Midlothian Council
Planning Performance Framework
Annual Report 2018 – 2019
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1 - Introduction

The Midlothian Council administrative region lies to the south of Edinburgh, bordered by the Pentland Hills to the northwest and the Moorfoot Hills to the south. It is one of Scotland’s smaller Local Authorities by area, ranking 21st out of 32 in this respect, but it is an area of contrast. The southern portion comprises upland countryside, while the region’s towns are found in the north, the largest of which are Bonnyrigg (17,500 residents) and Penicuik (16,000 residents). Dalkeith is home to around 13,500 people and is Midlothian’s administrative centre. These and other towns have grown substantially in recent years and will do so in the future, leading to a large population increase across the region. Latest estimates put Midlothian’s population at 91,300 as of mid-2018. This represents an increase of 1,200 in a year, making the Council area the fastest growing in Scotland.
An increasing population presents opportunities and challenges for Midlothian Council. In the coming years we will work to maintain and support communities whilst promoting economic growth, the delivery of good quality housing and the provision of infrastructure and facilities to meet the needs of residents. We are confident that we can meet these challenges and build on achievements made in recent years. This progress is reflected in the latest annual Scottish Household Survey which shows that 94% of the sample of Midlothian residents rate the area as a ‘very good’ or ‘fairly good’ place to live.

Midlothian Council’s Planning Service has a key role in maintaining this perception and the Midlothian Local Development Plan (MLDP) is central to doing so. It sets out a development strategy to 2024 and a detailed policy framework to guide land use in the area. It forms the basis against which Planning Officers consider development proposals.

Midlothian Council is one of six partner councils which form the Strategic Development Planning Authority for South East Scotland (known as SESplan). They prepare the Strategic Development Plan (SDP), which provides the spatial strategy for development across the Edinburgh city region.

The MLDP is prepared to manage future change in Midlothian in line with the SDP’s goals. It does this via:

- Setting out a clear vision for the future of Midlothian’s communities and countryside;
- Promoting sustainable growth and travel;
- Ensuring the availability of infrastructure to support such growth;
- Protecting environmental and cultural assets against impacts from development;
- Providing a framework to guide decisions on development proposals; and
• Giving confidence to investors and communities with respect to the location of future development and investment.

This report shows how Midlothian Council’s Planning Team is working to achieve these aims. Covering the 2018/19 financial year, the Planning Performance Framework (PPF) report highlights notable developments, gives background information on how the Planning Team operates and provides statistical information relating to performance. This information is used by the Scottish Government to score the department against 15 markers. These include time taken to reach decisions on planning applications and engagement by planning staff with applicants. Last year, the Planning Team achieved its best ever result: 12 green, 3 amber and 0 red ratings.

This eighth PPF report demonstrates how the Team remains sufficiently robust and focussed to deliver an effective planning service to achieve similar results as well as how it is equipped to meet the expectations of Midlothian’s communities and businesses.

Graphics in this section - Map of Midlothian and its main towns, Loanhead town centre, looking over Newtongrange towards the Pentland Hills to the north.
2 - Development in Midlothian

2.1 - Overview

2.1.1 High quality development is a critical outcome of the planning process. The Planning Team is committed to delivering this and the forthcoming Quality of Place Supplementary Guidance will further support doing so. We will negotiate with applicants and agents prior to and during the planning application process to achieve the best possible design solutions.

2.1.2 The developments highlighted in this section demonstrate the Council’s commitment to high quality economic and residential projects of different scales. Beforehand however, it is also worth noting the breadth of the work that the Planning Team carries out. In 2018/19, this included:

- Guidance for planners and developers on electric vehicle charging - the Scottish Government have set targets for phasing out new petrol and diesel cars and the MLDP requires charging stations in new developments. The Planning Team has responded by preparing advice on expectations in this area. This document is guidance at present, with most developers signing up to the requirements. It will be given more weight by being included in the forthcoming Supplementary Guidance on Quality of Place.

- Core Paths Plan Review - The Planning Technician helped facilitate the latest review of Midlothian’s core paths by setting up a webpage which allowed members of the public to plot candidate core paths and other routes on to an interactive map of existing path networks. The suggestions made will be considered for inclusion in the emerging Core Paths Plan and will potentially be taken in to account in the assessment of future planning applications.

- Supporting town centres, for example with the adoption of the Supplementary Guidance on Food & Drink and Other Non-Retail Uses in Town Centres, and the Penicuik and Gorebridge regeneration projects (see later in this section for more).

- Helping to resolve legacy case issues and conclude legal agreements swiftly by giving applicants a six month deadline to finalise their Section 75 obligations. This is to stop situations where developers do not progress past the ‘minded to grant’ stage due to the financial obligations resulting from proposals.
2.2 - Case Study: Gorebridge Beacon

2.2.1
- **Location:** Gorebridge
- **Related Elements of a High Quality Planning Service:**
  - Quality of outcomes
  - Quality of service & engagement
- **Key Areas of Work:**
  - Design
  - Community engagement
- **Stakeholders Involved:**
  - General public
  - Hard to reach groups

2.2.2 2018/19 saw the opening of the Gorebridge Beacon: a community hub for the town and surrounding areas. Led by the Gorebridge Community Development Trust, this £2.5 million building was funded by Midlothian Council, the Big Lottery and the Scottish Investment Fund. It replaces the Brown Building, a former late 19th century primary school which had become unfit for purpose. A new building was needed to ensure that the town had community facilities to encourage social interaction and enterprise, in order to support a near-doubling of its population over the next decade.

2.2.3 There were several large challenges encountered in opening the Beacon. The original application was received a decade ago and since then the Gorebridge Community Development Trust had to overcome the first contractor going bankrupt and an arson attack six months from the original opening date. These events delayed the project by a year on each occasion and the fire damage cost £600,000 to rectify.

2.2.4 The involvement of Midlothian Council was key to overcoming these challenges. It acted as a facilitator, stepping in to procure another contractor when the first one went bust and forming a think tank to get the project’s partners and funders together round a table to ensure that the project was delivered for the community.

2.2.5 The building itself is a striking design, split across three sections. A central, double-height circulation spine joins both the front and rear entrances, providing suitable access to and egress from the building. Adjoining this is a café and its accompanying kitchen and store, which, together with the main spine, form a triangle shaped core from which all office and hall spaces can be accessed. The seating area of the café is adjacent to the main entrance and overlooks a memorial garden and excellent views to the south west. To the north of the entrance and circulation area is the main hall which can be partitioned into up to three smaller spaces to maximise the building’s flexibility. All three allow for people to spill outside to the external public space during larger events and when the weather permits. The final section of the Beacon is across two storeys and has the building’s services at its core, which are surrounded by offices, meeting rooms and childcare facilities.
2.2.6 Several notable features of the site’s setting were taken into account in the building’s design. Firstly, the town of Gorebridge is located roughly on a north to south axis and is elevated, meaning the site provides views that extend as far as the Pentland Hills, seven miles to the west. The site also has some mature trees, particularly those along the south eastern boundary, and these were retained as they formed an important landscape resource for the hub. Finally, the car park contained World War memorials and therefore the site offered the chance to connect a new community facility to elements of the town’s past. However, the monuments were previously located on either side of the existing car park entrance and the redevelopment provided the chance to improve their setting. They were moved to their own ‘memorial garden’, which is visible from the building itself and also the main street through the town which runs past the site.

2.2.7 Now that the building is open, the Gorebridge Community Development Trust is working towards using it as a focal point for:
   • Creating seven full-time equivalent jobs;
   • Offering opportunities for volunteering;
   • Expanding opportunities for local businesses to use the Beacon;
   • Encouraging social engagement with a range of normally hard to reach audiences;
   • Improving child wellbeing through opportunities for physical play activities;
   • Offering skills development and training opportunities.

2.2.8 These objectives are already being fulfilled. Events hosted there have included a community open day where local clubs and tradespeople attended to advertise themselves, a bulb planting event, dances and weekly cycle rides that depart from the
Beacon. It is also home to Midlothian Sure Start and Play Midlothian, and has hosted events for the Midlothian Breastfeeding Group and as part of Learning Disability Week 2019. This demonstrates that the Gorebridge Beacon is already an inspiring, welcoming and accessible space that belongs to and is led by the local community.

2.3 - Newtongrange Station

2.3.1 2018 saw the rehabilitation of a redundant listed building at Newtongrange Station as part of a multi-agency project. £900,000 was invested from the Borders Railway Blueprint, the Railway Heritage Trust, the Regeneration Capital Grant Fund and others including Midlothian Council. It is part of a wider scheme worth £3.4 million which will include work at Gorebridge Station and involved the Council working with Track2Train, a charity established by Apex Scotland to redevelop the Newtongrange station building, which is owned by the ScotRail Alliance.

2.3.2 The project has transformed the building into an office space, learning center, IT suite and a flexible meeting space for community groups upstairs, providing Apex Scotland a facility for its work with people who have barriers to employment and are at risk of offending. A café is located downstairs, creating four full-time jobs and five part-time posts in the first year together with ten traineeship opportunities for those interested in progressing a career in the customer service, food or hospitality industries.
2.3.3 The building is both listed and prominent, being situated at one of the key entry points to Newtongrange. This meant that in dealing with the applications for planning and listed building consent, the Planning Team saw an opportunity to bring it back into use to secure its long-term future and create a positive first impression for visitors into the town. The Case Officer also considered potential impacts on the area and weighed the benefit of the logical addition of a cafe/bistro at the station to enhance the experience of railway travellers with ensuring that the application site was sufficiently distant from the existing similar facilities. This ensured that the proposal did not have a significant impact on the character and vitality of the centre of Newtongrange.

![Image of the building](image_url)

2.3.4 The ground floor of the building was the subject of a number of unsympathetic alterations which led to original window openings being bricked up and modern doors installed within poorly-sited housing. The works to the ground floor have re-instated the historic opening and removed the unsympathetic modern additions - they have a clear design principle inspired by an industrial aesthetic that will enhance the character and appearance of the building. This has ensured that not only does Newtongrange Station now have a useful facility providing community benefit, but that facility is also attractive and well-designed.

![Image of the ground floor](image_url)
2.4 - Case Study: Charnock Bradley Building

2.4.1
- **Location:** Midlothian Science Zone, near Penicuik
- **Related Elements of a High Quality Planning Service:**
  - Quality of outcomes
- **Related PPF Performance Markers:**
  - 3 - Early collaboration
  - 11 - Regular and proportionate policy advice
- **Key Areas of Work:**
  - Design
  - Planning applications
  - Environment
- **Stakeholders Involved:**
  - Local developers
  - Authority (other) staff

2.4.2 Part of the Midlothian Science Zone is the University of Edinburgh’s Easter Bush Campus, which is one of Europe’s largest concentrations of animal science and animal welfare related expertise. The University is seven years into the delivery of a 20 year masterplan that will expand and enhance the facilities available at Easter Bush, part of which involved the opening of the Charnock Bradley Building in May 2018 by Her Royal Highness, the Princess Royal. This is a £32 million project that houses the Roslin Innovation Centre, which provides laboratory and office space for animal and veterinary science start-up companies; the Easter Bush Science Outreach Centre, which provides science outreach facilities for schools and community groups; and a gym for campus students and staff.
2.4.3 The development itself comprises two linked buildings with an entrance atrium and reception area which can also be used as exhibition space. The atrium extends the full height of the link building, which at upper floors includes bridges to connect the offices on one side to the laboratories on the other. It has a total footprint of 7,000m² which includes 200m² of retail floor space and 4,500m² of offices and laboratories with a capacity for 665 staff.

2.4.4 Initial interest in the development of the site was expressed as early as 2008. Since then, the Council have been involved in ensuring that the final design considered factors such as it being of an appropriate size and mitigating any possible visual and landscape impacts.

2.4.5 Though the main footprint of the building was previously developed, the introduction of a new facility had to take careful consideration of the setting. The Council’s Landscape Officer raised concerns regarding the proposal being higher than the nearby Vet School and of a comparable height to the mature trees at the front of the site, with the resulting impacts of a development of this scale being compounded by the previous loss of a number of trees along the roadside. This all raised concerns regarding visibility from the Pentland Hills Regional Park, which is only 800m away from the site. Furthermore, there was limited scope for landscaping around the development to reduce these impacts.

2.4.6 These issues were mitigated, however, through the protection of existing mature trees and the planting of some new large specimens to enhance the poorer quality ones that had been lost previously. Landscape details such as planting proposals and a long-term tree/woodland management plan were included as a condition of the planning consent. This was assisted by the proposed materials for the building helping to reduce its visual impact - the Council emphasised the importance of retaining the ‘living green wall’ on the western side and the roof garden in later design revisions.

2.4.7 The proximity of the development to the neighbouring Roslin Institute was initially
considered to be a negative issue too, however through careful design of the building, it evolved into a positive attribute which resulted in a completely different solution to the original one envisaged. The final design is attractive partly due to its recessed ground floor facade and use of high quality materials but it is also a very high quality pedestrian environment thanks to its division into two linked blocks. A final especially notable feature is a 15ft tall steel sculpture of a horse’s head by Andy Scott, the creator of the ‘Kelpies’ near Falkirk.

2.5 - Conifer Road Housing

2.5.1 2017 saw the completion of the 1,000th Council house to have been built in Midlothian since its new-build programme commenced in 2006. This was one of the largest investments in social housing by a Scottish local authority in a generation and was a collaborative effort across a number of council services. The Council intends to continue the pace of progress on this front and set the target of 1,000 affordable homes built before the next local government elections in 2022. This has meant that there have been numerous Council housing applications dealt with by the Planning Team over 2018/19. They have been required to process them thoroughly but promptly to help progress towards this target.
2.5.2 One such application was for 72 flats and houses in Mayfield on a site occupied by the former Bryans Primary School. Its buildings were demolished around a decade ago and the site was allocated for housing in the 2008 Midlothian Local Plan. Given that it has been vacant for some time and that it was in Council ownership, there was a strong collective desire to bring it into use to help achieve the aims of the local housing strategy.

2.5.3 In recognition of this, there were extensive pre-application meetings between the developer and both the Case Officer and Lead Officer of the Local Developments Section. This resulted in significant improvements to the layout and design of the scheme. It now includes shared surfaces to help reduce traffic speeds and encourage a pedestrian-friendly neighbourhood, a central formal open space with buildings fronting onto it, informal open space and a play area to the north of the site and pockets of landscaping throughout. Together, the orientation of buildings fronting onto the streets and overlooking areas of open space, the street pattern and the relationship between the buildings (both proposed and existing) creates a development which is compatible with its surroundings and provides good amenity.

2.5.4 Developer contributions for education, Borders Rail and improvements to Mayfield town centre were secured quickly, and the application was determined in under two months, including carrying out consultations and referring the application to Planning Committee. This demonstrates that pre-application discussions can result in a good quality scheme and can help in quickly determining applications, ensuring that the Planning Team contribute towards meeting Midlothian Council’s ambitious goals for providing affordable housing.

2.6 - Case Study: Millerhill Recycling & Energy Recovery Centre

2.6.1
- Location: Shawfair, near Danderhall
- Related Elements of a High Quality Planning Service:
  - Quality of outcomes
  - Quality of service and engagement
- Related PPF Performance Markers:
  - 3 - Early collaboration with applicants and consultees
  - 12 - Corporate working across services
  - 13 - Sharing good practice, skills and knowledge between authorities
- Key Areas of Work:
  - Design
  - Environment
  - Collaborative working
- Stakeholders Involved:
  - Local developers
  - Key agencies
2.6.2 2019 saw the Millerhill Recycling and Energy Recovery Centre (RERC) begin its commercial operations, marking the culmination of several years’ work on this complex project which heavily involved Midlothian Council’s Planning Team, including working alongside other Council services.

2.6.3 The development is part of Zero Waste, a major partnership project between the City of Edinburgh Council and Midlothian Council, delivered through private sector partners, to develop dedicated facilities for the treatment of the food and residual waste. Overall direction and management is the responsibility of an established Project Board which includes a director from each Partner Council plus a nominee from Scottish Futures Trust. The Project Team contains officers from both Partner Councils and is responsible for the day-to-day running of Zero Waste and the procurement processes for both food and residual waste.

2.6.4 An initial application for a waste recycling and treatment facility including a combined heat and power plant was granted in January 2012 and during the first half of the following year an application was approved for an anaerobic digester immediately north of where the RERC would be located. This opened in early 2017 and transforms food waste from both Midlothian and Edinburgh into methane to produce electricity and fertiliser.

2.6.5 To progress the RERC development, the applicant, FCC Environment, undertook a comprehensive community engagement process in early 2015. This consisted of two rounds of public exhibitions that were advertised in local newspapers, creating a dedicated project website and consulting with local Community Councils. This was followed by the submission of a planning application later in 2015, which was approved by the Planning Committee in October of that year. It proposed a taller building than that which was included in the application for planning consent in principle and because of this, the developer submitted a detailed application (rather than a reserved matters one) and had to carry out a new environmental assessment. This demonstrated that the project:

Photo - The completed Millerhill RERC, © FCC Environment
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- Would be compatible with Scottish Planning Policy, the Edinburgh and Lothian’s Structure Plan and Midlothian Local Plan;
- Would contribute substantially to meeting the target for sending less than 5% of our waste to landfill by 2025 as set out in the Scottish Government’s Zero Waste Plan;
- Demonstrated through a robust assessment that any adverse environmental impacts can be successfully mitigated.

2.6.6 Construction of the RERC began in late 2016 with commissioning starting in summer 2018 and the testing process being completed by spring 2019. The parties involved in the project, FCC Environment and their contractor, kept both the public and the Scottish Environment Protection Agency (SEPA) fully aware of their plans for commissioning the plant and put in place control measures to minimise the risk of local impacts during this time.

2.6.7 The RERC is now operational and is expected to receive up to 195,000 tonnes of waste every year from both the Edinburgh and Midlothian Council areas, therefore making a vital contribution to meeting waste reduction targets. The combustion process will create steam and a portion of this will be used to generate electricity - it is expected that the development can export enough energy to meet the domestic electricity needs of 26,000 homes. It is also planned that the heat generated will be exported by underground insulated pipes direct to local users which could include nearby institutional, commercial and residential developments.

Photos on this page and the next page - the Millerhill RERC under construction in early 2017. Both © FCC Environment.
2.6.8 Several existing sites offer clear potential to form part of this district heating network including the Royal Infirmary of Edinburgh, the new anaerobic digester to the north and the nearby Queen Margaret University. The new town of Shawfair (including some 4,000 new houses) will offer considerable potential. When they first proposed it, FCC Environment consulted Shawfair’s developers regarding the project. They expressed a strong interest and using the heat is being taken forward within the ‘Shawfair Sustainable Growth Agreement’. This will help fulfil one of the key drivers of the project: to prioritise a climate change mitigation and carbon reduction agenda.

2.6.9 The RERC development was complex and time consuming, however having identified a senior case officer to deal with the planning application, strong working practices and good working relationships were formed to ensure the challenging timescales for this priority project were achieved.

Photo - The Millerhill RERC (with anaerobic digester behind it), © FCC Environment.
2.7 - Gorebridge: CARS & Connected

2.7.1 One of the five Sections that make up Midlothian Council’s Planning Team are Conservation & Environment. They perform a wide range of tasks including leading and co-ordinating the drafting of conservation, town centre, biodiversity and environmental policies as well as managing town centre improvements.

2.7.2 As part of this remit, the Section have been progressing a number of significant projects during 2018/19. Two of these are the Penicuik Heritage Regeneration Scheme and the Local Biodiversity Action Plan, and these are discussed in case studies elsewhere in this report (sections 2.8 and 3.2 respectively). A third major project they have been working on is Gorebridge Connected.

2.7.3 It builds on the Gorebridge Conservation Area Regeneration Scheme (CARS), which finished at the end of the 2017/18 financial year after five years. It was set up by a partnership comprising Midlothian Council, the Gorebridge Community Development Trust and Historic Environment Scotland (HES) to regenerate the historic core of Gorebridge. It involved:

- Restoring 26 properties;
- Training in traditional building skills and care;
- Involving local schools in storytelling and heritage and art-based projects.
- Projects on the impact of World War I on Gorebridge;
- Work on promoting public involvement in relation to the ruins of a nationally important gun powder works and the ruins of a castle, which is also a Scheduled Ancient Monument;
- Promoting gardening, biodiversity and active travel.

2.7.4 To celebrate the completion of the scheme and to thank those involved, an event was held in May 2018. This included a presentation on the work done, thanks to partners and participants, showing a CARS film and a presentation from HES. It was noted that the scheme had exceeded its original targets and brought in large amounts of additional funding to deliver greater heritage regeneration benefits. Special thanks were given to the Planning Team’s Project Manager for delivering excellent regeneration work and involving a range of community members in doing so. In further recognition of this work, he received the Council Directorate trophy, which is a small prize given out at fortnightly staff briefings.
2.7.5 The successor to the CARS scheme is the Gorebridge Connected project. This represents a further £1.7m investment in the town and comprises:

- Hunter Square public realm heritage enhancements;
- Redevelopment of the former station building into a ‘Railway Café and Gallery’;
- The Link Project - heritage enhancement work on Main Street, and a heritage trail connecting Gorebridge town centre and the train station with each other, as well as to other parts of the town.

2.7.6 The intent of Gorebridge Connected is to help attract existing and new residents into the town centre and promote Gorebridge and the surrounding area as a tourist and leisure destination. The public realm enhancement works at Hunter Square are complete and a time capsule prepared by a local primary school will be encased in the redeveloped public realm in summer 2019. This project involved over £500,000 of work included traffic calming, laying of yorkstone paving, road resurfacing, new tree planting and new street furniture at Hunter Square. Two pairs of ‘before and after’ photos of the work are shown below.

2.7.7 The Link Project part of the scheme has commenced with the installation of heritage plaques and heritage-based interpretative panels. It will be completed when the former Gorebridge station is restored into the ‘Railway Café and Gallery’. Planning and listed building consent has been granted for this, on site work will commence in summer 2019 and it will be complete in early 2020.
2.7.8 The Railway Café and Gallery will be a community operated and controlled facility providing a café/restaurant, shop, exhibition space and cycle hire/maintenance facilities on the ground floor and modern office space on the first floor. The project is being funded by Midlothian Council, the Scottish Government Borders Railway Blueprint Programme, LEADER and the Railway Heritage Trust.
Photos on this page and the previous page - Main Street, Gorebridge, before and after the public realm works carried out as part of the Connected project.
2.8 - Case Study: Penicuik Heritage and Regeneration Scheme

2.8.1

- **Location:** Penicuik
- **Related Elements of a High Quality Planning Service:**
  - Quality of outcomes
- **Key Areas of Work:**
  - Conservation
  - Regeneration
  - Environment
  - Town centres
- **Stakeholders Involved:**
  - General public
  - Local developers
  - Hard to reach groups

2.8.2 The Penicuik Heritage and Regeneration Scheme is part of a jointly-funded Townscape Heritage (TH) and CARS grant programme that provides assistance for regenerating historic towns that are conservation areas and have seen economic decline. The Penicuik scheme is funded by The Heritage Lottery Fund, HES and Midlothian Council with support from the Penicuik Development Trust, Penicuik First and other local groups. Funding has been made available over a five year period to assist with restoring the historic fabric of the Conservation Area and for training and community engagement around the history of the town. Just under £1 million was awarded for the CARS part of the project in August 2018, which added to the £1.7 million that was announced in June 2018 as part of the TH element.

2.8.3 Penicuik was originally founded on mining but expanded with the growth of the paper making industry in the early to mid-18th century. This flourished and the town was developed as a planned settlement in 1770 by Sir James Clerk with the papermaking mills remaining open until the 1960’s. In recent years, Penicuik’s commercial heart has declined but it still has a distinctive and attractive historic core with traditional local sandstone buildings, some dating from the late Georgian and Victorian eras. Its centre is a notable Conservation Area and has a number of listed buildings in recognition of their historic and architectural importance.
2.8.4 The aim of the scheme is to enhance the character of the core of Penicuik to ensure that its historic buildings are restored for future generations. The work includes:
- Providing financial support for the repair and restoration of historic buildings;
- Shopfront restoration and public realm improvements;
- Offering training in traditional construction skills to local young people;
- Working with the local community and schools to raise awareness of Penicuik’s history; and
- Supporting businesses, homeowners and tenants in maintaining the long-term benefits of the regeneration scheme.

2.8.5 The various elements of the project have been divided into public realm improvements and work on buildings and shop fronts. High, medium and reserve projects have been identified within each of these categories and they are shown on the map below.

2.8.6 A week of events to launch the project took place in December 2018. It was arranged to promote the scheme to local residents and businesses and was timed to
coincide with the Penicuik Christmas Fair. It included a reception at Penicuik Town Hall, a heritage exhibition, a presentation on traditional construction skills and a talk by the Penicuik Historical Society. It was advertised widely and letters were sent to all the owners of buildings in the regeneration area that were eligible for grant assistance.

2.8.7 The Launch Reception was attended by around 70 people with introductions to the project given by Councillors Russell Imrie and Debbie McCall as well as from HES. Penicuik Heritage Regeneration Packs were handed out to attendees and feedback from the evening suggests that it was well received. The exhibition remained open for the remainder of the week and people were able to drop in to talk to the Regeneration Project Officer and members of the Penicuik Historical Society.

2.8.8 Since the launch, other parts of the project that have taken place are:

- Promoting the ‘Town Hall for All’ initiative. This focuses on the future of Penicuik Town Hall, with residents encouraged to provide their ideas and sign up to the Town Hall Steering Group.
- The creation of a dedicated project website which provides news on events, background to the project, design guides and detailed advice on maintaining historic buildings.
- An engagement event with primary school children run by project staff and the scheme’s contractor, NRS Engineering - pupils compared old maps and photos of Penicuik to see how the town had grown and developed.

2.8.9 A major early component of the Penicuik project were the public realm works. This was in response to a series of consultation events using the Scottish Government’s Place Making Tool as part of the development phase of the scheme in March 2017 to April 2018. These involved group sessions identifying ways to improve Penicuik High Street and as a result of them, a design for the High Street was drawn up with the aim of making it better for pedestrians. The proposals also enhance the character and appearance of the street by using high quality paving materials and street furniture.
2.8.10 Work on site began in October 2018 and was ongoing at the end of the 2018/19 financial year. It comprises:
- Installing granite setts in car parking and loading areas;
- Widening footpaths and repaving in natural sandstone slabs;
- Narrowing the carriageway at the pedestrian crossing point;
- Taking away redundant street furniture;
- Resurfacing the carriageway.

2.8.11 The granite setts and sandstone paving slabs being used to enhance the conservation area means that higher quality materials are being introduced to the High Street, reducing the visual impact of the road carriageway. The improvements will also extend to enhancing pedestrian accessibility to the Town Hall and enhancing the visual appearance of this key building. Once the public realm improvements are complete, the project will move on to repairing and restoring historic buildings and improving historic shopfronts in the town centre.
3 - Facilitating Quality Development

3.1 - Examples of Planning Team Services

3.1.1 To most people living or working in Midlothian, development on the ground is the obvious result of what the Planning Team does. However, a range of tasks take place behind-the-scenes to ensure that the correct development goes ahead in the right place. This section of the report gives some examples of this work.

3.1.2 Midlothian Council encourages processing agreements between applicants and ourselves at the pre-application stage for all major developments. They have the potential to provide greater certainty for both parties by putting forward a project plan containing key dates for meetings, for the submission of additional information and proposed targets for reporting the application to the Planning Committee and for its determination.

3.1.3 This information is publicised on the Council’s website. The relevant page also includes:

- A link to the processing agreement form;
- Instructions for returning the form, together with additional information that is part of the pre-application process;
- Expectations for what the processing agreement will involve;
- Other relevant planning conditions, such as the need to agree heads of terms in relation to Section 75 legal agreements before applications are reported to the Planning Committee.

3.1.4 Case Officers raise the option of using processing agreements when communicating with applicants and also direct them to this website information. It further specifies a plan for each stage of the planning process, from pre to post-application, including elements involved in each such as proposed timescales for statutory consultation and providing EIA screening and scoping opinions.

3.1.5 There were four processing agreements taken up in the reporting year, for two pairs of housing applications (at Bonnyrigg and Shawfair). It is intended that the
department will further encourage their uptake in 2019/20 by reviewing and simplifying the information provided about them on the Council website.

3.1.6 The Planning Team has committed to retaining its ‘Duty Officer’ service, to ensure that a dedicated officer is available to provide regular and proportionate planning advice and guidance to members of the public, applicants, agents and other interested parties during office hours. This can be done in person at the Council offices or by phone or in writing.

3.1.7 The duty service continues to see an increase in general enquiries from other parts of the country where an equivalent service is either no longer provided or is less accessible. This demonstrates that this is a valuable service and that the Planning Authority’s focus on customer satisfaction is appreciated. The duty service has been complimented for its accessibility and helpfulness by a range of customers.

3.1.8 A single point of contact is provided for all applications through a named Case Officer with dedicated phone and email contact. The same officer will be the point of contact throughout the pre-application process, the assessment of the application and any post-decision discussions. They project manage the application process, coordinate any input from third parties and discuss cases with managers where appropriate. Regular one-to-one meetings are held between case officers and their direct line managers in order to resolve any issues with applications and to ensure that there are no avoidable delays in determining proposals.

3.1.9 The Planning Team also retains its long standing free pre-application advice service for all scales and types of proposed developments. Such engagement is actively encouraged and promoted by case officers, via the online planning web-pages and will also be encouraged through the emerging Supplementary Guidance documents. It involves the following:
  - Registering enquiries in the case log system to help track their progress;
  - Consulting the pre-application procedure manual;
  - Engaging with a range of consultees when considering pre-applications;
  - Providing guidance on the expected level of financial contributions so developers can assess the viability of schemes early on.

3.1.10 The Planning Team receives a relatively low level of pre-application enquiries in terms of the proportion of applications received (when compared to Scotland’s other planning authorities). In 2018/19, around 15% of received applications involved a pre-application enquiry. We consider that the low number of pre-application enquiries is a positive reflection on the clarity of local development plan policies and established and consistent design expectations which developers and agents have become accustomed to without considering it necessary to enter in to a formal pre-application process. However, the ability to provide this early collaboration is in place for when it is required.
3.1.11 The Council has established validation checklists that outline the information required to submit a valid planning application. The requirements vary depending on the type of application and are available on the Council’s website. The Council registers a valid application within one working day of receipt. In the 2018/19 period, the Team made 5% of applications invalid upon receipt. This figure indicates that the validation process is working relatively well for the Council’s customers.

3.1.12 For valid applications, in order to more accurately reflect the time taken to process them and to provide clarity to stakeholders, the Planning Authority has a formal ‘stop the clock’ procedure. In some cases it is appropriate to remove a length of time from the total determination period for an application in order to more accurately reflect the amount of time taken to decide the planning application. This procedure is regularly reviewed in order to ensure that it accords with current guidance.

3.2 - Case Study: Local Biodiversity Action Plan 2019 - 2024

3.2.1 • Related Elements of a High Quality Planning Service:
  o Quality of outcomes
  o Quality of service and engagement
• Related PPF Performance Markers:
  o 12 - Corporate working across services
• Key Areas of Work:
  o Environment
  o Greenspace
• Stakeholders Involved:
  o Key agencies
  o Authority other staff

3.2.2 The Midlothian Local Biodiversity Action Plan 2019 - 2024 (LBAP) was produced by the Midlothian Biodiversity Partnership and adopted by the Council in early 2019. The work was led by the Planning Team with input from Land & Countryside Services and the Midlothian Ranger Service. It replaces the first LBAP for Midlothian which contained twenty separate Habitat Action Plans and Species Actions Plans, which together contained 140 objectives. Progress was made with many of these, for example wildflower meadow creation at Vogrie, juniper and upland scrub planting in the Pentlands, peatland restoration in the Moorfoots, woodland management at Roslin Glen and Erraid Wood and aquatic species management at Milkhall pond.
3.2.3 A Steering Group was formed in 2017 to oversee the creation of a new LBAP, which was then prepared by the Council in partnership with numerous organisations that have an interest in promoting biodiversity. These were the Federation of Midlothian Community Councils, Scottish Natural Heritage (SNH), the Scottish Wildlife Trust, SEPA, Forestry Commission Scotland (soon to be rebranded as Scottish Forestry), Scottish Water, RSPB, Buglife and The Wildlife Information Centre.

3.2.4 The group developed a new approach for this LBAP which focused on a smaller number of themes and actions than before. Working from the relevant outcomes in the Single Midlothian Plan, a series of priorities were developed, as listed below:

- Priority 1 - Supporting pollinators;
- Priority 2 - Encouraging homes for wildlife;
- Priority 3 - Enhancing the water environment;
- Priority 4 - Tackling invasive non-native species;
- Priority 5 - Positive integration of people and nature;
- Priority 6 - Protected sites and species.

3.2.5 These priorities are supported by practical actions and alongside these are explanations of why they are important, how they will be achieved and partners who will be involved in doing so. The actions are then summarised in the Delivery Programme which includes an indicator and target for each action, which will be used to measure progress. This evidence will help assist the Council prepare its ‘Biodiversity Report’, which is a requirement of the Wildlife and Natural Environment (Scotland) Act 2011 and is next due to be published in late-2020.

3.2.6 The LBAP is a material consideration in assessing planning applications and will be taken into account alongside the aims of the MLDP, which seeks to enhance Midlothian’s natural environment through its policies. Policy ENV15, Species and Habitat Protection and Enhancement expects that development proposals show compatibility with the aims and objectives of the LBAP. This position ensures that by setting out priorities and actions, the LBAP will assist with the Local Development Plan’s aims.

Photos in section 3.2 – On previous page; Dalkeith Woods, by Richard Webb (https://creativecommons.org/licenses/by-sa/2.0/). On this page, Fala Flow designated nature conservation site by Walter Baxter, (https://creativecommons.org/licenses/by-sa/2.0/).
3.3 - Legal Agreements and Developer Contributions

3.3.1 In the last year, the Council has continued with its standard practice of requiring that when resolving to approve an application for which a planning obligation is necessary, that the agreement is completed within six months. The failure to complete one within this timescale would result in the planning application being refused due to the lack of a necessary obligation being in place, which would mean that the proposed development would be contrary to the development plan. This approach has brought a greater focus to the completion of agreements and hence the ability to issue permissions sooner as well as reducing the likelihood of legacy cases.

3.3.2 As part of its pre-application service, the Council meets regularly with major developers and landowners to provide advice on its approach to future developments. This includes providing pre-application advice in relation to Planning Obligations, and as part of these discussions the Council engages with developers, professionally advises and responds constructively to their submissions. For example, in relation to an enquiry regarding the development of a terrace of commercial units at Straiton Retail Park, this involved discussions between the Case Officer, the applicant and the Section 75 Officer around the required contributions towards the new A701 Relief Road. These pre-application communications provided clarity to the developer, who went on to submit an application which was approved in late-2018. Alongside it was a legal agreement to secure a contribution from them towards this important piece of infrastructure.

3.3.3 While proposals such as this involve pre-application discussions around a specific project, more typically they involve negotiations around the type and tenure of affordable housing to be sought and the education infrastructure that will be required. Given the significance of education infrastructure provision, the discussion will include information about pupil rolls, anticipated capacity solutions, the cost basis of those solutions and anticipated pupil products from proposed new developments.

3.3.4 This information on clear and proportionate expectations for developer contributions as set out in both pre-application discussions and in planning policy documents assists in the timely conclusion of legal agreements (and therefore issuing planning consents). For example, the importance of developer contributions is emphasised early in the LDP, which also includes details of:
- Policies to which developer contributions are relevant;
- Location-specific projects for which contributions will be required, e.g. community heating at Shawfair;
- Issues regarding developer contributions for each particular allocated site.

3.3.5 The advice in the LDP will sit alongside the Supplementary Guidance on Planning Obligations, which is currently in preparation, to provide a clear approach to future requirements when adopted. Even prior to this though, the clarity towards legal agreements and developer contributions that the Planning Team provide can be illustrated by specific developments handled in 2018/19.
3.3.6 In relation to concluding or reconsidering applications after resolving to grant consent, for example, an application for 191 residential units at Bilston was approved at Planning Committee in April 2018. The Section 75 agreement was extensive and included contributions for typical infrastructure requirements such as education provision, affordable housing and legal requirements relating to the management of open space at the site. Due to the location of the development there was also an expectation in the LDP for a contribution towards the future A701 Relief Road. These requirements were included in the legal agreement, which was concluded in November 2018, within six months of the resolution to grant planning consent.

3.3.7 On the other hand, it is sometimes necessary to ensure that dated applications are withdrawn if negotiations regarding infrastructure payments cannot lead to an agreement that secures sufficient funding for Council services. For example, an application for five homes on a vacant site in Newtongrange had been resolved for approval, but a legal agreement could not be agreed six months after this date, so it was then refused.

3.4 - Planning Policy and the Local Development Plan

3.4.1 The Midlothian Local Development Plan was adopted in late-2017, and so 2018/19 was the first full financial year that it has been in place. The Planning Team has set up a monitoring system to examine how its policies are operating and the output of this is already helping to shape the content of the next LDP. It is being used to:

- Identify any gaps in policies or conflict between them;
- Look at the consistency of how policies are applied by Case Officers;
- Examine how policies perform when tested at appeal.

3.4.2 Other work being done to ensure that the next LDP is on course for adoption within five years includes regular cross-sector stakeholder meetings that will help to shape the content of the Main Issues Report (MIR). This will precede the next LDP and provide a focus for its content. These meetings now take place regularly with SNH, SEPA, Forestry Commission Scotland (recently rebranded as Scottish Forestry), Scottish Water, SEStran (the South East Scotland Transport Partnership) and the NHS. These are scheduled for every quarter and have included:

- Planning Officers receiving updates on major items of work that agencies are involved with, for example flood risk mapping and air quality monitoring;
- Working with Scottish Water to give the earliest possible notification of new development coming forward so this can be built into their modelling;
- Arranging a training event with SEPA on understanding groundwater;
- Corporate working across Council services, as colleagues within Transport and Environmental Health have joined meetings where there was overlap with their work.
3.4.3 These early engagement meetings with cross-sectoral stakeholders are helping to shape the next MIR. The Development Plans Section have been compiling a spreadsheet of ‘emerging issues’ that others within the wider Planning Team have contributed to. As part of the meetings, agencies’ views have been sought on these issues and any others that they feel deserve attention within the MIR. Stakeholders have also been approached with regards to the content of the next LDP’s policies.

3.4.4 Planning authorities are required to write a Development Plan Scheme (DPS) each year to outline their intentions with respect to preparing, reviewing and consulting on the next development plan over the coming twelve months. The latest DPS was submitted to Scottish Ministers in March 2019.

3.4.5 The timetable for the second LDP is linked to the progress of the second Strategic Development Plan (SDP2). It was submitted to Ministers for approval in July 2018 and a decision on its adoption was pending at the conclusion of the PPF reporting year\(^5\). The approval of SDP2 will trigger a requirement to replace the MLDP, however the requirements for the next one are uncertain due to the ongoing delay. Midlothian’s Planning Team does not wish to issue a new MIR until it has clarity as to what it may require. This is particularly important with respect to housing land.

3.4.6 Despite uncertainty in this area, the DPS still has the role of project planning the delivery of the next LDP. The current timetable is:

- Winter 2019/20 - MIR publication;
- Autumn 2020 - publication of the Proposed LDP2 for representations;
- Spring 2021 - submission of LDP2 to Scottish ministers;
- Summer 2021 to autumn 2021 - examination of LDP2;
- Spring 2022 - adoption of plan.

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\(^5\) Since the conclusion of the 2018/19 financial year and mid-way through writing this report, SDP2 was rejected by Scottish Ministers. It is recognised that this will change the process and timescales for producing the next LDP and its associated documents. This PPF report however follows the Heads of Planning Scotland Guidance Notes in that it reports the position as of the end of the reporting year (31/03/2019). Changes resulting from the rejection of SDP2 fall in the 2019/20 PPF reporting year and will be discussed in that year’s report.
3.4.7 The latest DPS timetable therefore identifies that the next LDP is on course for adoption within five years of the approval of the current one. The DPS also outlines the project planning that will ensure the delivery of the next plan within this timescale. It describes the work that has already been done for plan preparation, including:

- Establishing liaison arrangements with community planning colleagues;
- Carrying out regular liaison meetings with Key Agencies;
- Updating the consultee database so that it is GDPR compliant;
- Forming a Development Plan Monitoring Group;
- Publishing updated housing and employment land audits;
- The on-going collection of information to inform LDP2 preparation.

3.4.8 The DPS also includes a Participation Statement which sets out how, when and with whom the Council will consult on its next LDP. The timescale for these activities may change depending on events with SDP2 but the Planning Team’s current aims and objectives for managing the process are:

- To seek to use best practice, looking at the approach of exemplar Scottish local authorities and Planning Aid for Scotland;
- Producing information across a variety of formats, including our website, consultation portal and social media; as well as using graphics and maps alongside traditional written material;
- Working closely with neighbourhood planning and community planning partnerships;
- Exploring the potential for co-production of parts of the second LDP with cross sector stakeholders and other interested parties;
- Continuously improve by reviewing our engagement activities;
- Make information available as early as possible;
- Use plain language and translate into main community languages on request;
- To consider all engagement activity in the context of the Council’s public sector equality duties;
- Provide events in communities throughout Midlothian.

3.4.9 An important part of preparing the new local development plan is getting early input from the Council’s Elected Members. Given that the production of LDP2 depends on the approval of SDP2 there has been limited scope for doing so in 2018/19, however there have been several instances where their input has been obtained.

3.4.10 Councillors were engaged via the DPS, which, as set out above, demonstrates the process for producing the second LDP and how they can be involved in it. The DPS was approved by Elected Members at Planning Committee, and as part of these meetings, Councillors have been updated regarding the SDP’s status. This year, they were also informed of the changes to the planning system that may take place as a result of the Planning (Scotland) Bill and they discussed how this may change the way
that they are involved in the production of development plans and preceding MIRs (which the bill proposes replacing with a ‘consultation draft plan’). The Planning Manager briefed the Chair of the Planning Committee about such matters following the release of the SDP2 Report of Examination in mid-2018. As part of regular planning committee meetings, Elected Members also receive updates on the relation of the MLDP’s policies to major developments. This background will provide a basis for them to inform the policy content of the next LDP.

3.4.11 The approval of SDP2 will trigger a review of the LDP and in advance of this, the Planning Team is preparing for engaging Elected Members with the next MIR. The output of the ‘emerging issues’ discussions within the department will likely form a basis for this, with additional input from Councillors on any topics that they would like a particular focus on. This may take place via workshops, which were used for the current LDP. The Planning Team also remain receptive to requests for engagement from Councillors, for example via seminars and drop-in sessions, which formed part of past engagement processes too. Once such events take place, there will be wider community engagement, but the Team recognise the importance of the prior engagement of Councillors and will do this as a first step.

3.5 - Case Study: IT Product Knowledge Sharing

3.5.1
- **Location:** Fairfield House, Dalkeith
- **Related Elements of a High Quality Planning Service:**
  - Quality of outcomes
  - Quality of service and engagement
  - Culture of continuous improvement
- **Related PPF Performance Markers:**
  - 6 - Continuous improvement
  - 12 - Corporate working across services
  - 13 - Sharing good practice, skills and knowledge
  - 15 - Developer contributions
- **Key Areas of Work:**
  - Process improvement
  - Skills sharing
  - Online systems
- **Stakeholders Involved:**
  - Authority planning staff
  - Authority (other) staff

3.5.2 Midlothian Council’s Planning Team use a variety of IT products to enable work to be done efficiently and to a high standard. These include ArcGIS for producing maps, Uniform for recording details of applications, Objective to produce documents for consultation and Exacom, to record developer contributions.
3.5.3 The implementation and use of these products has often involved sharing good practice, skills and knowledge between Midlothian Council and other local authorities. With Exacom for example, the Council jointly-procured the system in mid-2017 with West Lothian Council. Since it was installed that autumn, it has provided the department with a much clearer picture of planning obligations associated with developments, amounts due, the specific pieces of infrastructure that they relate to and payment schedules. This will help ensure that developer contributions are received promptly and in full and that different Council services can track what funds will be available to them.

3.5.4 During 2018/19, the Planning Team’s Compliance Officer and ePlanning Administrator provided a demonstration of Exacom to representatives of Highland Council so that they could assess whether it could potentially be of benefit to them too. This included an overview of its functions, such as how planning applications and their corresponding legal agreements are uploaded into it, how clauses are entered into these records, how to raise demand notices for contributions that are due, how to notify the system when money is received then how to apply it to different projects. The demonstration then moved on to showing what Exacom can do with all this information, such as creating example reports to showcase the different ways that Exacom can present the data.

3.5.5 The demonstration built upon the in-house work that the Compliance Officer and Section 75 Lead Officer had done at other times during the year. This included providing demonstrations to the Development Plans section so that they could use Exacom to assess whether the infrastructure requirements of the Local Development Plan were being met and demonstrating how to use the system to the department’s two Senior Technical Clerks so that they could assist with entering Section 75 agreements.

3.5.6 The Lead Officer of the Development Plans Section and a fellow Planning Officer conducted a similar demonstration project for another Local Authority later in 2018/19.

3.5.7 Midlothian’s Planning Team have extensively utilised the Objective software products, including to produce all key Local Development Plan documents and pieces of Supplementary Guidance. Objective allows questions and topics for comment to be embedded within documents. This then enables consultees and residents to provide their input, for their views to be stored in an organised way and then to be analysed to identify any considerations to be taken into account in later versions of the document. These parties can also receive alerts and timescales for about future consultations via
a dedicated page on the Council website (the Development Plan Portal). This also contains a demonstration video on how to use the Portal and contact information for the Development Plans Section of the department. Overall, this approach ensures that as many organisations and people as possible get an opportunity to comment on key planning documents.

3.5.8 The extensive experience that the Planning Team have gained in using Objective was put to use in 2018/19 in two respects. Firstly, trouble-shooting tips were shared with Highland Council at and after a User’s Group meeting in November 2018. Then in early 2019, a thorough demonstration of the software was provided to another local authority.

3.5.9 They were considering purchasing it for producing their LDP and wanted to get the views of an existing customer who had a working knowledge of it. A Lead Officer, Planning Officer and the ePlanning Administrator talked them through Objective, including:

- How to create and publish documents and events;
- How to manage the database of consultees and representations, including meeting GDPR requirements whilst doing so;
- General tips that have been acquired through Midlothian’s experience;
- The product’s benefits, including that it allows the creation of a centralised customer database which saves time in comparison to other software;
- Lessons learned, such as the importance of sharing product knowledge to get the most out of Objective and considerations relating to the most suitable contract.

3.5.10 The demonstration was particularly important given the context of limited Council budgets requiring all spending to be thoroughly justified, and also given the local authority taking part were considering using Objective for a sizeable and important project: their next LDP. The meeting proved to be worthwhile, as the customer provided feedback indicating that they found that getting the ‘perspective of another planning authority was insightful and immensely helpful’.

3.5.11 A third and final example of Midlothian Council’s Planning Team sharing good practice, skills and knowledge with another local authority concerns assistance provided to Comhairle nan Eilean Siar (Western Isles Council).
3.5.12 During 2018/19, the Planning Technician worked with the Development Plans Section to integrate maps of spatial constraints to development into Uniform (the system where planning application records are held). As a by-product of this work, it meant that the department were able to respond to a call for technical help from Comhairle nan Eilean Siar regarding enabling the constraints layers for use with the development control module in Uniform and producing reports based on the constraints checks. This is a relatively complicated task that is not well documented in other user guides but as the Planning Technician had recently done this work internally he was able to assist.

3.5.13 The work involved authoring a detailed technical note. This provided a step-by-step guide including:

- Necessary GIS-based work prior to entering the spatial data into Uniform, such as formatting attribute data so that it provides legible reports for Planning Officers;
- Coding spatial constraints files, uploading the layers into the Uniform map window and integrating it with its Development Control module;
- Creating ‘buffers’ round constrained areas, for example to identify where a development may have an impact even though it isn’t exactly within the defined area of the constraint itself;
- How to run reports which display the relevant planning policy considerations if a development overlaps with a spatial constraint or its buffer area.

3.5.14 The exercise was successful and the customer responded with positive feedback thanking the Planning Technician for his willingness to help and for sharing his expertise. They indicated this was especially welcome as the official guidance documents were of limited assistance.
4 - Service Improvement and Staffing

4.1 - Workforce Information

<table>
<thead>
<tr>
<th>Head of Planning Service⁶</th>
<th>Tier 1 Chief Executive</th>
<th>Tier 2 Director</th>
<th>Tier 3 Head of Service</th>
<th>Tier 4 Manager</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Staff age profile</th>
<th>Headcount</th>
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</thead>
<tbody>
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</tr>
<tr>
<td>30 - 39</td>
<td>6</td>
</tr>
<tr>
<td>40 - 49</td>
<td>12</td>
</tr>
<tr>
<td>50 and over</td>
<td>6</td>
</tr>
</tbody>
</table>

⁶ Note: before his retirement in late-2018, the Head of the Planning Service was formerly the Head of Communities and Economy, encompassing Economic Development, Environmental Health, Trading Standards, Communities and Performance, Building Standards and Planning. The Planning Manager manages a single Planning Team responsible for development plans, planning applications, enforcement and conservation.
Planning Team structure as of 31/03/2019.

Planning Manager

- Lead Officer: Local Developments
  - Planning Officer: Local Developments
  - Planning Officer: Local Developments
  - Planning Officer: Local Developments
  - Planning GIS Technician
  - Planning Information Officer

- Lead Officer: Major Developments & Enforcement
  - Planning Officer: Major Developments
  - Planning Officer: Enforcement
  - Planning Officer from Dev. Plans (1 day per week)

- Lead Officer: Planning Obligations
  - CARS Support Officer
  - Planning Officer: Conservation & Environment
  - Planning Officer: Conservation & Environment

- Lead Officer: Planning Obligations
  - Planning Officer: Conservation & Environment
  - Planning Officer: Conservation & Environment
  - Planning Officer: Development Plans
  - Planning Officer: Development Plans
  - Planning Officer: Development Plans
  - Planning Officer: Development Plans

- Lead Officer: Development Plans
  - THI & CARS Project Manager
  - Landscape Officer
  - Senior Technical Clerk
  - Senior Technical Clerk
  - Senior Technical Clerk
  - Eplanning Officer
  - Research & Information Officer
4.2 - Planning Committee Information

4.2.1 Midlothian Council meets on a six weekly cycle and comprises all 18 Elected Members. In relation to planning matters, it delegates its regulatory responsibilities to its Planning Committee, but it makes planning policy decisions regarding the SDP and the area’s LDP. It also makes decisions regarding heritage and regeneration projects which are managed and implemented by the Planning Service.

4.2.2 Midlothian Council’s Planning Committee is responsible for determining planning applications, enforcing planning legislation, confirming Tree Preservation Orders and other related matters. The Committee comprises all 18 Elected Members of the Council, with a Chair selected by the Committee from its composition. It normally meets on a six weekly basis, with a rolling annual schedule of meetings and requires a minimum of six Elected Members to be in attendance.

4.2.3 Midlothian Council’s Local Review Body is responsible for reviewing decisions made by an appointed Planning Officer on planning applications. It comprises ten Elected Members, with a Chair determined by the membership of the Committee. It normally meets on a six weekly cycle with a rolling annual schedule of meetings and requires a minimum of three Elected Members to be in attendance.

4.2.4 The schedule of Planning Committee and Local Review Body meetings are listed on the Council’s website alongside the agenda for each meeting, documents discussed at them and minutes of previous meetings. Planning Committee meetings are also recorded. They were formerly available in the form of an audio download and are now viewable as a ‘webcast’ video via a link on the relevant page of the Council website.

<table>
<thead>
<tr>
<th>Committee &amp; site visits</th>
<th>Number per year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full council meetings</td>
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</tr>
<tr>
<td>Planning committees</td>
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<td>Area committees</td>
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<td>Committee site visits</td>
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<tr>
<td>Local Review Body</td>
<td>8</td>
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<tr>
<td>LRB site visits</td>
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</tr>
</tbody>
</table>
## 4.3 - Culture of Continuous Improvement

### 4.3.1 The Planning Team recognise that working across corporate services can deliver improved outputs and benefits for customers. This interdisciplinary working is therefore encouraged and widely practiced. Some examples are provided in the table below.

<table>
<thead>
<tr>
<th>Planning Team Section</th>
<th>What other Council services did they work with?</th>
<th>What did they work together on?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enforcement</td>
<td>Environmental Health</td>
<td>Houses in Multiple Occupation, hot food premises, licensing, noise</td>
</tr>
<tr>
<td></td>
<td>Housing</td>
<td>Breaches of planning control</td>
</tr>
<tr>
<td></td>
<td>Trade Waste</td>
<td>Fly-tipping</td>
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<tr>
<td></td>
<td>Estates</td>
<td>Land ownership issues</td>
</tr>
<tr>
<td></td>
<td>Land Resources</td>
<td>Rights of way, core path access</td>
</tr>
<tr>
<td>Developer Contributions</td>
<td>Legal Section, Property, Education, Financial Services, Community Planning</td>
<td>Future education requirements and ongoing infrastructure payments, for example in relation to Shawfair Area sites</td>
</tr>
<tr>
<td>Development Plans</td>
<td>Environmental Health</td>
<td>MLDP sites review and Resource Extraction Supplementary Guidance</td>
</tr>
<tr>
<td></td>
<td>Travel Team</td>
<td>MLDP sites review</td>
</tr>
<tr>
<td></td>
<td>Community Planning, Education</td>
<td>A new Gorebridge Secondary School</td>
</tr>
<tr>
<td></td>
<td>Community Planning</td>
<td>Using the ‘Objective’ IT product for a consultation event.</td>
</tr>
<tr>
<td></td>
<td>Property Maintenance (Energy Officer)</td>
<td>Annual emissions reporting and developing a new Climate Change Strategy</td>
</tr>
<tr>
<td>Conservation &amp; Environment</td>
<td>Land Resource Services, Active Travel</td>
<td>Green Networks Supplementary Guidance</td>
</tr>
<tr>
<td></td>
<td>Policy &amp; Road Safety, Economic Development</td>
<td>Town Centre Health Checks</td>
</tr>
<tr>
<td></td>
<td>Travel Team, Communications, Financial Services, Property Maintenance</td>
<td>Penicuik Heritage Regeneration Scheme</td>
</tr>
<tr>
<td></td>
<td>Land Resource Services, Midlothian Ranger Services</td>
<td>Midlothian Local Biodiversity Action Plan</td>
</tr>
<tr>
<td>Development Management</td>
<td>Commercial Services: Zero Waste Director</td>
<td>Shawfair district heating and waste management facilities</td>
</tr>
<tr>
<td></td>
<td>Environmental Health, Education, Surveying Services</td>
<td>Various GIS mapping projects (e.g. school catchment mapping) and data sharing</td>
</tr>
<tr>
<td></td>
<td>Building Standards, Environmental Health, Licensing, Digital Services</td>
<td>Moving IDOX/Uniform records to a web-based off-site system</td>
</tr>
<tr>
<td></td>
<td>NHS Lothian, Property &amp; Facilities Management, Finance &amp; Integrated Service Support</td>
<td>Shawfair Working Group, Shawfair Board</td>
</tr>
<tr>
<td>Planning Technician</td>
<td>Building Standards, Roads, Digital Services</td>
<td>Maintenance of the Midlothian Gazetteer in relation to the garden waste charge rollout</td>
</tr>
</tbody>
</table>
4.3.2 Partly due to Midlothian’s location, planning matters often involve sharing good practice, skills and knowledge with neighbouring Councils. The Planning Team also recognise the benefits of working with Councils throughout Scotland as a whole. Some examples of this during 2018/19 include:

- Reviewing the methodologies and content of other Local Authority’s Employment Land Audits to apply examples of good practice into a fundamental review of Midlothian’s own audit.

- Cross-boundary work with the City of Edinburgh Council regarding housing applications in the ‘South East Wedge’ area of Midlothian. This involved reviewing applications and collaborating with colleagues from Transport to formulate a response.

- Meeting with PPF peer-review partners and reviewing other Council’s PPF submissions, to provide suggestions regarding the content of Midlothian’s report.

- Attending the newly-formed Planning Statistics Working Group alongside other Councils to set the remit of the group and discuss ideas on the future of planning performance statistics.

- Taking part in the Lothian and Borders Geo-Conservation Group alongside planning representatives from the City of Edinburgh, West Lothian and East Lothian Councils.

- Participating in the Local Government Benchmarking Framework with other Councils within Midlothian’s ‘family group’.

- Attending a group with the Scottish Futures Trust, COSLA and staff from other Councils on developing a common approach to developer contributions. The group meet every six weeks.

- Consulting neighbouring SESplan authorities regarding how best to record affordable housing approvals and completions in Midlothian’s Housing Land Audit.

- Working with Perth & Kinross Council via a user group to update how Uniform (a planning records IT system) deals with Local Reviews.

- Detailed consultation with the City of Edinburgh Council and East Lothian Council and further communication with West Lothian Council and Scottish Borders Council on cross-boundary linkages in green networks as part of the Midlothian and SESplan Supplementary Guidance on this issue.

- Participation with other SESplan members as part of its Joint Committee and Project Board.
4.3.3 In addition to the benefits of working with other Council Services and Local Authorities elsewhere in Scotland, there are a number of other actions that have been taken internally during 2018/19 as part of a culture of continuous improvement.

4.3.4 Despite the current environment of financial restraint in local government, the Planning Team is committed to supporting staff continue their development. The Council’s corporate personal development programme is called ‘Making Performance Matter’ (MPM) and is focused on ensuring that development targets are set and achieved. Progress is reviewed every six months.

4.3.5 MPM goals may involve training courses, and during 2018/19 these have included an event run by Forestry Commission staff on tree felling licencing, Government policies regarding woodland removal and EIA Forestry Regulations. Knowledge sharing also takes place via working across Sections within the department, such as splitting the time of a Planning Officer between the Development Plans and Development Management Sections, the remaining Planning Technician helping to improve the mapping skills of the Research & Information Officer following the departure of the GIS Technician, and staff from numerous Sections taking part in ‘Town Centre Health Checks’ in mid-2018.

4.3.6 Lastly in relation to the culture of continuous improvement, there has recently been closer joined-up working between the Council’s Planning Team and its Property, Education and Financial services. This took place in relation to identifying the Council’s future education infrastructure requirements, the existing held contributions that can be applied to them and likely future contributions. It will create the ability to deal with future planning applications more speedily and lead to a clearer approach to infrastructure payments so that applicants can build these considerations into their proposals from an early stage.

4.4 - Case Study ‘Career Ready’ Mentoring

4.4.1

- **Location:** Fairfield House, Dalkeith
- **Related Elements of a High Quality Planning Service:**
  - Quality of service and engagement
  - Culture of continuous improvement
- **Key Areas of Work:**
  - Skills sharing
  - Community engagement
- **Stakeholders Involved:**
  - Authority planning staff
  - Hard to reach groups
4.4.2 One of the Planning Officers in the department took part in a mentoring programme organised by Career Ready, a UK-wide charity who work with organisations to prepare young people for employment. They offer a structured programme of employer engagement that enables schools and colleges to meet their statutory duty for careers. The aim of this work is to make sure that Career Ready students have the skills that employers are looking for in new recruits.

4.4.3 The Planning Team’s mentor for Career Ready has had several responsibilities in this role, including:

- Providing opportunities for the student to experience the real world of work to reinforce classroom learning, e.g. through visits to the workplace;
- Supporting the student’s understanding of how to present themselves in a professional and appropriate way;
- Enabling the student to identify their personal strengths and areas for development in relation to their career goals;
- Encouraging the student to explore career paths and understand how to navigate their way through their career;
- Helping the student to develop the personal resilience necessary to deal with constructive criticism, stress and adversity;
- Helping the student develop a network of contacts.

4.4.4 The Planning Officer taking part as a mentor started supervising a student from Penicuik High School in September 2017. This involved two mentor meetings per school term with a review of different tasks to develop core skills and identify areas for improvement (communication, listening, organisation, self-management, problem solving etc.). This work culminated with the mentee completing an internship with the Planning Team in mid-2018 which lasted four weeks. Their tasks included:

- Shadowing and assisting Planning Officers, e.g. when processing planning applications;
- Carrying out site visits and taking photographs to assist case officers;
- Carrying out desk-based planning research, such as:
  - Researching what fees other Councils charged for planning services such as pre-applications, non-material variations etc.;
  - Assisting with the planning guidance on electric vehicle charging points;
  - Looking into updating the Planning Team’s current frequently asked questions website page;
- Assisting the Planning Information Officer in the delivery of the Duty Service by providing administrative help.

4.4.5 At the end of the internship, the mentee was asked to prepare a talk about her time in Fairfield House with the Council. She completed a short presentation to the Planning Team which was followed up with a question and answer session. The internship improved the mentee’s confidence and provided core preparation for entering any workplace.
4.4.6 After the mentee completed the internship, she had additional meetings with her mentor in the department to discuss what she gained from it. She also completed exercises set by Career Ready to further develop core skills such as interview techniques and CV writing.

4.4.7 The mentorship formally ended in late March 2019, although if there is mutual agreement, there is scope for the mentor still to offer ongoing advice and guidance.

4.5 - Progress on Service Improvements for 2018/19

4.5.1 In its last Planning Performance Framework report, the Planning Team proposed five service improvements for 2018/19 (shown in italics below). Good progress has been made on all of these actions as set out in the following paragraphs.

4.5.2 ‘Establish Key Liaison Group Meetings as a part of a systematic development plan monitoring regime, which will also include policy monitoring, quarterly group update sessions and the potential for cross collaboration with other Council services’.

This has been achieved. A schedule of regular meetings has been set up with SNH, SEPA, Scottish Forestry, Scottish Water, SEStran and the NHS. Other Council services have attended where appropriate, including Transport and Environmental Health. MLDP policy usage is also now recorded and discussed in quarterly Development Plan Monitoring Group meetings.

4.5.3 ‘To promote the use of the ‘Objective’ IT product as a means of driving both increased customer engagement with the Planning Team’s work and improved efficiency within the Team itself. This will include using Objective to offer greater flexibility for stakeholders to be aware of and comment on outputs. It will also involve the wider training of staff on its functions to allow more flexible working and will reduce back office workloads’.

This has been mostly achieved. Although funding and timetabling issues constrained the ability for formal training to take place during 2018/19, it has taken place since and considerable progress has been made in other respects too. Important planning policy documents have been published using Objective, including the latest DPS and all the pieces of Supplementary Guidance produced during 2018/19. Objective is also used as the default method for consultation on such documents and a mid-year update of the consultee database took place to ensure that it was GDPR-compliant. Five members of staff attended the annual Objective ‘User Group’ meeting to discuss best practice in using the software with its developers and staff from other Councils. Finally, towards the end of the reporting year, the planning page of the Council’s website was also updated to include documents as embedded Objective items.
4.5.4 ‘Commence the implementation of the Penicuik Heritage and Regeneration Scheme:

1. Securing Heritage Lottery Funding for the Townscape Heritage and Conservation Area Regeneration Scheme project in Penicuik;
2. Implement public realm works in the historic core of Penicuik town centre as part of the wider project. This early implementation will harness support for and increase awareness of the project for its future stages beyond 2018/19; and
3. Secure the staff for the Penicuik project to undertake the project’s action plan’.

All three of these targets have been achieved. Funding was approved in early 2018/19, staff were then appointed, a week of launch events were arranged to announce and promote the project as a whole, and public realm works started later in 2018 and are due to be complete early in the 2019/20 financial year.

4.5.5 ‘Review the planning application end-to-end process with a view to streamlining procedures. It has been a number of years since the last process mapping exercise and it is acknowledged that time efficiencies could be made at different stages’.

Members of the planning team raised the issue of potential efficiencies that could be made in relation to the validation and registration of planning applications. This was the first step in streamlining the planning application process.

The mapping of the front-end of the planning application process successfully identified some potential efficiencies but after this meeting, it became clear that the Council’s constrained budgetary situation was going to result in a review of the Planning team and the team providing administrative support to the planning service. As a result of this, and in order to avoid abortive work, it was decided to postpone further process mapping work until it was clear what the new structure of the Planning team would look like. The service review is now close to completion and its implementation will result in the progression of the process mapping exercise.

4.5.6 ‘Roll out the use of the Exacom Planning Obligations database to other service areas of the Council’.

Work on this is ongoing. The Compliance Officer, who assisted the Lead Officer for developer contributions, left the Council in late-2018. The priority until her departure was entering the details of legal agreements into the Exacom program; this being a pre-requisite for assessing where in the Council that contributions should go. This has continued as other staff in the department have been trained in how to do this, meaning the target can be carried over as a service improvement for 2019/20.
4.5.7 ‘Approve Supplementary Guidance in relation to Food & Drink, Quality of Place, Planning Obligations, Green Networks, Special Landscape Areas and Resource Extraction’.

This has mostly been achieved. Four of these six pieces of Supplementary Guidance have been adopted and drafts of the other two are in production. The Quality of Place guidance is in preparation and a first draft of the Planning Obligations guidance has been written and is with the Planning Manager to review prior to it being presented to the Planning Committee. Supplementary Guidance on Food & Drink, Green Networks, Special Landscape Areas and Resource Extraction have all been completed and formally adopted.

4.6 - Intended Service Improvements for 2019/20

4.6.1 Despite the current resource constraints facing local authorities in general, including Midlothian Council, the Planning Team intend to take an ambitious approach regarding targets for the next PPF reporting year. We intend to implement the following 12 service improvements. This represents the largest number of targets the department has proposed in any PPF report.

- Implement changes resulting from the Planning Team service review, including the redefinition of job roles, the reassignment of staff to different Sections within the department and introduce a new team structure.

- Instigate a series of bi-monthly Planning Team meetings to promote further knowledge-sharing and best practice across the department as a whole and to keep each other better informed of ongoing work tasks.

- Roll out the use of the Exacom planning obligations database to other service areas of the Council to inform them of received and future developer’s contributions payments.

- To commence a set of meetings with internal Council services (such as Housing Services, Economic Development and Building Standards) to brief them on the development plan preparation process and engage with them from the outset of its production.

- To modify the Housing Land Audit so that it captures all social housing units, both to be built in future and those completed in the current audit year, distinct from market units. This will be an important pre-cursor to the next Local Development Plan, which will likely have affordable housing as a main issue.
• Adopt Supplementary Guidance on Development in the Countryside and Green Belt, Low Density Rural Housing, Quality of Place, Advertisements, Planning Obligations & Affordable Housing, and also the Planning Guidance on Nature Conservation.

• To build on the work of the now-completed CARS scheme in Gorebridge by implementing the elements of the Gorebridge Connected project, particularly the redevelopment of the listed former Railway Station House.

• Facilitate the take up of grants for the repair and restoration of key historic buildings as part of the Penicuik Heritage Regeneration Scheme.

• Work with partner organisations to progress nature conservation in Midlothian by delivering on actions identified in the recently-approved Local Biodiversity Action Plan.

• Implement a Council-wide Climate Change Strategy, including an audit of existing work in this area and targets relating to priority areas for carbon emissions reductions.

• Work with Shawfair LLP and SEPA to agree the content of then adopt a Sustainable Growth Agreement for Shawfair to promote environmentally, socially and economically considerate development in the ‘South East Wedge’ area of Midlothian.

• To encourage the uptake of processing agreements amongst major development applicants by reviewing and simplifying the information provided about them on the Council website.
5 - Appendices

5.1 - National Headline Indicators for Development Planning

<table>
<thead>
<tr>
<th>Local and strategic development planning</th>
<th>2018/19</th>
<th>2017/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age of LDP at end of the reporting period</td>
<td>1 year, 4 months</td>
<td>0 years, 4 months</td>
</tr>
<tr>
<td>Age of SDP at end of the reporting period</td>
<td>6 years, 9 months</td>
<td>5 years, 9 months</td>
</tr>
</tbody>
</table>

5.1.1 Will the LDP be replaced by its 5th anniversary according to the DPS?

Yes. DPS11 plans for the adoption of LDP2 by spring 2022.

5.1.2 Will the SDP be replaced by its 5th anniversary according to the DPS?

No. It was anticipated that the new SDP would be approved following the release of its Report of Examination in summer 2018, however this did not take place and the SDP has been rejected by Scottish Ministers since the end of the PPF reporting year.

5.1.3 Has the expected date of submission of the LDP to Scottish Ministers in the DPS changed over the past year?

Yes, the expected date of submission is later, due to delays with the new SDP since writing DPS10.

DPS10 anticipated the approval of SDP2 in summer 2018, however although its Report of Examination was released then, no decision was made on it in the remainder of the 2018/19 reporting year\(^7\). DPS11 moved the submission of LDP2 to Scottish Ministers to a later date in response.

5.1.4 Were DPS engagement/consultation commitments met during the year?

\(^7\) The rejection of SDP2 by Scottish Ministers since then will have future implications for the LDP production timetable included in DPS11 too.
These have been partially met: delays in the approval of SDP2 have impacted upon LDP2, and the planned programme of activities was amended to reflect this uncertainty.

Our activity can be summarised as follows:

- DPS 10 was published as timetabled and distributed as planned.
- In terms of regular review and updates, we have not prepared monthly bulletins to update LDP progress - the delays in adoption of SDP2 meant that there was little information to impart on such a regular basis over the DPS10 period. DPS11 amends this.
- With respect to evidence gathering and early awareness raising, information relevant to LDP2 is being published online and we have been promoting online engagement. Regular meetings with key agencies are being held, as well as with internal Council contacts. We have been responsive to requests for engagement from Community Councils and have distributed the DPS (past and current) to them.
- The planned update of the consultation database to be GDPR-compliant was achieved.
- We have not prepared press releases, information leaflets or stakeholder briefings because of the delay to SDP2 and it was our judgement that it was better to have more certainty as to the strategic plan before engaging further.

<table>
<thead>
<tr>
<th>Effective land supply and delivery of outputs</th>
<th>2018/19</th>
<th>2017/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Established housing land supply</td>
<td>13,580 units</td>
<td>13,708 units</td>
</tr>
<tr>
<td>Five-year effective housing land supply programming</td>
<td>5,371 units</td>
<td>5,133 units</td>
</tr>
<tr>
<td>Five-year effective housing land supply total capacity</td>
<td>9,251 units</td>
<td>9,098 units</td>
</tr>
<tr>
<td>Five-year housing supply target</td>
<td>4,410 units</td>
<td>4,336 units</td>
</tr>
<tr>
<td>Five-year effective housing land supply</td>
<td>6.1 years</td>
<td>5.9 years</td>
</tr>
<tr>
<td>Housing approvals¹</td>
<td>2,601 units</td>
<td>1,253 units</td>
</tr>
<tr>
<td>Housing completions over the last five years</td>
<td>3,146 units</td>
<td>3,189 units</td>
</tr>
<tr>
<td>Marketable employment land supply²</td>
<td>215.93ha</td>
<td>68.2ha</td>
</tr>
<tr>
<td>Employment land take-up during reporting year³</td>
<td>7.1ha</td>
<td>5.5ha</td>
</tr>
</tbody>
</table>

Notes:

- ¹ This includes units consented as part of DPP, MSC and PPP applications. It therefore also includes MSC and DPP consents for sites already with PPP approval, which leads to an inflated figure due to double-counting between years. For example, 86 units were approved for a site in Loanhead this year as part of an MSC application. These 86 units also counted towards the number of housing approvals in a previous PPF reporting year.
1 Some approved housing applications are for amendments at sites that already have planning consent, which also leads to double-counting between years. For example, an application to amend the house types for 13 units was approved for site h25 in Penicuik. These 13 units would have also counted towards the housing approval numbers provided in a previous PPF report when the original PPP application was consented.

2 The high increase in marketable employment land supply between 2017/18 and 2018/19 is due to changes in methodology. Specifically, an updated Employment Land Audit was published in late-2018 which essentially ‘resets’ the baseline of evidence on marketable employment land.

3 This figure is the combined total of immediately available employment land and that with minor constraints.

5.2 - National Headline Indicators for Development Management

<table>
<thead>
<tr>
<th>Project planning</th>
<th>2018/19</th>
<th>2017/18</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of applications</td>
<td>% of applications</td>
</tr>
<tr>
<td>Applications subject to pre-application advice</td>
<td>82</td>
<td>14.8</td>
</tr>
<tr>
<td>Major applications subject to processing agreements</td>
<td>4</td>
<td>4.9</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Decision-making</th>
<th>No. of applications</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018/19</td>
</tr>
<tr>
<td>Application approval rate</td>
<td>89.0</td>
</tr>
<tr>
<td>Delegated rate</td>
<td>97.5</td>
</tr>
<tr>
<td>Validation</td>
<td>94.9</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Decision-making timescales</th>
<th>No. of weeks to decision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018/19</td>
</tr>
<tr>
<td>Major developments</td>
<td>45.8</td>
</tr>
<tr>
<td>Local developments (non-householder)</td>
<td>11.1</td>
</tr>
<tr>
<td>Householder developments</td>
<td>6.4</td>
</tr>
</tbody>
</table>
### Legacy cases

<table>
<thead>
<tr>
<th>Legacy cases</th>
<th>No. of applications</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018/19</td>
</tr>
<tr>
<td>Number cleared during reporting period</td>
<td>14</td>
</tr>
<tr>
<td>Number remaining</td>
<td>30</td>
</tr>
</tbody>
</table>

### Enforcement

<table>
<thead>
<tr>
<th>Enforcement</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018/19</td>
</tr>
<tr>
<td>Complaints lodged and investigated</td>
<td>157</td>
</tr>
<tr>
<td>Potential breaches identified - no need for further action</td>
<td>140</td>
</tr>
<tr>
<td>Cases closed</td>
<td>160</td>
</tr>
<tr>
<td>Notices served</td>
<td>9</td>
</tr>
<tr>
<td>Direct action</td>
<td>0</td>
</tr>
<tr>
<td>Reports to Procurator Fiscal</td>
<td>0</td>
</tr>
<tr>
<td>Prosecutions</td>
<td>0</td>
</tr>
</tbody>
</table>

#### 5.2.1 Time since enforcement charter published/reviewed: 5 months. The enforcement charter has been reviewed by the Lead Officer of the Major Developments & Enforcement Section, with updates being made where appropriate to ensure that it remains fit for purpose.
### 5.3 - Scottish Government Official Statistics

<table>
<thead>
<tr>
<th>Type of development</th>
<th>2018/19</th>
<th>2017/18</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of applications</td>
<td>Average timescale (weeks)</td>
</tr>
<tr>
<td><strong>Major developments</strong></td>
<td>6</td>
<td>45.0</td>
</tr>
<tr>
<td>Local developments (non-householder, less than 2 months)</td>
<td>141</td>
<td>7.1</td>
</tr>
<tr>
<td>Local developments (non-householder, more than 2 months)</td>
<td>66</td>
<td>19.6</td>
</tr>
<tr>
<td>Local developments (householder, less than 2 months)</td>
<td>241</td>
<td>6.3</td>
</tr>
<tr>
<td>Local developments (householder, more than 2 months)</td>
<td>7</td>
<td>12.0</td>
</tr>
<tr>
<td><strong>Housing (major)</strong></td>
<td>5</td>
<td>49.3</td>
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<tr>
<td>Housing (local, less than 2 months)</td>
<td>27</td>
<td>7.7</td>
</tr>
<tr>
<td>Housing (local, more than 2 months)</td>
<td>29</td>
<td>18.9</td>
</tr>
<tr>
<td>Business &amp; industry (major)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Business &amp; industry (local, less than 2 months)</td>
<td>5</td>
<td>5.5</td>
</tr>
<tr>
<td>Business &amp; industry (local, more than 2 months)</td>
<td>1</td>
<td>23.0</td>
</tr>
<tr>
<td>EIA developments</td>
<td>1</td>
<td>23.6</td>
</tr>
<tr>
<td>Other consents</td>
<td>94</td>
<td>7.9</td>
</tr>
<tr>
<td>Planning/legal agreements (major)</td>
<td>4</td>
<td>41.8</td>
</tr>
<tr>
<td>Planning/legal agreements (local)</td>
<td>11</td>
<td>24.5</td>
</tr>
<tr>
<td>Planning/legal agreements (all)</td>
<td>15</td>
<td>29.2</td>
</tr>
<tr>
<td>Local reviews</td>
<td>23</td>
<td>16.5</td>
</tr>
</tbody>
</table>
### Local reviews

<table>
<thead>
<tr>
<th>Total no. of decisions</th>
<th>2018/19</th>
<th>2017/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local reviews</td>
<td>23</td>
<td>9</td>
</tr>
<tr>
<td>% of decisions</td>
<td>39.1</td>
<td>35.3</td>
</tr>
<tr>
<td>Appeals to Scottish Ministers</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>

### 5.4 - Case Study Checklist Table

<table>
<thead>
<tr>
<th>Case study topic</th>
<th>Relevant section(s) of report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>2.2, 2.4, 2.6</td>
</tr>
<tr>
<td>Conservation</td>
<td>2.8</td>
</tr>
<tr>
<td>Regeneration</td>
<td>2.8</td>
</tr>
<tr>
<td>Environment</td>
<td>2.4, 2.6, 2.8, 3.2</td>
</tr>
<tr>
<td>Greenspace</td>
<td>3.2</td>
</tr>
<tr>
<td>Town centres</td>
<td>2.8</td>
</tr>
<tr>
<td>Masterplanning</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>LDP &amp; supplementary guidance</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Housing supply</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Affordable housing</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Economic development</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Enforcement</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Development management processes</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Planning applications</td>
<td>2.4</td>
</tr>
<tr>
<td>Interdisciplinary working</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Collaborative working</td>
<td>2.6</td>
</tr>
<tr>
<td>Community engagement</td>
<td>2.2, 4.4</td>
</tr>
<tr>
<td>Place-making</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Charrettes</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Place Standard</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Performance monitoring</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Process improvement</td>
<td>3.5</td>
</tr>
<tr>
<td>Project management</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Skills sharing</td>
<td>3.5, 4.4</td>
</tr>
<tr>
<td>Staff training</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Online systems</td>
<td>3.5</td>
</tr>
<tr>
<td>Transport</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Active travel</td>
<td>Not covered in PPF 2018/19</td>
</tr>
<tr>
<td>Other</td>
<td>Not covered in PPF 2018/19</td>
</tr>
</tbody>
</table>

Note: there is no requirement for Councils to cover all the topics listed in the table above.
5.5 - Performance Marker Map

5.5.1 National oversight of the performance of the Scottish Planning System is taken by a High Level Group, chaired by the Minister for Local Government and Housing. Heads of Planning Scotland sit on this group and it agreed a set of ‘Performance Markers’ in 2013 which allow the Scottish Government a consistent basis on which to consider performance. These markers are listed below alongside directions as to where they are discussed in this document.

<table>
<thead>
<tr>
<th>Performance marker</th>
<th>Relevant part(s) of report</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sections 5.2 and 5.3</td>
</tr>
<tr>
<td>2</td>
<td>Paragraphs 3.1.2 to 3.1.5, Paragraph 4.6.1</td>
</tr>
</tbody>
</table>
| 3                  | Paragraph 2.1.2 (first bullet point)  
                         Case study 2.4  
                         Section 2.5  
                         Case study 2.6  
                         Paragraphs 3.1.6 to 3.1.11  
                         Paragraphs 3.3.2 to 3.3.3 |
| 4                  | Paragraph 2.1.2 (fourth bullet point)  
                         Paragraph 3.3.1  
                         Paragraphs 3.3.5 to 3.3.7 |
| 5                  | Paragraph 5.2.1            |
| 6                  | Paragraphs 4.3.3 to 4.3.6, Section 4.5  
                         Sections 5.1 and 5.2  
                         Case study 3.5  
                         Case study 4.4 |
| 7                  | Section 5.1  
                         Paragraph 3.4.1 |
| 8                  | Paragraphs 3.4.1 to 3.4.8 |
| 9                  | Paragraphs 3.4.9 to 3.4.11 |
| 10                 | Paragraphs 3.4.2 to 3.4.3  
                         Paragraphs 3.4.7 to 3.4.8  
                         Paragraph 4.5.2 |
| 11                 | Paragraph 2.1.2  
                         Case study 2.4  
                         Paragraphs 3.1.6 to 3.1.11  
                         Paragraph 3.3.4 |
| 12                 | Paragraphs 4.3.1 (plus table)  
                         Paragraph 4.3.6  
                         Case Study 2.6  
                         Case study 3.2  
                         Case study 3.5 |
| 13                 | Paragraph 4.3.2  
                         Case study 2.6  
                         Case study 3.5 |
| 14                 | Section 5.2 |
5.6 - Supporting Evidence

5.6.1 There has been input internally from across the Planning Team and externally from a range of sources in compiling this report.

5.6.2 The officer responsible for producing the document outlined what was required at a department meeting in early 2019 and then sent a formal request for contributions to all staff members in the Team. Following this, they met with Lead Officers to discuss more specific parts of the report and then collated, formatted and edited the submission.

5.6.3 External input was received where relevant, including in relation to projects that the Planning Team assisted on rather than led. A meeting with Midlothian’s peer-review partner for 2018/19 (Angus Council) was also arranged and proved to be helpful in terms of advice on the content of the report and the approach to producing it. The Improvement Service were also consulted in relation to various matters and their assistance was prompt and worthwhile.

5.6.4 The following internet links were used during the production of this report and are considered as supporting evidence:

- Midlothian Council Planning and Building Homepage https://www.midlothian.gov.uk/info/1210/planning_and_building
- Planning Applications https://www.midlothian.gov.uk/info/200167/planning_applications
- Conservation https://www.midlothian.gov.uk/info/1220/conservation
- Proposals Map http://www.planvu.co.uk/mc2017/
• Planning and Building Standards Portal
  https://planning-applications.midlothian.gov.uk/OnlinePlanning/

• Processing Agreements
  https://www.midlothian.gov.uk/info/200167/planning_applications/61/apply_for_planning_permission/4

• Planning Committee

• Local Review Body

• Pre-Application Advice
  https://www.midlothian.gov.uk/info/200167/planning_applications/118/planning_guidance/1

• Planning Application Checklists
  https://www.midlothian.gov.uk/downloads/download/106/planning_application_checklists

• Download Documents - Planning Applications:
  https://www.midlothian.gov.uk/downloads/file/200167/planning_applications

• Supplementary Planning Guidance
  https://www.midlothian.gov.uk/info/200167/planning_applications/118/planning_guidance/2

• Midlothian Council’s 2017/18 Planning Performance Framework Report

• Scottish Household Survey
  https://www2.gov.scot/Topics/Statistics/16002/LATables2017

All photographs included in this report were taken by Midlothian Council except where noted.