

**REPORT TO:** DEVELOPMENT QUALITY COMMITTEE – 27 MAY 2003  
**REPORT ON:** PLANNING APPEALS PERFORMANCE 2002/2003  
**REPORT BY:** DIRECTOR OF PLANNING AND TRANSPORTATION  
**REPORT NO:** 319-2003

**1 PURPOSE OF REPORT**

- 1.1 To advise the Committee of the Council's planning appeals performance for the year 2002/2003.

**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 26 August 2002 and to Report 574/2002 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 2002/2003 compared to the previous two years and to inform Committee of the number of outstanding appeals.

- 6.3 The attached table indicates the following patterns of performance:

- a Relatively low numbers of appeals were lodged in 2000/2001 and 2001/2002, with the vast majority being determined by the written representations route as opposed to public inquiry. However, the pattern so far for 2002/2003 indicates a significant increase in the number of appeals lodged and determined. Members may wish to note that of the twenty-five appeals determined, eight related to applications, which the Committee had refused contrary to recommendation. Two public inquiries were

held in October 2002 (former B & Q Warehouse, South Road) and in January 2003 (proposed change of use to Amusement Centre, 77 High Street, Dundee).

- b In terms of decisions by the Reporter the balance between dismissals and the granting of planning permission remains relatively even, and consistent with the pattern established in recent years.
  - c During 2002/2003 the Council refused an average of between 6% and 8% of applications determined. Again, this is consistent with previous trends.
- 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. The doubling of the number of appeals lodged is noteworthy as this forces an adjustment of the pattern of work priorities given the statutory deadlines involved in appeal evidence work. In addition, multiple public inquiries impose their own additional burdens. It should be noted that, nonetheless, 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.

## 7 CONSULTATIONS

- 7.1 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.

## 8 BACKGROUND PAPERS

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

Mike Galloway  
Director of Planning & Transportation

Ian Mudie  
Head of Planning

28 April 2003

IGSM/IAR/DB

Dundee City Council  
Tayside House  
Dundee

**APPEALS PERFORMANCE SUMMARY 2000 - 2003**

	2000/2001		2001/2002		2002/2003		2003/2004	
Total Applications Determined								
Householder	262		266		327		N/A	
Non Householder	456		393		410		N/A	
Total	<b>718</b>		<b>659</b>		<b>737</b>		N/A	
Total Appeals Determined	<b>12</b>		<b>11</b>		<b>25</b>		N/A	
Total Appeals Withdrawn/Invalid	3		-		1		-	
Total Appeals Pending	-		-		8		<b>6</b>	
Determined by Written Presentation								
Public Inquiry	12		11		23		-	
	-		-		2		-	
	Dismissed	Upheld	Dismissed	Upheld	Dismissed	Upheld	Dismissed	Upheld
Residential/Householder	5	2(1)	2	3	6	5(3)	-	-
Leisure/Commercial/Retail	1	3(1)	1	3(2)	5(1)	4(3)	-	-
Industrial	-	-	-	-	-	-	-	-
Advertisements	-	-	2	-	2	2	-	-
Telecommunications	1	-	-	-	-	1(1)	-	-
<b>Total</b>	<b>7</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>13(1)</b>	<b>12(7)</b>	-	-

Excludes Enforcement Appeals

( ) Committee decision to refuse contrary to officer recommendation

Sources: Planning and Transportation Department Records and Statutory Appeals Registers 2000-2003