

Dumfries & Galloway Council

PLANNING PERFORMANCE FRAMEWORK

Annual Report 2021 - 2022





Harbourmaster's office, Stranraer

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Introduction



Cllr Katie Hagmann



Cllr Sean Marshall

Welcome to the annual performance report for our Planning Service, which provides details and case studies highlighting the work of our Planning team during 2021/22. This Planning Performance Framework (PPF) Annual Report covers a year of continued challenges created by the COVID-19 pandemic, for our communities, our economy and our staff teams. This has required an ongoing flexible and adaptable response from all Council services including Planning. Our staff have risen to those challenges in many ways, adapting to the closure of offices and the need to work from home, maximising the use of digital technology and finding innovative solutions to new challenges.

This commitment enabled the Planning service to be delivered continuously throughout the pandemic and associated lockdowns, and during the latter half of the year some aspects of service provision were able to return to a more normal level including the pre-application service and the provision of a temporary physical office location. The year has been particularly challenging for our Development Management team with a combination of significant increases in demands on the service as economic recovery gathered pace and some specific staff shortages. Recognising the pressures that the service has been under the Council is committed to addressing these with increased resourcing and the delivery of an improvement action plan, and we were pleased to receive confirmation towards the end of the year from Scottish Government that Planning fees were to be increased, providing much needed additional income for reinvestment.

Our Planning service remains well placed to play a key role in coming years in supporting the delivery of new development as the opportunities presented by the Borderlands Growth Deal, which was agreed by Scottish and UK Governments in March 2021, start to emerge. Our Strategic Housing Investment Plan is an ambitious affordable housing investment programme which will continue to be supported and facilitated through the planning process. Together with our partners in the South of Scotland Regional Economic Partnership, we are building a new future for the economy of the South of Scotland. Our Planning service will be key to realising the full benefits of these strategic developments which make an important contribution to our Council priorities to build the local economy and respond to climate change and transition to a carbon neutral region.

Cllr Katie Hagmann, Chair, Economy and Resources Committee

Cllr Sean Marshall, Vice Chair, Economy and Resources Committee

Part 1: Defining and measuring a high-quality Planning Service

1.1 Quality of outcomes

1.1.1 One of the most significant pieces of work which was undertaken during 2021/22 was an external review of the Council's Development Management service by an independent expert. This was commissioned as a pro active measure to address concerns about reducing performance. The very comprehensive and detailed report made 17 specific recommendations which were agreed by Committee and will be taken forward during 2022/23 by a Task Team. Details of this review are included in **Case Study 1**.

1.1.2 A significant piece of work for the Development Planning team during the reporting period was considering and preparing a response to a raft of important Scottish Government consultations including the draft National Planning Framework (NPF) 4. This is covered in **Case Study 2**. Once approved, NPF4 will have significant implications both for how we progress with the

preparation of our next Local Development Plan, LDP3, and how planning applications will be determined, given that the National Planning Framework will become part of the development plan for the first time. Given the combination of the additional requirements and responsibilities for planning authorities being introduced as a result of the 2019 Planning Act and reduced resources within the Planning Service, the implications of these changes will have to be carefully monitored, considered and addressed.

1.1.3 The role of the service extends beyond just the regulatory elements of Development Management and Development Planning. The excellent work that has been undertaken in terms of town centre regeneration, developing a vacant and derelict land and property strategy, preserving and enhancing our built heritage and helping deliver affordable housing developments is set out in **Case Studies 3, 4 & 6**.



Pipe Band, Annan

1.2 Quality of service and engagement

1.2.1 Our second **Local Development Plan (LDP2)** was adopted in October 2019, together with the related suite of **Supplementary Guidance**. Work has continued on monitoring and also the preparation of a number of related strategies / Supplementary Guidance. In 2021/22, these included:-

- Supplementary Guidance - Sustainability - Reducing Carbon Emissions in Buildings - October 2021:
- Supplementary Guidance – Mineral Resources – April 2021: &
- Annan Conservation Area Character Appraisal and Management Plan – June 2021.

Our current **Development Plan Scheme** (November 2021) is available on the Council's website. This sets out the effect that the 2019 Planning Act / NPF4 will have on our next development plan and the work programme for 2022. It also confirms that it is intended that the next (14th edition) of the DPS will set out a timetable for the preparation of LDP3.

<http://www.dumgal.gov.uk/ldp2>

1.2.2 The Council established a formal pre-application enquiry service in April 2018. Whilst the coronavirus lockdown unfortunately resulted in a temporary suspension of this service, it was progressively relaunched, firstly as a reduced service in May 2020 (with no charge, in order to help support the post-lockdown recovery), then with a flat fee from September 2020 and finally a return of the full service in November 2021. This included the option of a virtual meeting via MS Teams. Developer contribution requirements are always explained in pre-application reports. The Council's developer contributions policy is set out in one of the 3 overarching policies in LDP2, Policy OP3, and this is supported by Supplementary Guidance. The current Supplementary Guidance on **Developer Contributions** was adopted in February 2020. A separate Likelihood Table for education contributions (which sets out which schools currently have a capacity issue and so require a developer contribution) is maintained and regularly reviewed as school rolls change.

<http://www.dumgal.gov.uk/article/15327/Planning-advice-and-enquiries>

<https://www.dumgal.gov.uk/article/17034/LDP2-Supplementary-Guidance>

1.2.3 Reflecting the 'channel shift' to greater use of the internet for information, the Council's website is a source of a significant amount of planning information, to aid self-service. It covers both Development Management and Development Planning aspects, including the full LDP2 and all the Supplementary Guidance and Planning Guidance. The website became more important than ever after our offices closed during the coronavirus lockdown and then the recent office refurbishment. Thankfully, the website, combined with the fact that officers have been equipped to work remotely since 2012, meant our service was well positioned to continue to provide an effective service. The **planning pages** provide links to the Scottish Government's eDevelopment portal and clearly signposts that this is the preferred method for the submission of applications. Indeed, as a result of the pandemic, this has become our default method of accepting applications. Our various **Charters** including the **Enforcement Charter** (which was reviewed and updated in September 2021), **Enforcement Register** and **Tree Preservation Order Register and TPO guidance**, are available online using the links below. Planning guidance includes advice on **Shopfronts and Security** and **Windows and Doors in Listed Buildings and Conservation Areas**.

<http://www.dumgal.gov.uk/planning>

<https://www.dumgal.gov.uk/article/15340/Service-standards-for-Development-Management>

<https://www.dumgal.gov.uk/article/17034/LDP2-Supplementary-Guidance>

<https://www.dumgal.gov.uk/article/15339/Enforcing-planning-controls>

<https://www.dumgal.gov.uk/article/15334/Protected-trees>

1.2.4 Included in our webpages is a customer guidance / advice note on **Planning for Small and Medium Businesses**. This 20 page document covers all aspects of planning and related processes relevant to SMEs in plain English. It also sets out the level and type of supporting information which we would expect to see submitted with such planning applications.

<http://www.dumgal.gov.uk/article/15327/Planning-advice-and-enquiries>



Summerpark housing development, Dumfries

1.2.5 Since April 2019, as part of a Council restructure, the Planning Service has been located within the directorate known as Economy and Resources, under the Head of Economy and Development, thus bringing Planning and Economic Development under the same Head of Service. Accordingly, the already strong links between the Council's Planning Service and Economic Development Service became even stronger. The Service Management Team includes the Service Manager for Planning & Development and the 3 Service Managers for Economic Development.

1.2.6 Strategic Housing also falls within the responsibility of the Planning & Development Manager. The Planning Service, and the LDP team in particular, work closely with Strategic Housing. Officers from both services met regularly and officers from the Planning Service attend the Strategic Housing Development Forum, which also includes all of the Registered Social Landlords (RSLs) operating in the region. These meetings, together with scheduled quarterly meetings with individual RSLs operating in the area, are used as a method of highlighting development proposals by the RSLs early in the process and ensuring that communications between RSLs, Strategic Housing and Planning are open and frequent, so as to effectively deliver much-needed affordable

housing, more detail along with examples of recent developments is set out in **Case Study 6**. In 2021/22, a Resource Planning Assumption (RPA) of £23.8m was made from the Scottish Government's Affordable Housing Supply Programme for the region, reflecting the strong delivery of such housing within the area.

1.2.7 Normally an annual Agents' Forum meeting, a joint Planning and Building Standards event, is held. However, unfortunately, this event became another victim of the Covid-19 pandemic and no event took place in 2021/22. Agents were however provided with email updates as changes took place in service provision. A hybrid in-person / online event has been arranged for October 2022.

1.2.8 In terms of our Development Management customer satisfaction results, in 2021/22, our survey rating fell from 92% to 83%. Although this decrease is disappointing, in the context of the challenges facing the service (as outlined in **Case Study 1**), this was perhaps understandable and it is noted that the overall percentage satisfied still remains high. Customer satisfaction survey forms are included with all decision notices and a link has been included in staff email signatures in order to try and obtain greater and more continuous customer feedback. However, there remains a difficulty in obtaining

a statistically meaningful / representative number of responses to customer surveys, with a more widespread public 'survey fatigue' being a factor.

1.2.9 In addition to the core Development Planning and Development Management functions, in 2021/22, the service included 7 specialists who contributed significantly to the quality of the service and the outcomes in the region. These are the Council Archaeologist; a Landscape Architect, who principally comments on the numerous wind energy proposals both within and immediately adjacent to the region; a Senior Planner (Built Heritage Policy); 2 Conservation Area Regeneration Scheme (CARS) Project Officers for the Stranraer CARS and new Dumfries CARS; and 2 Contaminated Land Officers. Details of some of their work is set out in **Case Study 5**.

1.3 Governance

1.3.1 The Council's **Scheme of Delegation to Officers for Planning** continues to operate effectively, with 96.8% of decisions being made under delegated powers in 2021/22. 95.3% of applications were approved over the reporting period.

<http://www.dumgal.gov.uk/article/15336/Planning-decisions>

1.3.2 In terms of **Committees**, 11 Planning Applications Committee meetings were scheduled for the year, one meeting each month excluding July for the summer recess. 10 meetings were held as there was insufficient business to merit calling a meeting in November 2021. Due to the pandemic, the meetings in the reporting period were mostly held purely virtually. Third parties (applicants / agents / objectors / supporters) could attend via MS Teams or by having prepared statements read out on their behalf. All the meetings were live streamed and later made available via YouTube. Similarly, 7 Local Review Body meetings took place in 2021/22, most by way of virtual only attendance, although a number of socially distanced site visits took place. All Development Planning matters are reported to the Economy & Resources Committee, which meets every 2 months. Key Local Development Plan decisions are made by the Full Council, which meets every 3 months. Due to the current point in the LDP process, no Full Council decisions were required in the reporting period.

<http://www.dumgal.gov.uk/article/15143/Committee-meetings>

1.3.3 The interim Development Management structure, which had been in place since 2019/20, continued in 2021/22 (see Diagram in **Part 6**). As part of the Development Management Review, this structure will be reassessed and revised as appropriate to ensure that it is 'fit for purpose' in the future. Notwithstanding this, the structure within the reporting period still provided the appropriate and proportionate level of skill and expertise for each respective type of application i.e. major developments were considered by more experienced planners with specialist knowledge.

1.3.4 A project management approach is undertaken for all Major applications and also for large Local applications, best exemplified where a Processing Agreement is used. Our **pre-application form for Major applications** expressly states:- *"Dumfries and Galloway Council will promote a partnership protocol, or project plan, for all Major developments... It is requested that developers approach the partnership protocol in a positive and collaborative manner."* In 2021/22, 21 applications were the subject of a Processing Agreement. However, despite our active promotion of the benefits to both parties in entering into Processing Agreements, there remain some developers (and some wind energy developers in particular) who are unwilling to enter into such agreements.

<http://www.dumgal.gov.uk/article/15327/Planning-advice-and-enquiries>



War memorial, Penpont



Oyster Festival, Stranraer

1.3.5 8 legacy cases (i.e. applications of more than 1 year old) were determined during 2021/22. There remained 40 active legacy cases as of 31 March 2022, 12 more than at the end of 2020/21. For the reasons set out in **Case Study 1**, this has been a particularly challenging year for the Development Management service and so this outcome is disappointing but not surprising. It is hoped that this number will reduce in coming years as the recommendations of the Action Plan are implemented, together with a greater emphasis on the need for the use of Processing Agreements.

1.3.6 The Planning Service continues to face significant budget pressures, principally due to wider Council funding efficiencies. Stringent budget monitoring processes have been put in place to monitor and report on budget pressures. The impact of the revised planning application fees brought in by the Scottish Government on 1 April 2022 will be carefully monitored.

1.3.7 Budget and efficiency measures are considered at management team meetings of all levels and reports are made regularly to the Economy & Resources Committee.

1.4 Culture of continuous improvement

1.4.1 Analysis of the Development Management performance is set out in Part 5 – C : Context below.

1.4.2 Whilst we had experienced a year-on-year increase in the number of planning applications submitted online via the Scottish Government's eDevelopment portal for lodging electronic applications (from just 6% of submissions in the launch year in 2010/11 to us receiving 88.8% of all applications online in 2019/20), this became 100%

following the closure of our offices due to the pandemic meant that we were only able to receive applications and fees electronically. Electronic submissions and payment will remain the default methods in future even after the return of offices in the post-pandemic era.

1.4.3 Team meetings are used as a method of ensuring that all staff are aware of relevant changes both at a national and local level. Meetings have had to be held virtually via MS Teams while all staff have continued to work from home. There is a cascade process of information from the Corporate Management Team downwards through the various meetings. Team meetings are however a 2 way process, where staff are encouraged to provide feedback. 1-2-1 meetings are also held.

1.4.4 Benchmarking has been used as a method of sharing best practice between authorities and among staff. For planning purposes, Dumfries & Galloway Council sits within Benchmarking Group 1 (Large Rural Authorities) and this also includes the following planning authorities:- Aberdeenshire; Argyll & Bute; Cairngorms National Park; Highland; Moray; Orkney; Scottish Borders; Shetland; & Western Isles. There was representation from the Council at all of the Heads of Planning Scotland (HOPS) Development Management Sub-Committee and Development Planning Sub-Committee meetings during 2021/22 – these meetings are now held virtually. During the reporting period, the Service Manager was a member of the HOPS Executive, and the Team Leader Local Development Plan was the Chair of the Development Planning Sub-Committee and so also sat on the HOPS Executive.



Development Management Review



Location and Dates:

Service-wide – Spring 2022 and ongoing.

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:

1, 3, 6, 12, 14 & 15

Key Areas of Work:

- Development Management Processes
- Process Improvement

Stakeholders Involved:

- Authority - Planning Staff
- Authority - Other Staff

Overview:

In recent years, prior to the onset of the COVID-19 pandemic, performance in dealing with planning applications had improved in all categories. This was reflected in the previous PPF submissions and the resultant feedback from the Minister. However, during 2021, service performance, particularly timescales, has been adversely affected by a number of factors which caused delays in our decision-making processes with consequent customer complaints and adverse feedback. At a time when economic recovery is a priority for national and local government, this was a major concern to the Council, given the key role that new development plays in building the local economy.

Accordingly, a “short, sharp review” by an experienced independent external expert who was well versed in the operation of Council Development Management processes was commissioned. The consultant appointed was Jim Birrell.

The scope of the review was:-

- To critically examine and review current arrangements for the registration and allocation of planning applications, and make recommendations accordingly.
- To assess current arrangements for the determination of delegated applications by officers and identify opportunities to improve processing timescales.
- To assess current arrangements for the determination of applications requiring a Committee recommendation and identify opportunities to improve timescales.
- To engage with staff in the Development Management service to identify opportunities for improvement.
- To advise on the optimum staffing structure which will ensure future performance and customer service improvement and provide a resilient and sustainable basis for service delivery in support of economic recovery.

The review was undertaken over a four-week period and involved questionnaires being sent to all members of Development Management staff and a random selection of local agents (the responses were dealt with confidentially and on an anonymous basis) and also a number of 1-2-1 discussions (via MS Teams) were held with key internal stakeholders, both within and outwith the Development Management service. The questionnaire response rate from staff was very high (89%), which demonstrated a high level of commitment from staff to be involved and to put forward their own suggestions for improvements. As part of its methodology, the review also involved a desktop study and appraisal of all the relevant Council and Scottish Government documents and performance information; a benchmarking exercise comparing the Council to other planning authorities of similar size and scale in terms of the workload and staffing numbers; identification of existing good practice which should be retained and developed further; and a list of 17 recommendations and actions for the consideration of the Council.

The key findings can be summarised as follows-

- Staff are motivated and want to be able to improve on the service and performance levels currently being experienced.

- Many good practice points have been identified and these can be successfully built upon.
- The spans of control for senior management are extensive and dilute the operational capacity available to the service.
- The current staff structure is not considered to be sustainable or resilient enough and it must be better resourced and aligned. Key gaps in the structure have been identified and these need to be assessed by management as a matter of urgency.
- It is vital that the Council and the service build on the wealth of comments and suggestions for improvement actions received from the staff and customers and ensure that further consultation and participation opportunities are provided in implementing the changes being recommended.



Minsca windfarm

The main priority recommendations included:-

- A review of the staffing structure to ensure it is fit for purpose and more importantly, to ensure it is robust and resilient enough to respond to the contemporary and emerging change challenges which will face all Councils. An additional Team Leader should be added to the existing structure to reinstate the previous structure which was based on three Team Leaders leading three different and specialist teams reflecting the Scottish hierarchy of planning applications.
- An updated and revised lean management audit and review of all internal and external business critical areas which involves all Development Management staff as the 'clients in the process.' This needs to include the end-to-end application process, validation processes, registration, officer delegations and report sign offs.
- The reinstatement of the previous joint approach to the basic operating systems, including the document management system, the Uniform database and portal facilities, linked in with the national and Council transformation programmes on digital infrastructure and spatial planning ambitions. This is very much a 'spend to save' initiative which would benefit the Development Management, Development Planning, Building Standards and Strategic Housing Teams.
- A short, focussed, review of current Committee and officer delegation schemes which are well established but may require some adjustment and refinement to maximise their effectiveness for faster and more proportionate decision-making.
- A comprehensive audit and inventory of staff hardware and software, technical capabilities, including access to back-office systems and files, proportionate to the relative levels of need to discharge the responsibilities of individual postholders
- A refresh of the existing customer service standards and Charter to reflect on the responses received from staff and customers and to effectively monitor the service standards achieved.

A report on the Review was considered at the Economy and Resources Committee meeting of 17 March 2022. This can be viewed, along with the full 89 page report by the independent consultant, via the link below (Item 5):-

[Agenda for Economy and Resources Committee on Thursday, 17th March, 2022, 10.30 am - Dumfries and Galloway Council \(moderngov.co.uk\)](https://www.moderngov.co.uk/agenda/2022/03/17/1030am-dumfries-and-galloway-council)

The Committee agreed all 4 of the recommendations set out in the covering report.

Goals:

During 2022/23, a Task Team will implement the 17 recommendations by way of an Action Plan. The Action Plan (which has already been created) sets out both priority 'quick wins' and also those matters requiring further work. The Task Team is being overseen by the Head of Service and led by the Planning & Development Manager, with membership from staff in the service and across the relevant Council departments.

The end goal of the project is to ensure that the Council's Development Management service:-

- has a revised structure which is fit for purpose;
- is properly resourced in terms of capacity so as to allow sustained improved performance;
- has the proper infrastructure and IT equipment to enable efficient hybrid (part-office / part-home) working; and
- ultimately provides both greater customer satisfaction and job satisfaction for staff.

Outcomes:

One of our Service Improvements for 2022/23 is to "Progress and implement the Action Plan agreed following the independent Development Management Review undertaken in early 2022". Progress on the implementation of the Development Management Review will be provided in next year's PPF.

Name of key officer

David Suttie



Corsewall Lighthouse, Kirkcolm

Response to NPF4 and other Scottish Government Consultations



Scottish Parliament, Edinburgh

Location and Dates:

Dumfries and Galloway 2021/22.

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

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

Key Marker:

8, 9 & 12

Key Areas of Work:

- Collaborative Working
- Strategic Planning

Stakeholders Involved:

- Authority Planning Staff
- Authority Other Staff

Overview:

The Planning (Scotland) Act 2019 introduced significant changes to the Scottish development planning system which resulted in the publication and consultation a number of documents. These included the draft National Planning Framework 4 (NPF4), Local Development Plan (LDP) Regulations and Guidance, and Open Space Strategies and Play Sufficiency Assessments Regulations. Considering the potential impact these documents will have on the planning system, the Development Planning team undertook several engagement measures to discuss the documents.

All the consultations had the same timeframe so a number of meetings with internal and external colleagues were held covering different themes. This allowed us to raise awareness of how NPF4 will impact development planning, development management and other services in the Council. The meetings were also used to discuss relevant parts of the LDP and Open space consultations in order to provide a comprehensive response to each.

As well as the internal officer meetings for the NPF4 consultation, a presentation was given to the Council's Senior Management Team and all Elected Members were invited to a seminar. The Development Planning team also discussed NPF4 with Scottish Borders Council and South of Scotland Enterprise. We also attended the various workshops run by Kevin Murray Associates on behalf of the Scottish Government. The Council's response supported the focus on themes such as climate, nature, place and wellbeing but outlined concerns regarding policy wording strength and detail, a lack of ambition towards our region and no delivery plan.

The LDP regulations and guidance consisted of a new approach to preparing plans which will result in plans being delivery focused, place based and people centred. The main difference from the previous process is the Evidence Report which summarises the information to be used and taken into account when preparing the LDP. Our response raised concerns that the Evidence Report requirements are not clearly set out or if information submitted at the Gatecheck can be re-examined at Proposed Plan stage.

The draft Open Space Strategies and Play Sufficiency Assessment Regulations is a new requirement. It requires planning authorities to assess play opportunities for children as part of the Evidence Report. Many of the provisions of the regulations involve adopting best practice with regards to the production of Open Space Strategies and therefore many of the proposals in the consultation are not considered to be contentious.

Following Committee approval, the Council submitted responses to each of the Scottish Government consultations.

Agenda for Economy and Resources Committee on Thursday, 17th March, 2022, 10.30 am - Dumfries and Galloway Council (modern.gov.co.uk) (Item 4)

Goals:

The Planning (Scotland) Act 2019 changes seek to place significant emphasis on community engagement in the planning process, place making, community health and wellbeing, climate change, sustainability and delivery. The draft consultation documents provided an opportunity to consider if they would meet the wider goals and outcomes of the Councils' services including the planning department.



Catherine Street play area, Dumfries

Outcomes:

NPF4 is the long-term plan for development and infrastructure in Scotland to 2045 and will incorporate both spatial and national planning policies. NPF4 links to several other strategic policy documents including the Strategic Transport Projects Review 2, Infrastructure Investment Plan, the Regional Economic Strategy for the South of Scotland and the Local Housing Strategy. Once adopted, the NPF4 and the regulations for Local Development Plans and Open Space Strategies and Play Sufficiency Assessments will be used to implement Council aims and objectives.

Name of key officer

John Doig

Town Centre Regeneration



High Street, Dumfries

Location and Dates:

Across Dumfries and Galloway - ongoing.

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

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

Key Markers:

3, 11 & 12

Key Areas of Work:

- Regeneration
- Town Centres

Stakeholders Involved:

- General Public and Local Community
- Local Developers

Overview:

The size and role the various town centres play across Dumfries and Galloway varies greatly. All of them have felt the impact of the move to online shopping which has been fuelled by the coronavirus pandemic. Competition from larger centres outwith the region is also a significant factor.

Despite these significant threats and challenges, the Council and communities are working together to try and address those issues. The following examples highlight some of the initiatives either underway or available as part of wider town centre regeneration.

Dynamically Different Dumfries

Last year's PPF gave an overview of the work being done by the Dumfries Partnership Action Group to prepare a Vision and Action Plan primarily for the town centre. During the course of the reporting period, the Plan has been approved by the Council and work is now underway to deliver the Action Plan.

Town Centre Living Fund

This fund has been put in place to support the delivery of affordable homes, that allow people to live within close proximity to existing services and facilities. Recognising that this strategic objective for the Council can lead to increased development costs, the budget is allocated to projects that require additional support, or that bring empty properties back into use. A mixed tenure approach is supported with eligible applicants including social landlords, community groups and private landlords. Successful projects delivered so far have included the renovation of a number of 'at risk' and listed buildings.

Community Plans

A number of communities across the region already have Action Plans for their towns and villages, some of those plans have specific town centre actions. The communities have been able to use those plans to secure funding to help deliver their actions

The opportunity for local communities to prepare a Local Place Plan (which is registered by the local authority) is to be taken into account when the next Local Development Plan is prepared, will give weight to those plans.

Borderlands Place Programme

The Borderlands growth deal covers the 5 local authorities that straddle the Scottish - English border. The place programme is a central part of the deal and will support the towns' growth through

Place and Town Investment Plans. Place Plans will set out the community's vision for the future of their area and enable them to apply for investment.

5 towns have been identified in Dumfries and Galloway based on quantitative and qualitative data. All 5 towns have an identified town centre in LDP2. Council officers are providing support to those communities to develop their Place Plans.

Goals:

The Council's Local Development Plan 2 acknowledges that for town centres to be vibrant and sustainable, their role and function has to be wider than just retail. That is why the town centre policies encourage and support a range of uses within the town centre.

The initiatives outlined in the case study demonstrate how Dumfries and Galloway are working towards achieving that aim.

Outcomes:

The case study demonstrates that the community and wider stakeholders are key in working with the local authority to support and deliver town centre regeneration. It also hopefully highlights that there are a number of routes and mechanisms available to support town centre regeneration.

Names of key officers

Shona McCoy and Jamie Little



High Street, Moffat

Vacant and Derelict Land and Property



Rosefield Mills, Dumfries

Location and Dates:

Across Dumfries and Galloway - 2021/22 and ongoing

Elements of a High Quality Planning Service this study relates to

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

Key Markers

12

Key Areas of Work

- Regeneration
- Environment

Stakeholders Involved

- General Public and Community Groups
- Local Developers

Overview

Vacant and derelict land and buildings can have a negative impact on community health and wellbeing as well as having consequences on the local environment and economy. The reuse of such sites is recognised as a priority at national level. Strategies and initiatives have been developed to encourage the reuse of such sites and support a joined-up approach within the Council.

Vacant and Derelict Land Information Packs

The Planning service is required to complete a survey annually on vacant and derelict land to report to the Scottish Government. It was identified that the resulting register was underused, and that there was an opportunity to develop it into a publicly accessible resource which could be used to promote redevelopment of sites. As these sites tend to involve multiple services, the Council holds information on them in separate areas, such as planning, contaminated land and environmental health. Sites may also have designations from external organisations such as Listed Building status. This made it difficult for potential developers to obtain a full understanding of a site.

Information was retrieved and collated to make information packs for each site which are available on the Council website.

[Scottish_Vacant_Derelict_Land_Info_Packs_May2022_update.pdf \(dumgal.gov.uk\)](#)

Information for each site includes maps, Local Development Plan status, planning history and constraints, ownership if known and a description of the site.

Work continues to publicise the information packs, promote the development of the sites and link to existing strategies and plans such as Town Centre Regeneration and the delivery of the Strategic Housing Investment Plan. The work has highlighted other issues such as lack of ownership information. Future work will include tracing of ownership and engagement with owners to improve outcomes.

Vacant and Derelict Land and Property Strategy

A Vacant and Derelict Land and Property Strategy is being developed and is currently at the consultation stage. The focus of the strategy will include all categories of unused land and buildings, a wider set of criteria than those of the national Vacant and Derelict Land Register. Various strands of work currently undertaken by different services within the Council have been examined to identify problems and gaps and clarify the options available to address these sites.

The strategy is intended to provide policies and tools to enable the Council to tackle the problems caused to communities by bringing sites back into productive use.



Port Street, Annan



Vacant and Derelict Land site, Dalbeattie

The strategy will support national and Council policies such as:

- prioritising development and investment on brownfield and previously used land;
- sustainable inclusive economic growth and regeneration;
- ensuring the sustainability of our towns and villages; &
- delivery of the Strategic Housing investment Plan.

Strategic Housing Investment Plan

The Dumfries and Galloway Strategic Housing Investment Plan prioritises the re-use of brownfield sites for new affordable housing developments. This approach helps to support a range of wider local and national objectives. Opportunities are often identified within existing communities close to existing services, supporting the delivery of the place agenda. Avoiding development of greenfield land to meet the acute housing demand helps to retain areas of carbon sequestering, supporting climate emergency targets and avoiding urban sprawl. Furthermore, the re-use of these sites ensures that the physical environment is improved, providing communal benefits for existing and new residents. The Council has also put financial support in place to help meet the higher costs of developing these locations. Submissions to the Vacant and Derelict Land Investment Programme have also been prepared to help leverage in further funding.

Goals

To increase awareness and promote the redevelopment of vacant and derelict land and buildings.

Outcomes

Vacant and derelict land and property has a big impact on local communities and cuts across so many aspects of land use planning. When complete, the vacant and derelict land and property strategy will provide a strong foundation for the Council to build on.

The various strands of work outlined in this case study are all ongoing pieces of work.

Names of key officers

Jamie Little and Gillian Flack



Planning Focus on Heritage



View towards Annan Conservation Area

Location and Dates:

Region-wide from April 2021 – March 2022

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

3, 7, 10 & 11

Key Areas of Work

- Conservation
- Archaeology
- Placemaking
- Collaborative Working
- Local Development Plan and Supplementary Guidance

Stakeholders Involved

- General Public

Overview

Supplementary Guidance (SG)

Annan Conservation Area Character Appraisal and Management Plan – adoption – 15 July 2021

Following public consultation and a further, additional targeted consultation was carried out in April 2021 to allow the Annan Regeneration Steering Group opportunity to make final comments which were then reported to June 2021 Economy and Resources Committee with proposed amendments. The preparation of the document has ensured that there is wide support for the management of Annan Conservation Area so that the SG will help inform future development and heritage led regeneration of Annan Conservation Area.

Draft Langholm Conservation Area Character Appraisal and Management Plan (CACAMP)

The drafting and main consultation for Langholm CACAMP took place in 2021; Economy and Resources Committee approving the consultation in September 2021. Langholm has a number of very ambitious community based groups including Langholm Initiative and Langholm Alliance. The comments and proposed amendments were agreed to go forward for adoption at February 2022 Committee.

Individual proposals with heritage at the centre of the work

Policies in LDP2 support the protection and interpretation of the historic environment in its wide context. The following examples relate mainly to policies HE1: Listed Buildings, HE2: Conservation Areas and HE3: Archaeology alongside other policies within the plan.

Hallmuir Ukrainian Chapel at the former Prisoner of War Camp, near Lockerbie

Lockerbie Hallmuir POW Camp 68, built in 1942, is one of the prefabricated huts used for German and Italian prisoners during WWII and from 1947 for interned Ukrainians. The building was first used by Catholic Italians and taken over for Ukrainian Orthodox worship. It is still in use and one of only two surviving POW chapels in Scotland. It is Category B Listed by Historic Environment Scotland. The war time construction materials are basic - a profiled asbestos roof over a timber post and concrete frame with mixed cement and asbestos profiled and plain panels. All have already lasted longer than expected.

The humble exterior conceals an interior which was elaborately decorated with whatever could be found by the prisoners and repurposed with much artisan work and creativity. Locally important to the Ukrainian community and nationally important as WWII heritage, the charm and character of the chapel come from the 'make do and mend' approach to the interior decoration, much being fairly ephemeral. In 2021, restoration and repair plans were drawn up acknowledging that the historic significance is not the exact detail or materials but what has come from using what was available and skills of worshippers. To survive into the future, the asbestos cement roofing is being replaced with a similar profile material; the timber and concrete structure and elevations are being repaired; and, windows replaced and repaired where possible. Inside, restoration will recapture the essence of the traditional Ukrainian Orthodox decoration. Work began early in 2022. Photographic recording and material samples are being carried out during the works.



Ukrainian Chapel



Chapel interior

Lincluden Stables conversion to residential use.

Category B Listed Lincluden Stables is the last remnant of the former Youngfield estate designed in the 1820s by Dumfries Architect Walter Newall for Gilbert Young. The stables were a service building to a large house destroyed by fire in 1875 but replaced to a design by D & J Bryce who added the central tower elevation to the stable block, creating a courtyard. The site is included in the Local Development Plan - DFS.H6 Lincluden Depot for up to 32 units incorporating a sensitive conversion of the Category B Listed stable block and to respect its setting. Following use as a Council depot and plant nursery, it was vacant for quite a few years. A social landlord - Dumfries and Galloway Housing Group (DGHP) – came forward to develop the site. Lengthy pre-application discussion ensured that all the supporting information relating to habitats, the listed building, archaeological recording and ground contamination were submitted in 2019 and approved very late the same year. The works were carried out and completed through 2021 finishing in March 2022.



Lincluden Stables conversion

The Mill at Potterland Farm, near Palnackie

In 2021, an amended application was received to convert the mill at Potterland Farm to form a dwelling with septic tank, and a meat smokery. A conditional planning permission required a Historic Building Recording and Watching Brief methodology to be approved and then followed during works. The Council's Archaeologist and a private Archaeology Contractor collaborated to ensure that the most information possible would be recovered about the site during the down-takings of parts of the building and the groundworks for the septic tank.

The mill is noted in the 1848-1851 Ordnance Survey Name book; appears on the 1853 1st edition OS map with two mill dams - 45m away and a larger dam 700m upstream on Potterland Burn. The 1893 2nd edition OS map shows an L-shaped extension and the more detailed 25" map shows the mill wheel pit on the west side of the original building. It is referred to as having an oat grinding stone pair and a separate barley grinding set. The farm is thought to date from the late 18th century.

The recording found plain, coursed rubble stone elevations under a slate roof with sandstone skews and ridge capping. Lintels over openings were mostly local Dalbeattie granite as were threshold steps but over the north opening was a pinkish millstone, perhaps from a previous mill. The mill building contained a grain-drying kiln on the lower floor. Grain was placed on the floor above on a supported, perforated metal floor, parts of which remained. The latter is a rare survival, the only one found in the region to date. Sections of it were recovered for deposition in local museums. Parts of former wheels used in the grinding machinery were also uncovered and structures relating to the wheel pit.

After the mill went out of use the water wheel was retained as a power source for an adjacent wood-working workshop through new drive shafts, with band drives powering a lathe, drill and bench saw. Creative upcycling in the early 20th century! A successful meat smokery is now located in the mill as part of a diversified farm business.

Without the use of conditions requiring the archaeological recording of sites of historic interest there would be much knowledge and many details lost without trace as a result of changes in use of the land or conversion or removal of buildings.

Conservation Area Regeneration Funding

Dumfries and Galloway Council is currently running two heritage led Conservation Area Regeneration Schemes (CARS) in partnership with Historic Environment Scotland (HES).

Stranraer Conservation Area Regeneration Scheme

Given the impact of the coronavirus pandemic, Historic Environment Scotland have extended delivery of the Stranraer CARS by a year until March 2023. The scheme is now reaching a busy stage as much of the preparatory work comes to fruition. Challenges during the last year include limited capacity in the construction sector which has led to protracted tender processes. Work on a Traditional Building Skills Audit is intended to improve understanding of how support can be provided to contractors to enable further development of the expertise needed to maintain and repair historic buildings.

Dumfries Conservation Area Regeneration Scheme

The scheme in Dumfries contributes to Dynamically Different Dumfries as part of the overall regeneration plan for Dumfries Town Centre. This regeneration scheme will see investment of approximately £1.5m into the Conservation Area, with contributions from HES, Dumfries and Galloway Council, private investment and other sources. The Scheme will consist of:

- Grant schemes which offer part-funding for the repair of prominent traditionally constructed buildings to bring them back into full use.
- Improvements to the public realm.
- A training, education and awareness programme.
- Complimentary engagement activities.

The scheme officially launched and opened for applications in March 2022 after an intensive planning stage, in which the owners of the targeted Priority Projects had been contacted and those projects advanced accordingly. As of the end of March 2022, all four projects are progressing satisfactorily, the first expected to be on site in 2023. Several high-quality applications for the Small Grants scheme have been received, with one due to be tendered in May 2022 and several at the design stage. Finally, local arts group The Stove are to be commissioned to work on an interpretive public realm improvement scheme, which will be focussed on the lanes and vennels of the town centre. Design

work has begun and work is programmed to begin in 2024.

Goals

Written guidance for specific Conservation Areas sets out the character of that area and identifies the challenges, forming a basis for good development management decisions and influencing regeneration proposals so that character is preserved and enhanced. Built form and details shared between buildings can be very significant. Guidance supports pre-application discussion and opens up opportunities to reinforce the character of areas. This character can become part of the background to local place plans coming forward.

Through some of the examples it is clear that pre-application discussions are the best time to consider the significance of the elements of a historic site or building where development is proposed and to introduce the requirements for archaeological recording. Most contributions to the archaeological record now come through development rather than planned excavations, emphasising how important proper and careful recording is to inform us about how our predecessors lived, the customs they had and the technologies that they used.

The CARS schemes are a direct way of encouraging and influencing well-crafted restoration and repairs to traditional buildings and reinforcing or reinstating character that has been lost. The engagement and education elements of the schemes reach out to owners and trades so that there is better shared knowledge of how to look after the stone and lime buildings and traditional Scottish roofs in the Conservation Area.

Outcomes

Guidance, controls, grants, education and engagement all come together to persuade owners and developers how to best preserve the character of places and the fabric of traditional buildings. Recording helps contribute to the body of archaeological knowledge. Each of these contributes to a better understanding of the place where development is proposed, how it came to exist, the changes that have happened over long periods of time and what people needed then and need now.

Names of key officers

Mizzy Marshall, Ross McCleary, Andrew Nicholson and Pam Taylor

Affordable Housing Delivery



Heathhall College, Dumfries

Location and Dates:

Across Dumfries and Galloway – 2021/22 and ongoing

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

3 & 12

Key Areas of Work

- Affordable Housing
- Collaborative Working

Stakeholders Involved

- Housing Association
- Authority Planning Staff and Scottish Government Staff

Overview

Delivery of affordable housing across Dumfries and Galloway is a key objective of the Council. During the past couple of years, a significant proportion of house completions have been those built by Registered Social Landlords (housing associations). One of the main reasons for this trend is we are seeing the results of the meetings that are held, on a quarterly basis, with each of the RSLs.

The meetings are led by the Council's Strategic Housing Service. Officers from the Council's Development Management and Development Planning teams along with officers from the Scottish Government's Housing Division attend the meetings along with representatives from the housing association. The meetings provide an opportunity to discuss progress being made on those sites which are on the Strategic Housing Investment Programme (SHIP) along with issues that have arisen. It is also an opportunity to discuss sites that could be included in the SHIP in the future.

Although they are not a registered social landlord, Building Craftsmen provide affordable houses for sale through a category of the Scottish Government's Affordable Housing Supply Programme, known as Partnership Support for Regeneration.

Cunninghame HA – Academy Place, Lockerbie

Site constraints were identified during the construction phase of this development due to its former use as Lockerbie Academy. This led to additional costs arising once all finance had been agreed and put in place. Through discussions at the quarterly meetings, it was possible to source additional funding to ensure the development progressed. The development is now complete and the houses are occupied.

Loreburn – Heathhall College, Dumfries

This site was subject to a lengthy planning process, with objections being received from a neighbouring commercial premises due to concerns around noise. It was determined that to take forward the development of this brownfield site, significant investment to deliver sound attenuation measures would be required. Following approval, the Development Management team continued to work closely with the developer to ensure all additional requirements of this high profile project could be achieved. Through the quarterly meetings and numerous separate discussions, the project has now been able to progress with the majority of homes now complete.

DGHP - Lincluden Depot, Dumfries

This development aimed to provide 26 new build affordable houses, alongside the conversion of a listed building to deliver a further 6 homes within the former stables. There was a clear need to ensure that the new build complimented the historic building, while also being suitable for the needs of new residents. Discussions to support this

delivery were enabled via the Council's pre-planning application process, with input from Roads and Heritage colleagues. The site is now complete, with 32 homes now available for occupation at affordable levels.

Goals

The role of the Council as strategic housing and planning authority has been to enable the development of affordable homes in the region. Quarterly meetings with development partners are a key element, providing a route for discussion and identification of issues that may impede delivery. This has led to increased investment in affordable homes being delivered in Dumfries and Galloway, supporting the five key priorities of Dumfries and Galloway Council. The majority of Strategic Housing Investment Plan sites are identified through the Local Development Plan, Vacant and Derelict Land Register, or both. This approach ensures successful delivery of key development strategies for the local authority.

Outcomes

By establishing closer working relationships between the key organisations has been fundamental to the improved outcomes delivering affordable homes in the region. The work will continue to be carried out, with regular monitoring and refinement carried out as required. This approach is also highlighted by the Scottish Government as worthy of replication by other local authorities.

Names of key officers

Jamie Little and Shona McCoy



Academy Place, Lockerbie - image courtesy of Cunninghame HA

Part 2: Supporting evidence

Part 1 of this report was compiled, drawing on evidence from the following sources:

- Dumfries & Galloway Council Economy, Environment & Infrastructure Committee and Economy & Resources Committee Reports and Minutes
- Dumfries & Galloway Council Full Council Reports and Minutes
- Dumfries & Galloway Council Planning Applications Committee Reports and Minutes
- Dumfries & Galloway Council Planning Performance Framework 2020/21
- Dumfries & Galloway Council Economy & Development Business Plan 2019-23
- Dumfries & Galloway Council Development Management Customer Charter 2018
- Dumfries & Galloway Council Service Customer Guidance Note 2018
- Dumfries & Galloway Council Planning Enforcement Charter September 2021
- Planning Services Structure Charts
- Dumfries & Galloway Council website
- Reports from IDOX Uniform (Development Management back-office system)
- Reports from Scottish Government eDevelopment portal
- Heads of Planning Scotland Meeting Minutes
- Scottish Government Planning website



Southern Upland Way walking route, Dumfries & Galloway

Case Study Topics	Issue covered in PPF11 Case Study	Case Study Topics	Issue covered in PPF11 Case Study
Design		Interdisciplinary Working	
Climate Change		Collaborative Working	2, 5, 6
Conservation	5	Community Engagement	
Biodiversity		Placemaking	5
Regeneration	3, 4	Design Workshops / Charrettes	
Environment	4	Place Standard	
Greenspace		Performance Monitoring	
Town Centres	3	Process Improvement	1
Masterplanning		Project Management	
LDP2 & Supplementary Guidance	5	Skills Sharing	
Housing Supply		Staff Training	
Affordable Housing	6	Online Systems	
Economic Development		Data and Information	
Enforcement		Digital Practice	
Development Management	1	Transport	
Planning Applications		Active Travel	
Other: Strategic Planning	2		
Archaeology	5		

[NB - Wherever possible, weblinks have been included within Part 1 above, in order to give direct online access to the relevant evidence and thus avoiding unnecessarily duplication in the PPF. Case studies of key elements have been also provided within the PPF.]



Kirkcudbright

Part 3: Service Improvements 2022 - 2023



Coastal road, Dumfries and Galloway

In the coming year we will:

- Progress and implement the Action Plan agreed following the independent Development Management Review undertaken in early 2022;
- Hold the 3rd Dumfries & Galloway Council Design Awards during 2022/23;
- Develop the Development Planning Monitoring module within our Idox Uniform back-office system so that it can effectively communicate with the various other modules to assist with monitoring;

Delivery of our service improvement actions in 2021-22:

Committed improvements and actions	Complete?
<p data-bbox="134 369 1126 439">Relaunch the full pre-application enquiry service, utilising the new methods of holding virtual meetings.</p> <p data-bbox="134 463 512 492">Actions carried out / evidence</p> <p data-bbox="134 501 1197 566">Full service relaunched in November 2021. See paragraph 1.2.2 and related weblinks above.</p>	
<p data-bbox="134 629 1094 698">Take forward and further develop the positive aspects of digital and remote working which have emerged established during the pandemic.</p> <p data-bbox="134 723 512 752">Actions carried out / evidence</p> <p data-bbox="118 761 1197 864">Committee and other meetings now routinely held virtually or in a hybrid manner, reducing the need for travel / being more inclusive for those in more remote locations / cutting expenses / reducing carbon footprint.</p> <p data-bbox="118 889 936 918">See paragraphs 1.2.2, 1.2.3, 1.2.7, 1.3.2, 1.4.2, 1.4.3 & 1.4.4 above.</p>	



Parton

Part 4: National Headline Indicators (NHIs)

Key outcomes	2021-22	2020-21
Development Planning:		
<ul style="list-style-type: none"> age of local development plan at end of reporting period <i>Requirement: less than 5 years</i> 	1 year 5 months	1 year 5 months
<ul style="list-style-type: none"> Will the local development plan be replaced by their 5th anniversary according to the current development plan scheme? 	No (see para 1.2.1)	No
<ul style="list-style-type: none"> Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? 	Yes - later	Yes
<ul style="list-style-type: none"> Were development plan scheme engagement/consultation commitments met during the year? 	Yes	Yes
Effective Land Supply and Delivery of Outputs		
<ul style="list-style-type: none"> Established housing land supply 	11,568 units	11,820 units
<ul style="list-style-type: none"> 5-year effective housing land supply programming 	3,854 units	3,603 units
<ul style="list-style-type: none"> 5-year effective land supply total capacity 	11,541 units	12,750 units
<ul style="list-style-type: none"> 5-year housing supply target 	2,344 units	2,476 units
<ul style="list-style-type: none"> 5-year effective housing land supply (to one decimal place) 	8.2 years	7.3 years
<ul style="list-style-type: none"> Housing approvals 	446 units	490 units
<ul style="list-style-type: none"> Housing completions over the last 5 years 	1,395 units	1,495 units
<ul style="list-style-type: none"> Marketable employment land supply 	130.19 ha	254.51 ha
<ul style="list-style-type: none"> Employment land take-up during reporting year 	0.23 ha	0.0 ha
Development Management		
Project Planning		
<ul style="list-style-type: none"> Percentage and number of applications subject to pre-application advice 	24.0% (304)	24.0% (324)
<ul style="list-style-type: none"> Percentage and number of major applications subject to processing agreement 	50% (2)	50% (3)
Decision-making		
<ul style="list-style-type: none"> Application approval rate 	95.3%	96.3%
<ul style="list-style-type: none"> Delegation rate 	96.8%	96.9%
Validation		
<ul style="list-style-type: none"> Percentage of applications valid upon receipt 	38%	37%

Key outcomes	2021-22	2020-21
Decision-making timescales		
Average number of weeks to decision:		
• Major developments	28.3	42.6
• Local developments (non-householder)	17.7	12.5
• Householder developments	7.4	6.5
Legacy Cases		
• Number cleared during reporting period	8	14
• Number remaining	40	28
Enforcement Activity		
• Time since Enforcement Charter published/reviewed Requirement: review every 2 years	6 Months	18 Months
• Complaints lodged and investigated	122	162
• Breaches identified - no further action taken	15	11
• Cases closed	100	92
• Notices served	9	1
• Direct Action	0	0
• Reports to Procurator Fiscal	0	0
• Prosecutions	0	0



Bathing huts, Kirkcudbright

4.1 Development Planning

4.1.1 The Council formally adopted its second Local Development Plan (LDP2) on 3 October 2019.

4.1.2 The majority of Supplementary Guidance needed to support LDP2 has been adopted. Work continues on drafting and consulting on the remaining pieces of Supplementary Guidance. During the course of the reporting year, a significant amount of time was given over to responding to various Scottish Government consultations - **Case Study 2** provides more detail.

4.1.3 The 13th edition of the Development Plan Scheme (DPS) was published in November 2021. The absence of a timetable from the Scottish Government on when the LDP regulations will be published meant we were unable to include a timetable in the DPS for the production of LDP3. Despite this, it does set out what the changes brought about by the Planning (Scotland) Act 2019 are, what will happen next and how people can get involved. It is intended that the next edition of the DPS (14th edition) will set out a timetable for the preparation of LDP3.

4.2 Effective Land Supply

4.2.1 The housing land supply figures contained in this year's return are based on the adopted 2019 Local Development Plan 2.

4.3 Employment Land

4.3.1 During the course of the year, the Development Planning team have undertaken a thorough assessment of the employment land supply to understand what land is immediately available and what land is considered to be marketable. The outcome of that work has reduced the marketable employment land figure in this year's PPF and ensures that it reflects the information that is in the employment land audit which covers the same time period as this PPF.

4.3.2 A small part (0.23 hectares) of DF5.B&I5: Land South of Enterprise Park, Dumfries was developed during the reporting year. A larger site (1.96 hectares) on the neighbouring allocated site DF5.B&I1: Gilnockie Business Park was under construction and should be completed for inclusion in next year's PPF.

4.4 Development Management

4.4.1 Commentary on performance is provided under Part 5 – C: Context.



Gretna Gateway Outlet Village



Belted Galloway cattle

Part 5: Scottish Government Official Statistics

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

Category	No. of decisions	Average timescale (weeks)	
	2021-22	2021-22	2020-21
Major developments	3	28.3	42.6
Local developments (non-householder)	533	17.7	12.5
• Local: less than 2 months	136 (25.5%)	6.4	6.3
• Local: more than 2 months	397 (74.5%)	21.6	17.2
Householder developments	455	7.4	6.5
• Local: less than 2 months	373 (82.0%)	6.1	6.0
• Local: more than 2 months	82 (18.0%)	12.9	10.9
Housing developments			
Major	2	31.2	44.0
Local housing developments	207	22.0	15.9
• Local: less than 2 months	13 (6.3%)	7.0	7.3
• Local: more than 2 months	194 (93.7%)	23.0	17.9
Business and industry			
Major	0	0	0
Local business and industry	7	11.9	14.5
• Local: less than 2 months	3 (42.9%)	5.5	6.4
• Local: more than 2 months	4 (57.1%)	16.8	19.9
EIA developments	0	0	0
Other consents	131	12.4	7.1
Planning/legal agreements			
• Major: average time	1	36.6	0
• Local: average time	4	72.3	41.0

B: Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2021-22		2020-21	
		No.	%	No.	%
Local reviews	14	8	57.1	10	66.7
Appeals to Scottish Ministers	7	2	28.4	2	66.7

C: Context

1. In terms of Development Management performance, the background to the pressures on the service resulting in an increase in the average time taken to process applications is set out in **Case Study 1**. The average householder application determination period was 7.4 weeks (6.5 in 2020/21). The most marked increase was for local applications (non-householder) where the determination period was 17.7 weeks (12.5 weeks in 2020/21).

2. However, the Major application determination timescales were 28.3 weeks on average for those without a processing agreement, an improvement from 42.6 weeks in 2020/21. As ever, the number of such Major applications remains a very small percentage of the overall total number of decisions (3 applications or 0.3% of all decisions).

3. The number of applications determined in 2021/22 was 1143, a 7.5% increase on the previous year (1063 in 2020/21).

4. Where a legal agreement is required, it has been our standard practice for several years now to recommend to the Planning Applications Committee that approval is *“subject to the successful completion of the appropriate legal agreements within 6 months of the date of the decision or any extended timescale as agreed by the appointed officer”*. This ensures that legal agreements are concluded promptly (applications can be refused under delegated powers where this is not the case) but allows flexibility where conclusion is still going to be achieved within a reasonable timescale. Examples can be found in the Minutes of the Planning Applications Committee on the Council webpage (e.g. Item 5 on the 27 October 2021 Planning Applications Committee agenda).

Agenda for Planning Applications Committee on Wednesday, 27th October, 2021, 10.30 am - Dumfries and Galloway Council (modern.gov.co.uk)

5. Performance Marker 3 covers *“Early collaboration with applicants and consultees on planning applications”* and includes *“availability and promotion of pre-application discussions for all prospective applications”*. In addition to the formal pre-application enquiry service referred to in paragraph 1.2.2 above, we also provide a considerable amount of **FAQ** advice on our website, to allow members of the public a high degree of self-service.





The Devil's Porridge Museum, Eastriggs

<http://www.dumgal.gov.uk/article/15327/Planning-advice-and-enquiries>

<http://www.dumgal.gov.uk/article/15332/Work-which-doesn-t-need-planning-permission>

6. There was slight improvement in the number of applications which were valid on receipt during 202/22, rising to 38% from 37% in 2020/21. We continue to use the **Heads of Planning Scotland (HOPS) national guidance note for registering applications** in order to give greater consistency and clarity in respect of what is required in order to make submissions valid..

<http://www.dumgal.gov.uk/article/15329/Apply-for-planning-permission>

7. Appeals & Local Review Body – There was an increase in DPEA appeal decisions compared to the previous year. 7 appeals were determined by Reporters acting for the Scottish Ministers within the reporting period (there were 3 in 2020/21). 4 of these appeals were non-determination cases relating to wind farms – all 4 were approved by the Reporter. Of the 2 cases which were appeals against refusals made by the Planning Applications Committee, both were dismissed and planning permission was refused. The number of Local Review Body decisions was similar to the previous year (14 Notices of Review compared with 15 in 2020/21). In 2021/22, 57.1% of the reviews upheld the original decision made by the appointed officer, a reduction from

66.7% of original decisions upheld the previous year and 71.4% the year before that, illustrating a notable trend.

8. Consultations which we received regarding applications made to the Scottish Government under Section 36 & 37 under the Electricity Act 1989 are not captured in the PPF statistics but have a very significant impact on Dumfries & Galloway Council. These type of consultations require a considerable amount of time and resource to be dedicated to them, especially where the Council decides to object, as this automatically generates a Public Local Inquiry. The Council provided responses on 4 S36 consultations for renewable energy developments and 6 S37 overhead line consultations during this period, with each case requiring comments from a number of internal consultees and the production of a lengthy report. In terms of Environmental Impact Assessments (EIA), 23 screening opinion requests and 2 scoping request responses were also provided.

9. 122 Enforcement cases were taken up during 2021/22 (162 cases taken up during the previous year. 100 breaches were resolved (92 resolved in 2020/21). We currently have only 1 Planning Inspector to cover the region (although an Enforcement Technician to assist with the processing of cases was added towards the end of the reporting period). Accordingly, a risk-based approach for prioritising enforcement cases is taken and this is set out in our **Planning Enforcement Charter**.

Part 6: Workforce Information

(as on 31 March 2022)

	Tier 1 Chief Executive	Tier 2 Director	Tier 3 Head of Service	Tier 4 Manager
Head of Planning Service			•	

RTPI Qualified Staff	Headcount
Chartered Staff	16

Staff Age Profile	Headcount
Under 30	1 (3%)
30 - 39	7 (20%)
40 - 49	12 (34%)
50 and over	15 (43%)

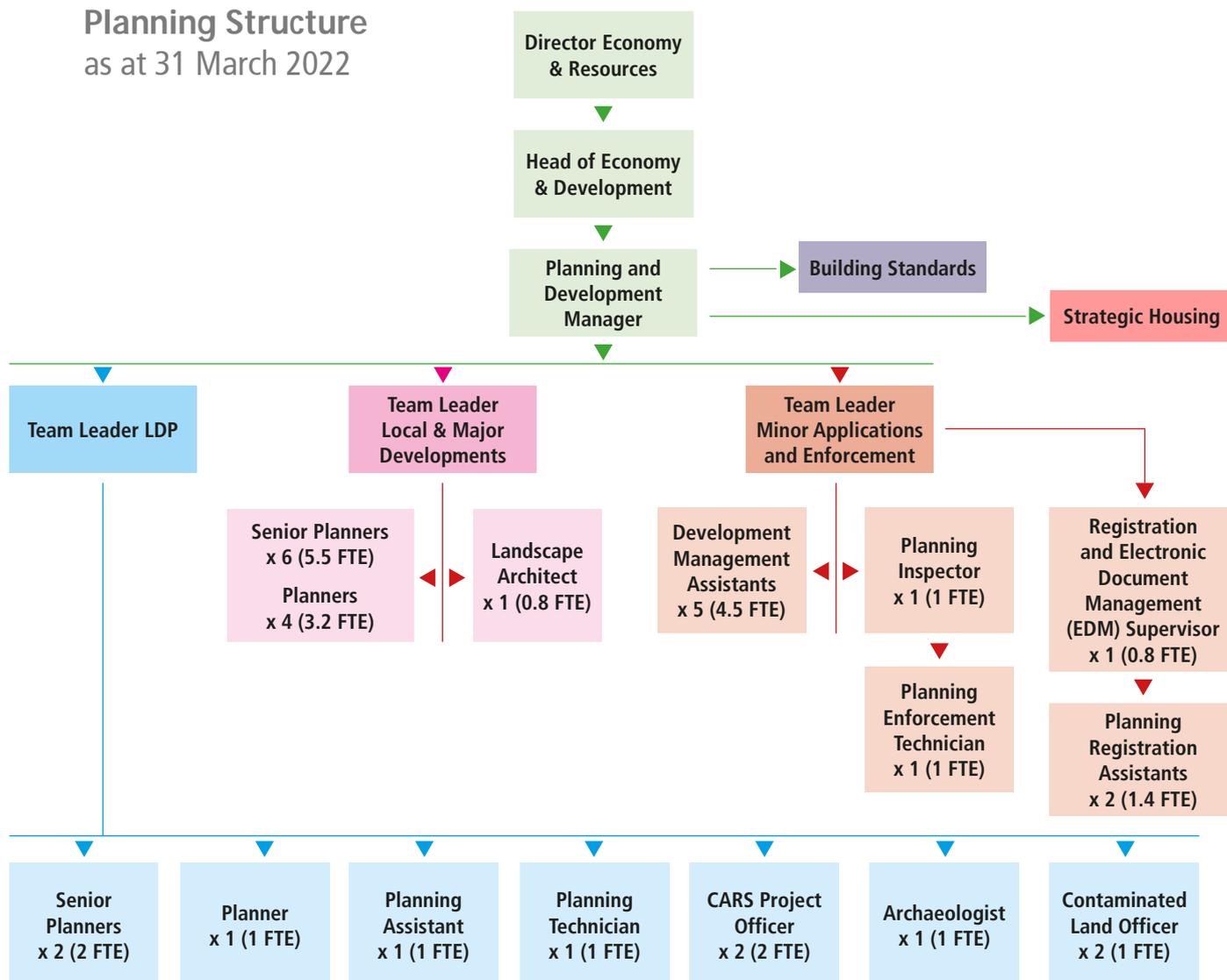
Context

During the reporting period, Dumfries & Galloway Council's planning function sat within Economy and Development, one of 4 services which comprised Economy and Resources. The Head of Service was also responsible for Economic Development; Property & Estates; Facilities Management; & Project Management Office. In addition to both the Development Management and Development Planning aspects of Planning, the Service Manager also has responsibility for Building Standards and Strategic Housing & Regeneration Investment. The Planning service is based principally within Dumfries & Stranraer with a satellite office in Newton Stewart (although all staff were solely working from home during the reporting period). A Business Support function is shared with Building Standards.



Dumfries and Galloway Royal Infirmary

Planning Structure as at 31 March 2022



Part 7: Planning Committee Information

Committee and Site Visits	Number per year
Full council meetings	0 (for planning applications)
Planning Applications Committee meetings	11 scheduled in revised Council diary (10 held)
Area committees	N/A
Committee site visits	3
LRB	7 scheduled (7 held)
LRB site visits	4

Part 8: Performance Markers

Driving Improved Performance			
Performance Marker	Measure	Policy Background to Marker	Part of PPF report best suited to evidence this matter
1	Decision making: authorities demonstrating continuous evidence of reducing average timescales for all development types	Official Statistics and PPF reports	NHI Scottish Government Official Statistics and Paras 1.1.1, 1.3.3, 1.4.1, 4.4.1 C: Context Case Study 1
2	Project management: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications and availability publicised on planning authority website	Y/N	Modernising the Planning System (Audit Scotland); SG website/ template
3	Early collaboration with applicants and consultees on planning applications: - availability and promotion of pre-application discussions for all prospective applications - clear and proportionate requests for supporting information	Y/N Examples	White Paper; Delivering Planning Reform; Planning Reform Next Steps
4	Legal agreements: conclude (or reconsider) applications within 6 months of resolving to grant	Reducing number of live applications more than 6 months after resolution to grant (from same time last year)	Official statistics; PPF reports; evidence of delays to major developments
5	Enforcement charter updated/re-published	Within 2 years	Planning Act (s158A)
			NHI Part 4 Para 1.2.3

Driving Improved Performance

Performance Marker	Measure	Policy Background to Marker	Part of PPF report best suited to evidence this matter
6 Continuous improvements: - progress ambitious and relevant service improvement commitments identified through PPF report	Progress on all commitments	Delivering Planning Reform; PPF Report	Culture of Continuous Improvement; Service Improvement Plan Paras 1.1.1, 1.2.8, 1.4.2 Part 3 Part 5: Official Statistics and C: Context Case Study 1



Traditional stake netting for salmon on the River Cree, Dumfries and Galloway

Promoting the Plan-Led System

Performance Marker	Measure	Policy Background to Marker	Part of PPF report best suited to evidence this matter
7 LDP (or LP) less than 5 years since adoption	Y/N	Planning Act (s16); Scottish Planning Policy	NHI; Quality of Outcomes; Quality of service and engagement Paras 1.2.1, 4.1.1, 4.1.2 Case Study 2
8 Development plan scheme demonstrates next LDP: - on course for adoption within 5-year cycle - project planned and expected to be delivered to planned timescale	Y/N	Planning Act (s16); Scottish Planning Policy	NHI; Quality of Outcomes; Quality of service and engagement Paras 1.2.1, 4.1.3 Case Study 2
	Y/N		
9 Stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation	Evidence of activity		Quality of Service and Engagement Governance <i>[NB – not applicable at current stage of LDP process]</i>
10 No longer applicable – gap kept for data continuity			
11 Production of relevant and up to date policy advice	Evidence of activity		Quality of Service and Engagement Paras 1.2.1, 1.2.2, 1.2.3, 1.2.4, 1.2.5, 1.2.6 Case Studies 2, 3, 4, 5 & 6

Simplifying and Streamlining

Performance Marker	Measure	Policy Background to Marker	Part of PPF report best suited to evidence this matter
12 Corporate working across services to improve outputs and services for customer benefit (e.g. protocols; joined-up services; single contact; joint pre-application advice)	Examples from the year		Quality of Service and Engagement Governance Paras 1.2.2 to 1.2.9, 1.4.4 Case Studies 3, 4, 5 & 6
13 Sharing good practice, skills and knowledge between authorities	Evidence of activity to pass on and adopt good practice	Delivering Planning Reform; Planning Reform Next Steps	Culture of continuous improvement Para 1.4.4 C: Context Para 6

Delivering Development

Performance Marker	Measure	Policy Background to Marker	Part of PPF report best suited to evidence this matter
14 Stalled sites/legacy cases: conclusion/ withdrawal of planning applications more than one-year-old	Reducing number of applications more than one-year-old (from same time last year)		Governance Para 1.3.5 C: Context Para 3
15 Developer contributions: clear expectations - set out in development plan (and/or emerging plan) and - in pre-application discussions	Y/N Examples		Culture of continuous improvement Para 1.4.4 C: Context Para 6





River Nith, Dumfries