

REPORT TO: DEVELOPMENT QUALITY COMMITTEE – 26 JUNE 2000

REPORT ON: PLANNING APPEALS PERFORMANCE 1999-2000

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 424/2000

1 PURPOSE OF REPORT

1.1 To advise the Committee of the Council's planning appeals performance for the year 1999/2000.

2 RECOMMENDATIONS

2.1 That the Committee notes the contents of the report.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report.

4 LOCAL AGENDA 21 IMPLICATIONS

4.1 There are no Local Agenda 21 implications arising directly from the content of this report. However, in determining all planning applications the Council has regard to Local Agenda 21 implications as a material consideration.

5 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are no equal opportunities implications arising directly from the content of this report.

6 BACKGROUND

6.1 The Council reports annually to the Accounts Commission for Scotland on its planning appeals performance. The Performance Indicator target is included in the Planning and Transportation's Annual Service Plan.

6.2 The purpose of this report is to comment on the nature of the detail of the Council's appeal performance during 1999-2000 compared to the previous two years. Appeal decisions are regularly reported to the Committee.

6.3 The attached table indicates the following patterns of performance:

- a Relatively low numbers of appeals are lodged and the vast majority are determined by the written representations route as opposed to public inquiry. The number of appeals determined in 1999/2000 represents only 2% of all applications determined. (The Council refused only 7% of applications determined in 1999/2000 and no appeals related to conditions imposed on permissions.)
- b The vast majority of appeals were dismissed ie refused planning permission (87%, 15 discussed from 17 determined).
- c Only 4 appeals related to Committee decisions contrary to officer recommendation as follows

Hotel (land north of Riverside)	Dismissed
Change of Use to tax office (11 Teviotdale Avenue)	Dismissed
Football Facility (Kings Cross Road)	Upheld
Change of Use to public house (Jolly's Hotel)	Upheld

It will be noted that on two occasions the appeals were upheld (ie planning permissions were granted) but neither development has yet taken place.

- 6.4 In conclusion, it is considered that the Council's appeal performance is statistically satisfactory and that this displays a high level of consistency in decision making. In addition, and with reference to the content of appeal decisions and the conclusions expressed by Reporters, the availability of a relevant and relatively recently adopted Local Plan together with the effective discharge of all material considerations contributes greatly towards our appeal performance.

7 CONSULTATIONS

- 7.1 The Chief Executive, Director of Finance, Director of Support Services, Director of Corporate Planning, have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

- 8.1 Statutory Appeals Register 1999-2000.
- 8.2 Individual appeals reports to Development Quality Committee.

Mike Galloway
Director of Planning & Transportation

Ian Mudie
Building Quality Manager

9 June 2000

IGSM/IAR/MS

Dundee City Council
Tayside House
Dundee

APPEALS PERFORMANCE SUMMARY 1997/98-1999/2000

	1997/198		1998/1999		1999/2000	
Total Applications Determined						
Householder	308		250		278	
Non Householder	483		496		540	
Total	791		746		818	
Total Appeals Determined	13		16		17	
Total Appeals Withdrawn/Invalid	0		1		5	
Total Appeals Pending	0		0		2	
Determined by Written Presentation	9		16		16	
Public Inquiry	4		0		1	
	Dismissed	Upheld	Dismissed	Upheld	Dismissed	Upheld
Residential/Householder	2(1)	2(1)	7(1)	0	8	0
Leisure/Commercial/Retail	4	4(4)	1	4(2)	5(2)	2(2)
Industrial	0	0	0	0	0	0
Advertisements	1	0	4	0	2	0
Total	7	6	12	4	15	2

() Committee decision to refuse contrary to officer recommendation

Sources: Planning and Transportation Department Records and Statutory Appeals Registers 1999-2000.