

REPORT TO: DEVELOPMENT QUALITY COMMITTEE: 24 APRIL 2006

REPORT ON: PLANNING APPEALS PERFORMANCE 2005/2006

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 255-2006

1 PURPOSE OF REPORT

- 1.1 To advise the Committee of the Council's planning appeals performance for the year 2005/2006.

2 RECOMMENDATIONS

- 2.1 That the Committee notes the contents of the report.

3 FINANCIAL IMPLICATIONS

- 3.1 The costs of conducting these appeals have been met from the Planning and Transportation revenue budget for the respective year.

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 Reference is made to the Minutes of the Development Quality Committee of 25 April 2005 and to Report 210/2005 when appeals performance was last reported to Committee. The purpose of this report is to comment on the nature of the detail of the Council's appeals performance during the year as compared to previous 2005/2006 performance and to inform Committee of the number of outstanding appeals.
- 6.3 The attached table indicates the following patterns of performance:
- a There has been a **62% increase** in the number of appeals determined compared to 2004/2005.
 - b 30% of appeals were accounted for by appeals against the Council's refusal of applications for telecommunications developments.

- c The % of appeals dismissed (ie refused planning permission) as a proportion of all appeals determined has been significantly influenced by the number of telecommunications applications decided contrary to recommendations.

7 DEPARTMENTAL SERVICE PLAN: KEY PERFORMANCE MEASURES AND TARGETS

- 7.1 The appeals performance outlined in this report has been compared to the baseline and target performance results outlined in the Departmental Service Plan as follows:

Key Performance Results	Baseline*	Target	2003/2004	2004/2005	2005/2006
Number of appeals determined	25	25	16	16	26
% appeals dismissed as % of all applications decided	1.8%	1.8%	1.4	0.9%	0.7%
% dismissed as % of all appeals determined	52%	75%	75%	50%	26.9%

*Actual 2002/2003

8 CONCLUSIONS

- 8.1 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. It should be noted that the Council has been able to maintain a satisfactory level of statistical performance in its development quality responsibilities and a consistently high quality level of service to its stakeholders. A separate report on these issues is contained elsewhere on the agenda.

9 CONSULTATIONS

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

10 BACKGROUND PAPERS

- 10.1 Statutory Appeals Register.
 10.2 Individual appeals reports to Development Quality Committee.
 10.3 Planning and Transportatin Department Service Plan 2004-2007.

Mike Galloway
 Director of Planning & Transportation

Ian Mudie
 Head of Planning

APPEALS PERFORMANCE SUMMARY 200 - 200

	2002/2003		2003/2004		2004/2005		2005/2006	
Total Applications Determined								
Householder	327		323		442		407	
Non Householder	410		534		477		495	
Total	727+10.5%		857+18%		919+7.2%		902-1.8%	
Total Appeals Determined	25		16		16		26	
Total Appeals Withdrawn/Invalid	1		-		5		1	
Total Appeals Pending	-		-		4 (2)		6(2)	
Determined by Written Presentation	23		15		16		26	
Public Inquiry	2		1		0		0	
	Dismissed	Upheld	Dismissed	Upheld	Dismissed	Upheld	Dismissed	Upheld
Residential/Householder	6	5(3)	9	1	6	3(1)	4	6(1)
Leisure/Commercial/Retail	5(1)	4(3)	0	1	1	3(1)	1(1)	5
Industrial	-	-	1	0	0	0	1(1)	0
Advertisements	2	2	2	0	1	2	0	0
Telecommunications	-	1(1)	0	2	0	0	1(1)	8(7)
Total	13(1)	12(7)	12(0)	4(0)	8	8(2)	7(3)	19(8)

() Committee decision to refuse contrary to officer recommendation

Years relate to end March-beginning April

Excludes Enforcement, Amenity Notice and Tree Replacement Notice Appeals.

Sources: Planning and Transportation Department Records and Statutory Appeals Registers 2002-2006