clackmannanshire North	LAB
Councillor	Gary Womersley		3	Clackmannanshire Central	SNP
Councillor	Kenneth Earle		4	Clackmannanshire South	LAB
Councillor	Ellen Forson		4	Clackmannanshire South	SNP

**MINUTES OF MEETING of the PLANNING COMMITTEE held within the Council
Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 31 OCTOBER 2013 AT 9.30 am.**

PRESENT

Councillor Alastair Campbell (Convenor)
Councillor Graham Watt (Vice Convenor)
Councillor Donald Balsillie (S)
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Les Sharp
Councillor Derek Stewart (S)
Councillor Gary Womersley

IN ATTENDANCE

Garry Dallas, Director of Services to Communities
Julie Hamilton, Development Services Manager
Ian Duguid, Development Quality Team Leader
Ian Doctor, Service Manager of Regulatory Services
Andrew Wyse, Solicitor, Clerk to the Committee

PLA054 APOLOGIES

Apologies for absence were received from Councillor Walter McAdam, MBE and Councillor George Matchett, QPM. Councillor Donald Balsillie attended as substitute for Councillor McAdam and Councillor Derek Stewart attended as substitute for Councillor Matchett, QPM.

PLA055 DECLARATIONS OF INTEREST

None

PLA056 MINUTES OF MEETING: PLANNING COMMITTEE 12 SEPTEMBER 2013

The minutes of the meeting of the Planning Committee held on 12 September 2013 were submitted for approval.

Moved by Councillor Alastair Campbell. Seconded by Councillor Graham Watt

Decision

The minutes of the meeting held on 12 September 2013 were agreed as a correct record and signed by the Convenor.

PLA057 PLANNING APPLICATION

Planning Application - Development of Land for Houses, School and Associated Pitches, Open Space, Play Areas, Landscaping, Roads, Paths and Other Infrastructure on Land at Branshill Road, Sauchie, Clackmannanshire (10/00153/PPP)

The report updated the Committee on this planning application, recommending a decision to grant Planning Permission in Principle (PPP) with officers to prepare a set of planning conditions and Section 75 Agreement regulating the development of the site, was submitted by the Principal Planner.

The report outlined the assessment of the original and amended masterplan proposals, summarises contribution from 3rd parties and identifies the material considerations that have informed the recommendation to grant Planning Permission in Principle.

The Development Quality Team Leader circulated an amended plan of development.

Motion

That the Committee agrees the recommendations set out in the report.

Moved by Councillor Alastair Campbell. Seconded by Councillor Graham Watt.

Decision

The Committee agreed unanimously:-

1. To indicate that it was minded to grant Planning Permission in Principle for the development as shown indicatively on the submitted masterplan,
2. That any grant of Planning Permission in Principle will be consequent upon a subsequent report back on issues generated and the conditions proposed to be imposed on any such grant
3. That any grant of Planning Permission in Principle will be subject to the Council first concluding in terms satisfactory to the Council a Section 75 Agreement among the applicant, landowner and the Council, based upon the Heads of Terms detailed in Appendix 1 of the report; the negotiated terms of the Section 75 Agreement to be reported back to the Planning Committee for approval.

Action

Principal Planner

PLA058 PLANNING APPLICATION

Planning Application - Conversion of 8 No. Maisonettes to 16 No. One Person Flats, Alterations And Renovation of Ground Floor Flats and Storage Areas To Provide 1 Flat, 1 Disabled Person's Flat and Concierge Area, New Entrance Porch and Ramps at 21-39 The Orchard, Tullibody, Clackmannanshire (13/00189/FULL)

A report of handing on the above noted planning application provided a recommendation to Committee on the application which was submitted by the Principal Planner.

The application was reported for determination as there is a Council interest in the development, both as owner and applicant.

Motion

That the Committee approves the application subject to the following condition:-

1. Before any works commence on site, details of all, proposed new external finishing materials, including wall and roof cladding, shall have been submitted to and approved in writing by the Council as Planning Authority. Thereafter, the development shall be completed in accordance with such approved details.

Moved by Councillor Alastair Campbell. Seconded by Councillor Kenneth Earle.

Decision

The Committee agreed unanimously to approve the application subject to the condition.

PLA059 SCHEME OF DELEGATION: PLANNING APPLICATIONS FOR LOCAL DEVELOPMENTS

A report which recommended changes to the Council's Scheme of Delegation for planning applications for local developments under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc (Scotland) Act 2006) and proposed an improved procedure for referral of applications to Committee for decision was submitted by the Development Quality Team Leader. The proposed changes complied with Regulations which came into force on 30th June 2013.

The Development Quality Team Leader circulated an update to Appendix 2, Stage 3B which read as follows:-

"STAGE 3B

In circumstances where the Director (or Head of Service) decides that there is insufficient reason to refer the application for decision by the Committee, this decision will be taken in consultation with the convener of the Planning Committee. The decision will be notified to the Member who submitted the proposal and to the Development Quality Team Leader, who will arrange for the application to be decided by Appointed Officers under the Scheme of Delegation, **without prejudice to the right of any Elected Member to bring a related motion to Council for decision.**

- 2.4 The decision of the Director of Services to Communities (or the Head of Community and Regulatory Services in the Director's absence) will be final and will be the decision of the planning authority for the purposes of Section 43A(6) of the Planning etc (Scotland) Act 2006.
- 2.5 Notwithstanding the terms of the Scheme, occasions will occur where a case officer will encounter abnormal circumstances associated either with the proposed development itself, the particular location, or a measure of public/community interest that could not have been reasonably foreseen. In those circumstances, the existing arrangements which allow the officers to refer an application to Committee rather than it to be decided under the Scheme of Delegation will continue. To comply with Section 43A(7), the officer's reasons for referring the application for decision by the Committee will be notified to the applicant and a courtesy notification will also be given to the Convenor of the Planning Committee and Ward members for their information. The reasons for the referral of the application for decision by the Committee will be explained in any subsequent committee report.

Motion

That the Committee agrees the recommendations set out in the report.

Moved by Councillor Alastair Campbell. Seconded by Councillor Bobby McGill.

Decision

The Committee agreed unanimously to:-

1. Approve the amended Scheme of Delegation for Planning and Other Applications under Section 43A of the Town and Country Planning (Scotland) Act 1997, as contained in Appendix 1 of the report.
2. implement the procedures for referral/call-in of an application set out in the Procedure Note in Appendix 2 of the report, without prejudice to the right of an Elected member to bring a motion to the earlier of the next available meeting of Planning Committee or Council
3. request the Council to ratify the decision of the Committee insofar as the decision of the Committee effected changes to the Council's approved Scheme of Delegation
4. subsequently submit the Scheme of Delegation to Scottish Ministers for approval.

Action

Development Quality Team Leader

PLA060 STREET NAMING REPORT FOR DEVELOPMENT AT LAND ADJOINING KELLYBURN PARK AND LOVERS LOAN, DOLLAR

A report to decide the name of a new street in Dollar was submitted by the Service Manager of Regulatory Services.

Motion

That the Committee agrees the following name :-

Gowan Lea

Moved by Councillor Alastair Campbell. Seconded by Councillor Donald Balsillie.

Decision

The Committee agreed unanimously to the new street name of Gowan Lea.

Ends: 10.40 am

Report to: Planning Committee

Date of Meeting: 28th November 2013

Subject: Planning Application Ref 13/00206/FULL - Mixed Use development Comprising 39 Flats and 4 Commercial Ground Floor Units (Classes 1, 2 or 3) With Associated Parking, Footpaths, Open Space and Landscaping at Former Co-op, 11 Primrose Street, Alloa

Report by: Keith Johnstone, Principal Planner

1.0 Purpose

- 1.1. This report comprises the Report of Handling on the above noted planning application and provides a recommendation to Members on the application.
- 1.2. The application is being reported to committee for determination as there is a Council interest in the development, as owner of part of the site.

2.0 Recommendations

- 2.1. It is recommended that the application is APPROVED, subject to the following conditions:

1. Before any works commence on site, the following details shall have been submitted to and approved in writing by the Council as planning authority:

- (a) The proposed arrangements to manage the carparking and public realm areas within the site. The arrangements shall be designed to complement the Council's town centre parking strategy and will accommodate visitor/ shopper parking demand during daytime hours.

- (b) Details of the provision of affordable housing amounting to no less than 25% of the proposed number of flats within the site, unless otherwise agreed in writing by the Council, as planning authority.

- (c) The design, implementation and future maintenance of the measures to manage and treat surface water within the site,

(d) The design and location of cycle parking to serve both residents and visitors to the site. This shall include the arrangements to provide covered cycle parking for residents.

(e) The proposed measures to; safeguard any existing Town Centre CCTV infrastructure within or adjacent to the site during the construction process and; alter or extend the coverage of the existing Town Centre CCTV system to provide coverage of the proposed public realm areas created by the development a standard acceptable to the Council in consultation with Police Scotland.

(f) The design and location of the waste storage and collection arrangements for the development, including the relocation of the existing recycling facilities within the site.

Thereafter, the development shall be completed in accordance with the approved details, unless otherwise agreed in writing by the Council, as planning authority.

2. Before any works commence on site, details of all proposed works to the existing public roads and footways shall have been submitted to and approved in writing by the Council. Such details shall include:

a) The design and finishes of the junction between Primrose Place and the access road from Station Roundabout and the access to the public car park at King Street West.

b) The design and finishes to alter Primrose Place to a one way shared surface street including pedestrian links to the Speirs Centre and Primrose Street.

c) The design and finishes of the access to the service yard from the access road from Station Roundabout. This shall be designed, as far as practicably possible, to promote pedestrian priority and rationalise the number and design of the vehicular and pedestrian routes in the vicinity of the access.

d) A 2.0 metre wide footway along the frontage of the car parking and the access road from Station Roundabout.

e) A phasing plan detailing the period for commencement and completion of all of the above noted works.

Thereafter, the development shall be completed in accordance with such approved details to a standard adoptable by the Council, unless otherwise agreed in writing by the Council.

3. Before any works commence on site, a detailed specification of the layout and design of the proposed car parks, service yard, pedestrian routes, public open spaces and amenity space for residents within the site shall have been submitted to and approved in writing by the Council. Such details shall include:

(a) An autotrack assessment of the proposed access to and layout of the service yard to demonstrate that the largest vehicle likely to service the development could be safely manoeuvred having regard to road and pedestrian safety and parking provision.

(b) Details of the design and finish of all hard and soft surfaces, including roads, footways/paths, shared surfaces, parking bays, public open space, residential amenity space, lighting and street furniture. The public realm areas, including footpaths, footways, shared surfaces, pedestrian crossings and open space shall be designed in accordance with the principles set out in Designing Spaces, Designing Streets and PAN Nos 77 (Designing Safer Places) and 78 (Inclusive Design). The specification for pedestrian surfaces shall match the footways on Primrose Street, unless otherwise agreed in writing by the Council, as planning authority.

(c) Further to 3 (b) above, the design of the areas of open space shall include measures designed to create a sense of enclosure and shelter, including consideration of the provision of sections of walling between Primrose Street and the car park areas.

(d) Details of the arrangements for servicing of the approved commercial units. This shall include the provision of rear servicing of the units unless otherwise agreed in writing by the Council, as planning authority.

(e) The proposed arrangements for implementation, completion and future maintenance of these areas.

Thereafter, the development shall be completed in accordance with such approved details, unless otherwise agreed in writing by the Council.

4. Before any works commence on site, the following details shall have been submitted to and approved by the Council, as planning authority:

(a) Revised elevation drawings incorporating a revised palette of external materials and colours to reflect the predominant palette of masonry materials

and finishes on the neighbouring buildings on Primrose Street. The details on the Proposed Elevation drawings are not approved.

- (b) Samples of all external materials including on walls, shopfronts, windows and doors,
- (c) The security specification for all external ground floor entry doors,
- (d) Details of the results of a review of the design and means of enclosure of the northern end of the deck access located at the rear of the building which fronts Primrose Street.
- (e) Details of any means of enclosure within the site. This shall include details of any measures required to distinguish between public realm and private areas.
- (f) A specification for the design, implementation, establishment and future maintenance of the tree planting annotated on the approved Site Plan and any other areas of soft landscaping within the site.

Thereafter, the development shall be completed in accordance with the approved details, unless otherwise agreed in writing by the Council, as planning authority.

5. Before any works commence on site, the following details shall have been submitted to and approved in writing by the Council, as planning authority:

- (a) The proposed measures to minimise the risk of noise nuisance to residents within the site from any commercial uses within or adjoining the site or from the unloading or loading of goods vehicles associated with the development, based on an assessment of noise impact from these uses.
- (b) Details of the proposed measures to manage the risk of odour and noise nuisance from any ventilation equipment required in connection with the approved uses of the ground floor commercial uses. No external ventilation plant or equipment shall be installed without the prior approval of the Council, as planning authority.

Thereafter, the development shall be completed and operated in accordance with the approved details.

6. Further to Condition No 6 above, all mechanical plant and equipment, including equipment installed for heating, ventilation and air conditioning shall

be designed and operated in such a manner that the noise levels from the equipment shall not exceed Noise Rating Curve 25 when measured within the living apartments and bedrooms of any residential properties within the site.

7. Before any works commence on site, a construction and traffic management plan shall have been submitted to and approved in writing by the Council. It shall include:

- a) Details of construction traffic routes to/from the site, including signage.
- b) All road and pedestrian safety measures on the roads surrounding the site, including carriageway work, signage, traffic control measures and supervision.
- c) Internal site servicing and construction vehicle/site personnel parking.
- d) Details of a scheme to control dust emissions arising from construction activity on the site.
- e) Timescales for implementation before the start of any site works.

Thereafter, all construction works shall be carried out in accordance with such approved details.

8. Construction work and the associated use of vehicles, plant and machinery during this period, and the delivery of materials, shall only take place between the hours of 0800-1800 Monday to Friday, 0800-1300 on Saturday and at no time on Sunday, unless otherwise agreed in writing by the Council.

Reasons

1. To consider these details still to be submitted in the interests of the vitality and viability of Alloa Town Centre, the amenity of the area and the requirements of Clackmannanshire Local Plan Policies RES5 and INF4.
2. Insufficient details have been provided and in the interests of road and pedestrian safety and local environmental quality.
3. To consider these details yet to be submitted in the interests of road and pedestrian safety and local environmental quality.

4. In the interests of local environmental quality, visual amenity and community safety.

5. To consider these details yet to be submitted in order to safeguard the standard of residential amenity of the flatted accommodation hereby approved.

6. In the interests of residential amenity.

7. In the interests of road safety and residential amenity.

8. In the interests of residential amenity.

2.2. It is further recommended that the planning permission is issued on receipt on the unilateral undertaking described in Section 3.4 of this report.

2.3. Reasons for Decision

1. The proposed development would secure the redevelopment of an existing vacant brownfield site within Alloa town centre to provide a mix of commercial and residential uses which together would enhance the vitality and viability of the town centre and contribute to meeting the need for affordable housing in the area. Furthermore, subject to the conditions, the proposals would have a positive impact on the townscape qualities and sense of place of Alloa town centre through its design, layout and finishes thereby contributing to the regeneration of Alloa town centre.

2. Subject to the proposed conditions, the proposed access, parking and vehicular and pedestrian circulation provision would accord with the relevant Council standards and not result in an adverse impact on road safety or parking provision in the area.

3. The proposed development would accord with the Development Plan including the relevant policies relating to town centre development, brownfield land, design, residential amenity, and particular needs housing.

4. The proposed development, by reason of its proposed layout, design, materials and finishes, would have a positive impact on the setting of the Category A listed Speirs Centre adjacent to the site.

2.4. Plans Relating to the Decision

1. Location Plan

2. Existing Site Plan

3. Proposed Site Plan

4. Proposed Elevations 1

5. Proposed Elevations 2
6. Proposed Floor Plans

3.0 Background to the Proposals

- 3.1. The application site comprises the vacant site of the former Co-op store and the existing car park area between the former store and Primrose Place. The northern part of the car park is owned by the Council and is managed as part of the town centre parking provision. The original buildings have recently been demolished and the site cleared. The site lies between the commercial properties on Drysdale Street to the south and the Category A listed Speirs Centre to the north. The north western boundary abuts Primrose Street while to the east the site abuts the public road from Station Roundabout and a private car park.
- 3.2. It is proposed to create a mixed use development, the main elements of which would include:
 - 4 commercial units at ground floor level which would create frontages to Primrose Street and the car park facing the Speirs Centre. The applicant has applied for more than one possible use of each of the units, namely Class 1 (Shops), Class 2 (Financial, Professional and Other Services) and Class 3 (Food and Drink), to maximise the marketability of the units should permission be granted. Consequently, the first use of each unit could be one of any of these uses.
 - 39 flats on three floors above comprising 1 or 2 bedroom units. There would be 2 stair/lift access points with deck access to individual flats located on the rear elevation.
 - Car parking areas for 75 cars which would be accessed from Primrose Place or the Station Roundabout access road.
 - Pedestrian links from the development to connect to the surrounding footpath network based on the predicted key desire lines.
 - Service vehicle access to the rear of the commercial units.
 - Two areas of public open space, one on Primrose Street and one at the Speirs Centre.
 - The provision of a roof garden above the flat roofed section of the commercial unit for residents.
- 3.3. The proposed building design would be 4 storeys in height. The finishing materials would be a mix of facing brick, masonry and render although the exact specification, including the palette of materials and colours, have still to be agreed.
- 3.4. The applicant has also offered to provide a unilateral obligation under Section 75 of the Act to help facilitate the future improvement of the existing lane to Drysdale Street. The scope of the obligation has still to be finalised at the time of writing the Report and Members will be updated at the Committee meeting.

However, it is likely to include the agreement to allow and facilitate access via the service yard as an alternative access to the private car parking spaces to enable a revised design of the private car park which would widen the existing pedestrian route. The delivery of a scheme could not reasonably be made a requirement of the current development and would rely on the agreement of the interested parties and the availability of adequate fundings. However, the current application presents the opportunity to examine and safeguard the potential for this work.

4.0 Consultations

- 4.1. Roads and Transportation have no objection in principle to the proposals. They have advised that; the proposed number and layout of the parking spaces and accesses are acceptable and would meet the relevant Council standards; the proposed parking management arrangements should be agreed with the developer; the proposed servicing arrangements would be satisfactory; further details of some of the junction designs and road layout would be required; and the public realm should be designed to match the standard provided on Primrose Street. *Comment: the proposed number of spaces is considered acceptable having regard to the mixed use character of the development and the levels of demand for town centre parking in this locality. The applicant has stated that they have no objection to the parking being managed as town centre parking. This could be regulated by a planning condition. The Council owns part of the car park area and could also exercise control over the future management of this area as landowner. The other issues could be regulated using suitably worded conditions. It is considered that the quality of the design and finishes of the areas of public realm are important in terms of the contribution of the development to the regeneration of the town centre and the bench mark should be the standard achieved by the recent environmental improvement works to the town centre footpath network and on Primrose Street.*
- 4.2. Environmental Health has not objected to the application. They recommend the provision of adequate waste storage facilities; the submission of a noise impact assessment; and the measures minimise nuisance during the construction period. *Comment: this could be regulated using suitably worded conditions. The principle of a mixed use development is considered to be acceptable within a town centre environment where the standards of residential amenity take account of the higher levels of activity and disturbance that can occur compared with a residential area.*
- 4.3. Housing Services advise that the Council's Housing Need and Demand Assessment has identified a need for affordable housing in Clackmannanshire. There is a particular shortage of smaller properties and the site could help meet this need. The affordable housing policy states that 25% of housing on sites of 20 or more should be affordable. They have identified this site as having potential to contribute to the Council's Strategic Housing Investment Plan. *Comment: The proposed development could contribute to this identified need. A condition would be attached to agree the provision of affordable housing.*

- 4.4. SEPA has no objection. Surface water drainage should be treated using SUDS. *Comment: The measures to design, implement and maintain surface water drainage provision could be regulated using a planning condition.*
- 4.5. Scottish Water has no objection. A public water supply could be provided and there is capacity at Alloa WWTW. The developer should submit a Development Impact Assessment. *Comment: The applicant has been made aware of the need to submit the Assessment to Scottish Water.*
- 4.6. Police Scotland has no objection to the proposed development. They recommend that any external access doors be designed to provide secure access. The development should not damage any existing Town Centre CCTV infrastructure and consideration should be given to ensure that any public realm areas are covered by the Town Centre system. *Comment - This could be regulated by planning condition.*
- 4.7. Alloa Traders Association, Clackmannanshire Business and Alloa BID were consulted but have not submitted comments on the application.
- 4.8. Historic Scotland have no adverse comments on the application. *Comment: Their advice was sought in relation to the relationship of the development to the setting of the Category A listed Speirs Centre.*
- 4.9. Alloa Community Council has not submitted any comments on the application.

5.0 Representations

- 5.1 A total of 49 neighbouring properties were notified of the application and a notice placed in the Alloa Advertiser for neighbour notification reasons. In response, 4 objections were received although one has since been withdrawn following further information from the applicant about the issue raised. The remaining objections were received from:
- a. Susan Cowie, 34 Primrose Street, Alloa
 - b. A A Scott, East Lodge, Gean House, Tullibody Road, Alloa
 - c. H Morrison, 19 Stripehead, Alloa
- 5.2 The concerns raised by the above parties related to:
- a. The apparent reduction in the town centre parking that would occur as a result of the development. This would be to the detriment of other town centre businesses. *Comment: The proposed development would provide more spaces than presently exist and the concern appears to be related to a misreading of the proposed Layout Plan. The development would have a positive impact on the vitality of the town centre as a result of parking provision. The development would deliver a higher standard of parking and public realm for visitors to the town centre than currently exists.*
 - b. The potential closure of Primrose Place and the unsuitability of the alternative route using the lane between the TSB bank and dental practice. *Comment: Primrose Place would remain as part of the proposed development while the layout would provide more direct and better quality*

pedestrian link through the site. It is temporarily closed to accommodate the refurbishment of the Speirs Centre and alternative routes are available.

6.0 Development Plan Position

6.1 The application must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 The site is located within the boundary of Alloa town centre as defined by the adopted Clackmannanshire Local Plan. The key Development Plan policies are contained in the Local Plan and are discussed below:

a. Policy EN6 (Listed Building) - states that new development should preserve the setting of any listed buildings. *Comment: Historic Scotland has no objections. The proposal accords with this policy.*

b. Policy EN11 (Enhancing Environmental Quality) - requires new development to positively contribute to its surroundings through its design, layout, landscaping and materials. *Comment: Following discussions with the Service both at the pre-application and application stage, we are satisfied that the proposed design and layout will make a positive contribution to the character of the area. The proposals would comprise a contemporary design and include improved public parking, pedestrian links and public open space. The proposal accords with this policy.*

c. Policy EN15 (Planning and Environmental Protection) - requires developers to demonstrate that any environmental protection relating to the development has been satisfactorily considered. *Comment: The issues highlighted by Environmental Health could be satisfactorily regulated using planning conditions. This would provide a degree of flexibility at this stage while ensuring an acceptable standard of residential amenity would be achieved commensurate with a town centre location. The policy is complied with.*

d. Policy JOB3 (Small Business) - provides support for new opportunities for small business within settlements on suitable brownfield sites. Where the previous use of a site was business, its retention for business use will be favoured. *Comment: The proposed mixed use development accords with this policy.*

e. Policy JOB4 (Bad Neighbour Locational Criteria) directs uses such as food and drink (Class 3) to town centre locations where it can be shown that the use would not have a detrimental impact on the occupiers of adjacent properties by reason of noise, activity or odour. *Comment: The applicant has applied for a range of uses (Class 1, 2 or 3) for the ground floor units to widen the scope for finding occupiers for the development. The principle of Class 3 use within the site would be acceptable. Subject to the proposed conditions, the development would accord with this policy.*

f. Policy JOB6 (New Shopping Facilities) - directs new retail development to town centre locations. *Comment: The policy is complied with. The proposed commercial uses would enhance the vitality and viability of Alloa town centre.*

g. Policy JOB7 (Commercial Uses in Town Centres) - provides an presumption in favour of allowing a variety of commercial uses in town centres to help maximise and diversify the mix of uses in core commercial areas. It also states that residential development at ground floor level will be discouraged and will not be permitted in the core area of Alloa town centre. Comment: *The proposals would comply with this policy.*

h. Policy JOB8 (Shop Front Design, Advertising and Security) - states that shop fronts and advertising should complement the building and area and set out criteria against which proposals for external security measures such as shutters will be assessed. Comment: *The proposed design and advertising space for the commercial premises would accord with the policy. The applicant does not propose the installation of external shutters. The proposed conditions would require the developer to ensure any public realm areas within the site are integrated within the town centre CCTV system to ensure coverage. Any existing cabling or infrastructure within the site would have to be retained or diverted at the developer's expense. Subject to the proposed conditions, the policy is complied with.*

i. Policy RES2 (Brownfield Development) - gives priority to residential development which would re-use vacant or underused buildings or land within settlements. Comment - *The proposed mix use development would be supported by this policy.*

j. Policy RES5 (Affordable and Particular Needs Housing) - seeks to encourage the provision of affordable and particular needs housing where a local need is established and seeks the provision of such housing where the development would involve 30 or more units. A target figure of 25% of affordable units is identified by the policy. Comment: *Having regard to the advice from Housing Services and the relevant policy guidance, it is considered that a target of 25% of affordable housing should be provided within the development. This could be regulated using a planning condition. This would accord with the policy.*

k. Policies RES7 (The Layout and Form of Development) and RES11 (Development Principles for Large Housing Developments) - set out criteria in relation to the layout and form of development. Comment: *It is concluded that the proposal would satisfy the relevant criteria in terms of the design principles and design quality demanded by these policies. The proposal satisfies these policies.*

l. Policy RES8 (Amenity Standards) - sets out amenity standards for new residential development, including in relation to amenity space for flats, bin storage and overlooking windows. Comment: *The proposals would satisfy the relevant standards related to flatted development.*

m. Policy RES9 (Open Space Principles) - supports the provision of appropriate recreational and amenity open space to serve occupiers of new housing areas. Comment: *It is concluded that the policy requirements would not be appropriate in a town centre location. However, the proposed areas of public open space and amenity space within the development would provide amenity and recreational opportunities for residents.*

n. Policy INF2 (Integration of Transport and Development Proposals) - supports new development which can be easily accessed by public transport, foot and cycle as well as the car. *Comment: The site location and proposed layout would satisfy this requirement. Cycle parking would also be provided for residents and visitors.*

o. Policy INF4 (Development Standards) - states that new development should meet the Council's Development Roads Guidelines and Specification. *Comment: Roads and Transportation have raised no objection to the development and are satisfied that the proposals would meet the relevant standards in terms of access and parking. Some detailed design issues still have to be addressed but these could be effectively regulated using planning conditions.*

p. Policy INF5 (Access for the Less Mobile) - requires that new buildings open to the public shall incorporate barrier free access for all users. *Comment: The development has been designed to provide level access to the commercial units through the site. The carparking includes accessible parking provision. The development would improve the existing standard of access and environmental quality of the area. The policy is complied with.*

q. Policy INF13 (Public Art) - states that public art will be encouraged as an element of major private sector development. *Comment: The application does not include provision of public art. However, it would create new areas of public open space and deliver a high quality public realm to further enhance the town centre. It is considered that these elements, if delivered, would compensate for public art in this instance. The proposal would not accord with this policy.*

6.3 In conclusion, the development would positively respond to nearly all of the relevant policies and therefore would accord with the Development Plan.

7.0 Other Material Considerations

7.1 The following other material considerations have been taken into consideration:

a. The representations from third parties. *Comment: These are discussed at Section 5.0 above. They do not provide grounds to withhold permission.*

b. The responses from consultees. *Comment: Subject to the proposed conditions, the advice from consultees can be met as discussed in Section 4.0 above.*

c. Ensuring integration of the development with key routes in town centre. *Comment: The layout has been revised to include pedestrian routes which follow the main pedestrian desire lines within and to and from the site. The layout has also been designed to complement the access routes to the Speirs Centre and any future scheme to upgrade the pedestrian lane to Drysdale Street next to the TSB bank. The applicant has offered an obligation to facilitate an alternative access to the private car park via the service access if a scheme can be agreed with interested parties and funding is available. This would allow discussions to continue with the developer and the owner of the*

car park to identify a design which could enhance this existing link when funds become available.

d. The proposal would develop an existing vacant brownfield site within the town centre. *Comment: The mixed use development would have a positive impact on the existing character of the area and the vitality and viability of the town centre. However, the standard of layout, design, materials and finishes are important factors in maximising the beneficial impact on the town centre.*

e. Relevant guidance on town centre development contained in national policy guidance including; Scottish Planning Policy, Designing Places, Designing Streets, PAN 78 - Inclusive Design, PAN 77 - Designing Safer Places and PAN 59 - Improving Town Centres and the Government's National Town Centre review. *Comment: The proposal is considered to accord with the guidance.*

f. The requirements set out in the Schedule of Sites in the Proposed Clackmannanshire Local Development Plan which identifies the site for a mixed use development.

7.2 In summary, there are no material considerations which would outweigh the development plan support for the development and justify withholding permission.

8.0 Sustainability Implications

8.1 The development would redevelop a vacant brownfield site to create commercial floorspace and 39 flats, which would be sustainably designed and include affordable housing.

9.0 Resource Implications

9.1 Financial Details

9.2 The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

9.3 Finance have been consulted and have agreed the financial implications as set out in the report. Yes

10.0 Exempt Reports

10.1 Is this report exempt? Yes (please detail the reasons for exemption below) No

11.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box)

- | | |
|--|-------------------------------------|
| The area has a positive image and attracts people and businesses | <input checked="" type="checkbox"/> |
| Our communities are more cohesive and inclusive | <input checked="" type="checkbox"/> |
| People are better skilled, trained and ready for learning and employment | <input type="checkbox"/> |
| Our communities are safer | <input checked="" type="checkbox"/> |
| Vulnerable people and families are supported | <input type="checkbox"/> |
| Substance misuse and its effects are reduced | <input type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input type="checkbox"/> |
| The environment is protected and enhanced for all | <input checked="" type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | <input type="checkbox"/> |

(2) **Council Policies** (Please detail)

Clackmannanshire Local Plan

12.0 Equalities Impact

- 12.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes No

13.0 Legality

- 13.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

14.0 Appendices

- 14.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

15.0 Background Papers

- 15.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes (please list the documents below) No


- Adopted Clackmannanshire Local Plan
- Scottish Planning Policy, Designing Places, Designing Streets, PAN 59, PAN 77, PAN 78

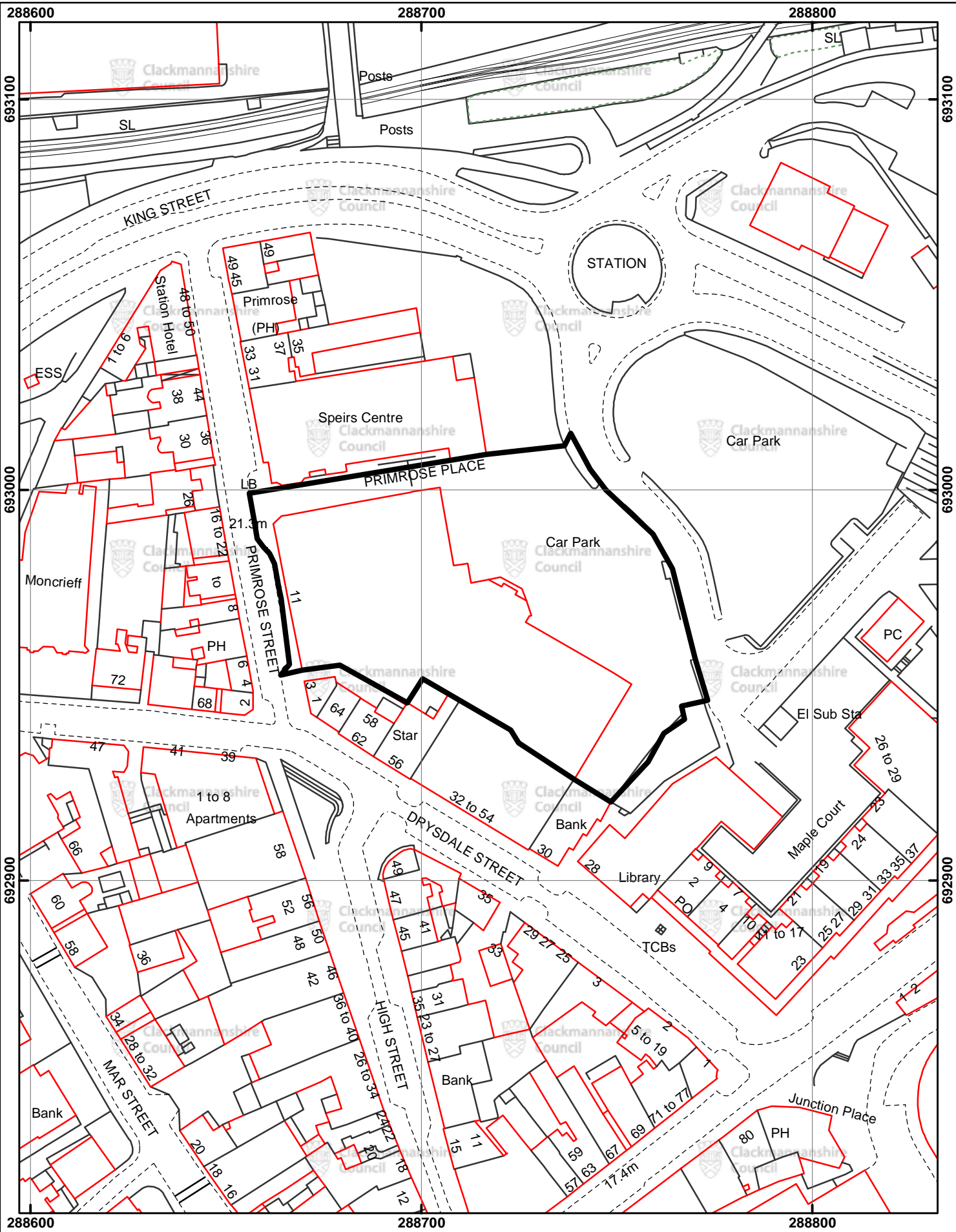
- Clackmannanshire Council Strategic Housing Investment Plan
- The Proposed Clackmannanshire Local Development Plan

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Keith Johnstone	Principal Planner	2614

Approved by

NAME	DESIGNATION	SIGNATURE
Julie Hamilton	Development Services Manager	



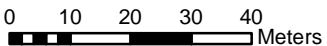
N

 Date:
 20-Nov-2013

13/00206/FULL - 11 Primrose Street, Alloa
Mixed Use Development Comprising 39 No. Flats And 4 No. Non-Residential Units With Associated Parking, Footpaths, Open Space And Landscaping

Ward: Clackmannanshire South

OS Grid Ref: NS 88 92 NE



Scale: 1:1,250

Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2013. All rights reserved. Ordnance Survey Licence number 100020783.

Clackmannanshire Council
www.clacksweb.org.uk
 Services to Communities
 Kinraigs
 Greenside Street
 Alloa
 FK10 1EB
 Tel: 01259 450 000 Fax: 01259 727 452
development_services@clacks.gov.uk

Report to: **Planning Committee**

Date of Meeting: **28th November 2013**

Subject: **Planning Performance Framework Annual Report
2012/2013**

Report by: **Development Quality Team Leader**

1.0 Purpose

1.1. The purpose of this report is to seek approval of our latest Planning Performance Framework (PPF) for 2012/2013 for onward submission to the Scottish Government.

2.0 Recommendations

2.1. It is recommended that the Committee APPROVE the Planning Performance Framework in Appendix 1 to this report and instruct submission to the Scottish Government.

3.0 Background

3.1. Until 2011, measurement of the performance of planning by the Scottish Government had focussed on:

- (i) The speed of decision making on planning applications; and
- (ii) Local Plan coverage in the Council's geographic area

3.2. However, while the Scottish Government continues to collate performance statistics on planning applications from all Scottish planning authorities on a quarterly basis, and publish a detailed comparative analysis of this information by application type and development type, the spectrum of performance awareness has broadened. In 2011/2012, Heads of Planning Scotland (HOPS) launched the PPF as a new model of describing and analysing the work of planning authorities.

3.3. The main components of the PPF were and remain:

Part 1 National Headline Indicators

Part 2 Performance assessment across 8 areas of agreed activity which combine to define and measure a high quality planning service

Part 3 Supporting evidence and links to related reports and studies

Part 4 Service Improvements for the period and a review of such improvement in the preceding year.

3.4. The Council's first PPF (for 2011/2012) was approved by the Planning Committee on 13th December 2012 and then submitted to the Scottish Government. We later received feedback from the Minister of Local Government and Planning, in June this year. It provided some detailed analysis of our report, much of which was supportive of our performance, and some of which has been used to inform our 2012/2013 report. Equally, however, the Minister identified the key areas where he is looking for a particular focus on improvements across the country. These are set out below, with in each case, a supplementary note on the actions which we have or are taking to deliver such improvements.

- Development plans should be relevant and up to date, reviewed and replaced on a rolling 5 year cycle. *Comment: The First Alteration to our Local Plan was approved in 2011. The Local Development Plan was approved by Council last month, and may well be approved by Scottish Ministers in 2014. Our programme for approval and adoption fulfills the Minister's expectations.*
- Evidence of pre-application discussions, and strong project management for significant developments. *Comment: We have consulted on, and re-modelled our pre-application advice service. We plan to make increased use of process agreements for major and other significant developments.*
- Greater emphasis to be placed on positive outcomes and quality of place rather than process and information gathering. *Comment: We now record added value on place making in our application management system, and will take this message from the Minister as further support in negotiating improved quality of design and place making in Clackmannanshire. The inclusion of Supplementary Guidance on Placemaking in the Local Development Plan will help to facilitate this outcome.*
- Notwithstanding qualitative issues, there is a continued need to increase the pace of decision making on planning applications. *Comment: Reassuringly, our performance on speed on decision making remains high, and reflects a standard which the Minister is expecting from other authorities to deliver. We will continue to fulfil this model of excellence through strong management of planning application casework.*
- Councils need to resolve long running legacy applications. They are distorting performance, hindering the delivery of development and damaging planning's reputation. *Comment: We did have a very small number of what could be described as legacy applications. However, with the recent decision to approve the application for major development at Sauchie West, these have all now been turned around and decided.*

- Improved performance on the delivery of Section 75/legal agreements.
Comment: There is certainly compelling evidence that legal agreements can take extraordinarily long to negotiate and resolve. They may not necessarily enjoy the same measure of scrutiny and management as the planning application itself. Development Services works closely with Legal Services on agreements and while we do not have statistics to verify the duration of such negotiations, we will continue to take onboard the Minister's ambition.

3.5. This feedback has contributed to work on the preparation of our second PPF, which comprises Appendix 1 to this report.

4.0 Considerations

4.1. Part 1 of the PPF largely consists of statistical analysis of the planning function. Compared to the previous years figures, there is no significant change or trend to report. The most notable points are:

- The delivery/approval of over 2000m² of commercial floorspace
- A slight reduction in the percentage of applications subject to pre-application advice. This unexpected trend is unlikely to continue in forthcoming years.
- An improvement in decision making timescales for householder developments, the average time falling from 6.0 weeks to 5.6 weeks.

4.2. The PPF was developed by Heads of Planning Scotland as a more holistic approach to the assessment of planning authority performance and improvement. In that respect, therefore, it presents a wide perspective on the quality, range and diversity of service provision. For example, the document highlights:

- Our pre-application advice service to all prospective applicants
- The initiatives in place to promote innovative housing development and plan for the pedestrian before the vehicle
- The value to have been derived from our Scheme of Delegation for Local Developments
- The quality of advice and engagement with third parties in the Development Plan and Development Management processes
- The consolidation of customer consultation through local forums and the implementation of consequential service improvement recommended during these events
- Our robust management processes for planning application decision making

- 4.3. The report concludes with evidence of steps taken to implement Service Improvements during 2012/2013, and the comparable improvements to the planning service in the current year.

5.0 Resource Implications

5.1. Financial Details

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.4. Staffing

6.0 Exempt Reports

- 6.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) **Our Priorities** (Please double click on the check box)

- | | |
|--|-------------------------------------|
| The area has a positive image and attracts people and businesses | <input checked="" type="checkbox"/> |
| Our communities are more cohesive and inclusive | <input type="checkbox"/> |
| People are better skilled, trained and ready for learning and employment | <input type="checkbox"/> |
| Our communities are safer | <input checked="" type="checkbox"/> |
| Vulnerable people and families are supported | <input type="checkbox"/> |
| Substance misuse and its effects are reduced | <input type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input type="checkbox"/> |
| The environment is protected and enhanced for all | <input checked="" type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | <input checked="" type="checkbox"/> |

- (2) **Council Policies** (Please detail)

None

8.0 Equalities Impact

- 8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes No

9.0 Legality

- 9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

10.0 Appendices

- 10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - Development Services, Planning Performance Framework
Annual Report 2012/2013

11.0 Background Papers

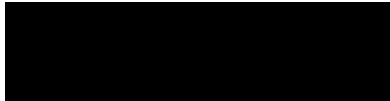
- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Ian Duguid	Development Quality Team Leader	2621

Approved by

NAME	DESIGNATION	SIGNATURE
Julie Hamilton	Development Services Manager	



**Clackmannanshire
Council**

**DEVELOPMENT SERVICES
PLANNING PERFORMANCE
FRAMEWORK
ANNUAL REPORT 2012 / 2013**

Contents

Introduction

Part 1 National Headline Indicators

Part 2 Defining and Measuring a High Quality Planning Service

1. Open For Business
2. High Quality Development on the Ground
3. Certainty
4. Communications, Engagement and Customer Service
5. Efficient and Effective Decision Making
6. Effective Management Structures
7. Financial Management and Local Governance
8. Culture of Continuous Improvement

Part 3 Supporting Evidence

Part 4 Service Improvements for 2013/2014

Appendices

1. Official Statistics
2. Example of Decision Letter to Third Parties
3. Development Quality Organisational Model
4. Development Quality Customer forum Analysis of Feedback
5. Review of Scheme of Oral Representations to Planning Committee
6. Development Quality Customer Survey
7. Development Plan Customer Insight Matrix

Introduction

This is Clackmannanshire Council's second annual report on its Planning Performance Framework for Development Services. Following our submission and publication of performance information for 2011/2012, and as part of its culture of continuous improvement, the Council has given consideration to the Scottish Government's feedback provided in June this year. Where appropriate, we have considered the scope to review practice and procedures, imbed these within our planning process, and include changes in our new document.

This year saw the substantive launch of the Council's Local Development Plan, prepared in accordance with the legislation and advice embraced within the Government's delivery of Planning Reform in Scotland, and replacing the Stirling and Clackmannanshire Structure Plan and the Clackmannanshire Local Plan. Following the publication of the Main Issues Report, an intensive period of work has followed in preparation of the draft LDP. This has included a comprehensive period of consultation with local communities, engagement with other stakeholders, examination of key policy areas and identification of priority topics for supplementary guidance.

To facilitate this exercise, one of two Principal Planners within the Development Quality Team was seconded to Development Planning on a full time then part time basis. This has brought a valuable knowledge and understanding resource to that exercise, but has constrained some progress on delivery of Service improvements within the Development Quality Team. The secondment arrangements will extend into 2013/2014 for a period of time.

This annual report represents a summary of the services provided by the Council on planning related matters. Measurement of performance has in the past largely focussed on speed of decision making on planning applications and time periods for up to date development plans. The Planning Performance Framework broadens that profile, and presents an analysis of our performance in a wider context. It includes, for example, evidence of our procedures outwith the regulatory process, illustrates the proactive steps taken to engage with customers, and shows how the Service has made a difference in the quality of development approved or carried out in Clackmannanshire.

Part 1 - National Headline Indicators

PLANNING PERFORMANCE FRAMEWORK ANNUAL REPORT 2012-2013

1. National Headline Indicators (NHIs)



Clackmannanshire
Council

Key outcomes	2012-2013	
Development Planning: <ul style="list-style-type: none"> age of local/strategic development plan(s) (full years) <i>Requirement: less than 5 years</i> development plan scheme: on track? (Y/N) 	<p>2</p> <p>Y</p>	
Effective Land Supply and Delivery of Outputs <ul style="list-style-type: none"> effective housing land: years supply effective housing land supply ¹ housing approvals ³ effective employment land supply ² employment land take-up effective commercial floor space supply commercial floor space delivered ⁴ 	<p>5 years</p> <p>1452 units</p> <p>185 units</p> <p>109.26ha</p> <p>10.20 ha</p> <p>14,000 m²</p> <p>4,530 m²</p>	
Development Management Project Planning <ul style="list-style-type: none"> percentage of applications subject to pre-application advice number of major applications subject to processing agreement or other project plan percentage planned timescales met Decision-making <ul style="list-style-type: none"> application approval rate delegation rate 	<p>10%</p> <p>0</p> <p>n/a</p> <p>94%</p> <p>91%</p>	
Decision-making timescales Average number of weeks to decision: <ul style="list-style-type: none"> major developments local developments (non-householder) householder developments 	<p>0</p> <p>10.2 weeks</p> <p>5.6 weeks</p>	
Enforcement <ul style="list-style-type: none"> time since enforcement charter published / reviewed (months) <i>Requirement: review every 2 years</i> number of breaches identified / resolved 	<p>30 months</p> <p>42/50</p>	
¹ Supply for 20012/2013 - 2016/2017 from 2012 HLA ² From sites allocated in the adopted Development Plan minus any taken up since adoption ³ The figure excludes any housing approved as part of an application for Planning Permission in Principle ⁴ The figure excludes development within Classes 4, 5 and 6 of the Use Classes Order		

Development Planning

Recent adoption of the Local Plan alteration ensures it remains up to date.

Some slippage in LDP production, however this is reflected in the updated Development Plan Scheme.

Effective Land Supply and Delivery of Outputs

Effective Housing Land Supply remains high. Good take up of employment land at just under 10% of the total Local Plan allocation.

Project Planning

The % figure appears relatively low. Inconsistency of recording is a contributory factor. Changes are planned and described later in this report.

Decision Making

The application approval rate remains largely unchanged. The percentage of applications determined under the Scheme of Delegation has fallen marginally, with an added number of requests from Elected members for applications "called in" for committee decision. Nevertheless, the delegation rate remains proportionally high.

The figures confirm that no major applications were decided during the year. Evidence from three separate developments indicate that developers are managing the application process to phase or sub-divide sites, keep applications under the threshold for major developments and therefore manoeuvre their way around the obligations for pre-application consultation. Recent Proposal of Application Notices would appear to signal some major applications in 2013/14. The average timescale for 2011/12 was the result of the Council's efforts to clear legacy applications. We have one remaining major development in this category awaiting a decision, and realise that this could distort figures for next year.

Decision Making Timescales

The figures record a continuity of performance on non-householder developments, and an improving trend on householder applications. With the planned introduction of improved project management tools and associated training, the Service is confident that timescales in all categories will continue in the right direction.

Enforcement

The resolution of breaches of planning control indicates cases that would have been carried over from last year, hence the number of resolutions exceeding the cases identified.

Part 2 - Defining and Measuring a High Quality Planning Service

1. Open For Business

The Development Quality Team is structured with a customer focus. The three case officers deal with: residential development; commercial development; and householder developments. This ensures that customers receive a consistent level of advice, and it helps to develop good working arrangements with developers, and those less familiar with planning procedures. For example, the planner dealing with householder developments has the skill set necessary to communicate with applicants and third parties who are typically unfamiliar with planning procedures. Similarly, the officer responsible for residential development can consistently apply knowledge and policy on designing streets and other design guidance. Indeed, this officer is leading on much of the residential policy guidance for the Local Development Plan, and will be producing supplementary advice on topics such as Layout and Design, Energy Efficiency and Open Space Provision. We see that continuity of customer focus in the Development Plan process as an important "golden thread" through the planning service.

Development Quality has no separate enforcement or monitoring officer. Each officer provides a "cradle to grave" service, from pre-application advice through to monitoring implementation of development. For example, in addition to providing pre-application advice and the assessment of subsequent planning applications, each officer actions receipt of, or the absence of, a Notice of Initiation of Development and monitors compliance with planning conditions.

Free pre-application advice continues to be available to all prospective applicants. This message is set out on the Council's website and widely known to all regular agents. However, our practice for recording enquiries is less consistent than it should be, suggesting for example that the figure of 10% in the National Headline Indicators is lower than in reality. There is therefore a commitment to introduce a robust, managed process, with improved recording and consistency of advice. Planned changes are already underway and include separate tracking of householder and non householder enquiries. We will also introduce a recording procedure for householder enquiries on permitted development rights and the need for planning permission. Our customer focussed structure, combined with the recording of all pre-application enquiries, ensures that officers are aware of advice that may have been provided to applicants. They can quickly reference this at the preliminary assessment stage.

Appropriate internal consultation takes place at pre-application stage with Roads, Environmental Health, Land Services and others. This is recorded on our property management database, and allows officers to decide on what input is required, and identify the proportionate request for information to accompany any planning application. The model is closely aligned to the call from the Director of Planning and Communities, Homes for Scotland, for planners and engineers to move away from defensive engagement, and become involved in the business of giving proactive positive advice. Crucially, providing advice on relevant information avoids delay at the planning application stage. For example, in circumstances where we have asked for information in advance, and it does not then accompany the subsequent application, we will not delay decision making to wait again for this information. This only leads to repeat publicity, uncertainty and confusion for third parties.

2. High Quality Development on the Ground

Development Quality provides a joint pre-application advice service to deliver the Government's objectives in Designing Streets to ensure a seamless transition through the planning and road construction consent regimes. Innovative housing layouts giving priority to pedestrians and moving away from recognised forms of suburban

development have consequently been approved and implemented in Alloa, Dollar and Alva. This commitment to high quality layout and design will be captured in forthcoming supplementary guidance in the Local Development Plan, in order to drive forward our commitment to higher standards of space and built form.

Design improvements secured through the planning process are recorded on the planning application management system, captured against a series of criteria which include: changes to comply with Development Plan policy on amenity, design and road safety; securing of community benefit or developer contribution; and changes following pre-application advice.

Development guidelines are included in the schedule of sites in the adopted Local Plan. This guidance has provided planning officers and applicants alike with clear indication of standards and design thresholds expected to be captured or achieved in development proposals. This will be refined and improved in the Local Development Plan, and priority sites will be identified for the production of development briefs. This will build on similar work already undertaken for former school sites in Alloa and Alva, and is referenced in Part 4 of the report.

3. Certainty

Almost all planning applications continue to be decided in accordance with the balance of Local Plan policies, or in accordance with allocations and the schedule of sites within the Clackmannanshire Local Plan. The formatting and content of the Schedule of Sites in the draft LDP has examined any inconsistencies in the adopted Local Plan, primarily

to ensure that the user will be more certain of key parameters, densities, site constraints and developer contributions.

A high proportion of planning applications are decided by the Council's Appointed Officers in accordance with its Scheme of Delegation for Local Developments. This provides customers (applicant, agents and third parties) with added certainty in decision making arrangements. This eliminates the risk of change and provides confidence in decision making at appeal at a local level. Evidence indicates that Councillors are comfortable with the decision making arrangements but will have the opportunity to review the Scheme of Delegation in 2013. We also have a relatively low number of requests for Local review on planning application decisions, a further indicator of the success of this scheme, but a clue also on our drive to enable rather than regulate development. Our approval rate remains proportionately high, and is evidence of meeting the Planning Reform call for delivering development.

Case officers will convene a case conference with the Development Quality Team Leader and Development Service Manager (the Appointed Officers) to discuss key applications, and all applications with representations against the development. This provides early direction on the outcome of each application and ensures that proportionate levels of scrutiny are built in to the decision making process. Applicants and agents can then receive early notification of progress and probable outcome. However, this is only one of several milestones in the planning application process, and process mapping will be developed in the coming year to identify key stages, deadlines and action, to provide applicants with more certainty earlier in the process.

The neighbour notification process is an essential part of decision making. We attach messages to the notification envelope to ensure that recipients open the contents and understand the significance. This helps to eliminate uncertainty regarding the execution of the process and the status of planning decisions that might otherwise be subject to challenge. Officers also check the list of notifiable neighbours during site visits to verify the accuracy of our Corporate Address Gazetteer. This is recorded in reports of handling to bring added certainty on decision making, and reduce any risk of challenges or complaint.

All third parties receive a written notification of Council decisions on applications (see Appendix 2 for an example of the notification letter). This includes the decision, any conditions and reasons, a summary of the objections and an explanation of our response that has contributed to the decision. Experience indicates that this feedback is well received, helping to explain how the Council has dealt with the objection and reached its decision, particularly if the decision was not necessarily in accordance with the third parties' hopes or expectations.

4. Communications, Engagement and Customer Service

The on-line planning information service continues to provide 24/7 advice to all those who engage in the planning application process. Information on applications, development advice and planning procedures have been enhanced this year with information on non-material variations and a range of frequently asked questions.

Our annual Development Quality Customer Forum was held in March 2013, which focussed on the latest aspects of planning reform and the increasing emergence of design as a material planning consideration. The forum will continue to be held on an annual basis, but with the planned introduction of a separate forum for joint Community Councils. Customer feedback from the forum will be reviewed and actioned in 2013/2014, and therefore reported in full in our next annual report. However, this exercise is well underway, partly in the context of a successful award of Customer Service Excellence for the Community & Regulatory Service within which Development Planning and Development Management operate.

Feedback from the previous year's Forum was positive and agents learned much about householder permitted development rights and other changes in legislation. To assist with continuous improvement, we sought feedback on specific areas of service improvement. The following actions were implemented:

- Enhanced website advice on permitted development rights
- Pre-application advice will include reference to information that may be required
- Improved performance on average timescales for householder planning applications
- Increased frequency of these events

Development Services recognises the different forms of communications available to customers to obtain information on the service we provide. In addition to the online planning information service which continues to reach a wide number of third parties, customers can make direct telephone contact with planning officers. All incoming calls are answered by a planning officer or support staff. Where a planning officer is not available, the call will be returned later that day. A customer should never need to leave a recorded message with the Council.

To understand the regulatory process and help inform change, the Service prepared an organisational model of service delivery. This is illustrated in Appendix 3. This will be the benchmark for assessing any further change in service delivery.

In the early stages of the Local Development Plan, we recognised the need for a customer insight into the different stages of plan preparation, monitoring and implementation. The matrix in Appendix 7 was a vital tool to plan out the nature and timing of consultation, and fitting this communication with the needs and expectations of different customer groups.

During the preparation of the Local Development Plan there were a number of meetings with the Scottish Government, Scottish Water, SNH, SEPA and community groups.

As part of the background work into a review of the Green Belt for the LDP a workshop was held for community groups to input and give their ideas.

Two communities produced 'Community Plans' and meetings were held with these groups to discuss their proposals and how the LDP could best reflect the aspirations of the communities.

Prior to putting the Proposed LDP through the Council Committee process, Community Councils were given the opportunity to look at and comment on the Proposed Plan.

5. Efficient and Effective Decision Making

We have already referred to the customer focussed case officer structure, our model for pre-application advice, case conference arrangements for key applications and the Council's Scheme of Delegation for Local Developments. The latter will be reviewed by the end of 2013 to comply with the Development Management Regulations and recent changes to the Scheme of Delegation and Local Review Regulations.

Case officers undertake site visits within 7 days of receipt of all planning applications. A photographic records is held on the application file. Officers are expected to have collated all information on the expiry of publicity periods, identified relevant policy considerations and agreed a likely decision or key issues within a four week period. Applicants or agents can expect first communication within that same time frame.

The Service has a robust committee decision making structure in place which is fit for purpose and designed to avoid any delay in decision making, and structured to give added certainty. The key features of this structure include:

- the release of confidential draft agendas to the Council's Management Team and Councillors as an early warning system;
- pre-Committee convenor briefings on Committee agenda items to identify any new information received and barriers to decision making;
- arrangements for site visits to be convened before the planned committee meeting;
- a scheme of oral representations which provides the opportunity for officer, applicant, objectors and community councils to address the committee;
- arrangements for decisions to be issued immediately after the committee meetings.

The Council's Corporate Enforcement Group to coordinate regulatory decision making is no longer convened. Our Service improvements for 2013/2014 include new liaison arrangements as part of a wider Enforcement Improvement Plan.

6. Effective Management Structures

Development Planning and Development Management are co-located within the Development Service, itself part of the wider Community & Regulatory Service which includes Roads and Transportation, Regulatory Services and Housing Services. A Community & Regulatory management meeting takes place every two weeks.

Additional management structures within the Service include:

1. Monthly team leaders meeting focussing on strategic cross cutting issues, applications and proposals
2. One to one manager and team leader meetings on a fortnightly basis, focussed on major applications, LDP progress, forthcoming items of committee business and significant enforcement case work.
3. Diarised one to one weekly meetings between team leaders and case officers with case conference meetings where key applications require management input.

Monthly performance reports are submitted to the Development Services Management Team which provide details of applications received and decided, performance information on those decisions, an analysis of the reasons that we have contributed to performance targets not being met, and an up to date record of fee income set against targetted figures.

7. Financial Management and Local Governance

The budget setting process is undertaken on an annual basis to identify expected expenditure and income for the coming year. This will include the outsourcing of any key projects, income from planning applications and other sources, and is set against Action Plans and Key Performance Indicators in the Community & Regulatory Services Business Plan for the period.

The Service continues to ensure that flexible resource management arrangements are in place to broaden skills, knowledge and experience and to react to fluctuating demand on resources from the Local Development Plan and Development Quality casework.

8. Culture of Continuous Improvement

All staff within the planning service undertake a performance review and development programme on an annual basis, with 6 monthly reviews. This exercise focuses on behavioural competences such as commitment to quality, developing people and excellence in customer service. This is embedded in the Council's drive towards continuous improvement and the delivery of the Clackmannanshire Improvement Model.

The Development Planning and Development Quality Teams have annual action plans which will inform the PRD process. This is monitored on a regular basis.

An essential component of the Customer Forum is a request for participants to identify a single area of service improvement that would improve their experience of the planning service. These have been collated and reviewed to identify priorities for change, and are reflected in the Service Improvement Plan for 2013/2014.

Part 3 - Supporting Evidence

Part 2 of this report was compiled, drawing on evidence from the following sources:

- 2012/2013 Community and Regulatory Service Business Plan
- Clackmannanshire Council Competency Framework
- Submission for Customer Service Excellence

- Clacksweb - Planning & Building Standards
- Development Planning and Development Quality Service Improvement Plans
- Discussions with staff in the respective teams

Part 4 - Service Improvements for 2013/2014

In the coming year we will:

- Review feedback from the 2012/2013 Customer Forum, identify and implement priorities for change
- Convene the 4th DQ Customer Forum and a separate Joint Community Council Forum

- Further review the content of Development Services website, anticipating changes and improvements in performance information, renewable technology for houses, planning application procedures and the enforcement register
- Strive to meet Key Performance Indicators for major, local non-householder and householder planning applications
- Identify priority sites for planning guidance and prepare development briefs
- Consult on and implement an improved pre-application advice service for householder, non-householder and permitted development enquiries
- Prepare a site visit assessment tool for householder and non-householder planning applications
- Examine improvements to planning application process management by offering process agreements for all major applications and significant local developments, and preparing a planning application process map with key milestones, diary entries and target periods
- Prepare a Planning Enforcement Improvement Plan and implement agreed actions, including review of our Enforcement Charter
- Review the Scheme of Delegation for Local Developments, and amend Scheme in line with 2013 Regulations
- Add a Customer Service Satisfaction questionnaire online and with any correspondence for the Local Development Plan.

Delivery of Service Improvements: 2012/2013

Action	Completed?
1 Implement where appropriate the recommendations from the 2011/2012 DQ Customer Forum feedback on Service Improvements	Yes

Our customer forum for 2011/2012 was well received. Analysis of feedback froms which were completed by those attending is provided in Appendix 4. This also identifies areas for improvement that were suggested at the time, plus our

observations and actions

- | | | |
|---|---|------|
| 2 | Improve our website content and layout in accordance with the findings and recommendations in the Pendleton Report | Yes |
| | As part of our ongoing monitoring of the contents of our website, a number of changes to the content, and ease of access/navigation, were implemented. The Council has formal procedures in place for allocated officers to regularly review contents for accuracy and ease of use. | |
| 3 | Undertake a peer group review of approved and implemented housing developments, examined against government guidance on place making and emerging Local Development Plan policy on design and layout of developments | No |
| | This work has not commenced. The change in staff resource was a contributing factor, but the timing was felt to be better aligned to progress on supplementary planning guidance on Layout and Design. This will proceed in 2013/2014. | |
| 4 | Review and update the Service portfolio of development briefs for sites in the Local Development Plan | Part |
| | Sites will be identified in the forthcoming Local Development Plan. Following approval of the draft document, priority sites shall be selected. Development briefs will focus on emerging guidance on placemaking. | |
| 5 | Improve performance on project planning indicators for 2011/2012 | Yes |
| | Evidence from Appendix 1 indicates that the Service has consolidated its level of performance in the separate areas of planning advice application decision making and enforcement. | |
| 6 | Review the Council's Scheme of Oral Representations at the Planning Committee by surveying key users and identifying areas for change | Yes |
| | The review of the Scheme of Oral Representations is complete (see Appendix 5). It covered pre-committee administrative arrangements and the committee meetings themselves. The Scheme works extremely well, and required little modification. Minor changes to advanced notification of meeting and added flexibility within the procedures for speaking and questions to follow, have been implemented. | |
| 7 | Review Scheme of Delegation on Local Developments and implement agreed recommendations | No |
| | The Scheme of Delegation was not reviewed during the period. The timing was changed to accommodate the change to the Town and Country Planning (Schemes of Delegation and Local | |

Review Procedure)(Scotland) Regulations 2013. The opportunity will be taken to review "call-in" arrangements, to take applications to committee for decision

- 8 Undertake customer satisfaction survey, identify any areas of weakness in service delivery and examine areas for improvement Yes

The results of the customer satisfaction survey comprise Appendix 6. Given the breadth of respondents who were either satisfied or very satisfied with the service we provide, no specific areas of service improvement emerged, beyond those reported elsewhere in this report.

- 9 Convene a DQ Customer Forum with a focus on a continuing programme of Planning reform Yes

The Development Quality Customer Forum was convened in 2012/2013, and will continue to be run on an annual basis, with a separate event for community council representatives

- 10 Increase the use of Planning Contravention Notices, Section 33A Notices and Fixed Penalty Notices to speed up enforcement decision making Part

The change in use of formal notices did not materialise as planned. For this reasons, it will feature in the Planning Enforcement Improvement Plan for 2013/2014

**Appendix (to Appendix 1)
PLANNING PERFORMANCE FRAMEWORK
OFFICIAL STATISTICS**

Decision-making timescales

Category	Total number of decisions 2011-2012	Average timescale (weeks)	
		2011-2012	2012-2013
Major developments	0		0
Local developments (non-householder)	127		10.2 weeks

<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	72%		5.7 weeks
	28%		21.5 weeks
Householder developments	116		5.6 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	90%		5.1 weeks
	10%		10.4 weeks
Housing developments			
Major	0		0
Local housing developments	31		15.1 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	61%		6.2 weeks
	39%		29.1 weeks
Business and industry			
Major	0		0
Local business and industry	34		8.6 weeks
<ul style="list-style-type: none"> Local: less than 2 months Local: more than 2 months 	85%		6.2 weeks
	15%		22.9 weeks
EIA developments	-		
Other consents*	28		3.3 weeks
Planning/legal agreements**	-		
Local reviews	3		12.9 weeks

* Consents and certificates: Listed buildings and Conservation area consents, Control of Advertisement consents, Hazardous Substances consents, Established Use Certificates, certificates of lawfulness of existing use or development, notification on overhead electricity lines, notifications and directions under GPDO Parts 6 & 7 relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 & 62 of the GPDO.

** Legal obligations associated with a planning permission; concluded under section 75 of the Town and Country Planning (Scotland) Act 1997 or section 69 of the Local Government (Scotland) Act 1973

