

Stats from annual review

Planning Authorities' Performance In Their Submission Of Completed PARFS

Planning authority	PARFS received in year	Returned within 21 days	% Returned within 21 days	Average days to submit
Aberdeen City Council	19	15	79%	21
Aberdeenshire Council	18	15	83%	19
Angus Council	10	7	70%	17
Argyll and Bute Council	6	4	67%	21
Cairngorms National Park Authority	2	2	100%	20
City of Edinburgh Council	138	93	67%	20
Clackmannanshire Council	1	0	0%	26
Dumfries and Galloway Council	10	4	40%	33
Dundee City Council	1	1	100%	20
East Ayrshire Council	3	3	100%	20
East Dunbartonshire Council	6	3	50%	22
East Lothian Council	11	9	82%	11
East Renfrewshire Council	4	4	100%	20
Falkirk Council	3	2	67%	27
Fife Council	14	5	36%	31
Glasgow City Council	45	28	62%	25
Highland Council	14	9	64%	22
Historic Environment Scotland	1	1	100%	12
Midlothian Council	3	3	100%	17
Moray Council	3	1	33%	24
North Ayrshire Council	3	2	67%	21
North Lanarkshire Council	8	3	38%	26
Orkney Islands Council	1	1	100%	20
Perth and Kinross Council	16	12	75%	22
Renfrewshire Council	5	2	40%	26
Scottish Borders Council	12	10	83%	20
Shetland Islands Council	1	0	0%	21
South Ayrshire Council	2	1	50%	46
South Lanarkshire Council	11	3	27%	29

Stirling Council	5	4	80%	20
West Dunbartonshire Council	1	0	0%	22
West Lothian Council	19	5	26%	27
Overall	396	252	64%	22.8

Residential Developments Over 10 Units

Location	Houses / Flats	Decision
Forfar	159	Appeal Dismissed
Alva	244	Appeal Dismissed
Crosshouse	39	Appeal Dismissed
Uplawmoor	173	Appeal Dismissed
Edinburgh (Seafield Road East)	220	Appeal Dismissed
Edinburgh (Granton Harbour)	81	Appeal Dismissed
Dalgety Bay	35	Appeal Allowed
Glasgow	424	Appeal Allowed
Inverness	130	Appeal Allowed
Aviemore	11	Appeal Dismissed
Buckie	101	Appeal Allowed
Gartcosh	75	Appeal Dismissed
Cumbernauld	65	Appeal Dismissed
Alyth	20	Appeal Allowed

Number of Houses Consented in All Residential Developments Over 5 Years

Review year	Houses/Flats consented
2023 to 2024	745
2022 to 2023	3700
2021 to 2022	1851
2020 to 2021	2258
2019 to 2020	9410

Wind Farm Appeals (Two Or More Turbines)

Location	Turbines	Decision
Garcrogo Hill And Barmark Hill, Corsock	7	Appeal Dismissed
Cornharrow, St John's Town Of Dalry	7	Appeal Allowed
Cornharrow, St John's Town Of Dalry	7	Appeal Allowed
Overhill Wind Farm, Dalmellington	10	Appeal Allowed

Meall Buidhe Wind Farm, Ardgay	8	Appeal Allowed
Strathrory, Ardross, Ales	7	Appeal Allowed

In 2023/24 DPEA reporters granted planning permission for 221.4MW of output.

Planning Obligation Appeals

Decisions were issued for nineteen planning obligation appeals in 2023 to 2024, this was an increase from the ten planning obligation appeals in 2022 to 2023, some details of which are shown in the following table.

Planning Obligation Appeal Decisions Issued		
Authority	Modification sought	Decision
Aberdeenshire Council	Healthcare Obligations	Appeal Allowed
Aberdeenshire Council	Education Contributions	Appeal Dismissed
Aberdeenshire Council	Healthcare obligations, Change of house types, Amendments to site layout	Appeal Allowed
Aberdeenshire Council	Healthcare Provision	Withdrawn
Aberdeenshire Council	Waste & Recycling Collection	Withdrawn
Angus Council	Agricultural Occupancy	Appeal Allowed
City of Edinburgh Council	Tram Contributions	Appeal Allowed
Fife Council	Education Contributions	Withdrawn
Glasgow City Council	Open Space Contribution	Appeal Allowed
Glasgow City Council	Residents Car Parking	Appeal Allowed
Perth and Kinross Council	Sports pitch requirement and open space contribution	Appeal Dismissed
West Lothian Council	Traffic Improvements Contribution	Appeal Allowed in Part
West Lothian Council	2 cases for Town Centre Improvements contribution	Appeals allowed
West Lothian Council	Cemetery Contribution	Appeal Allowed in Part
West Lothian Council	3 cases for Cemetery Contribution	Appeals Dismissed

Electricity Act Applications In Hand		
DPEA reference	Planning authority	Type and Name
WIN-370-4	South Ayrshire Council	Wind Farm- Craiginmoddie Wind Farm
WIN-370-5	South Ayrshire Council	Wind Farm - Carrick Wind Farm
WIN-370-6	South Ayrshire Council	Wind Farm- Knockcronal Windfarm

WIN-130-7	Argyll and Bute Council	Wind Farm - Clachaig Glen Wind Farm
WIN-130-8	Argyll and Bute Council	Wind Farm - Earraghail Renewable Energy Developmen
WIN-270-20	Highland Council	Wind Farm - Garvary Wind Farm
WIN-270-21	Highland Council	Wind Farm- Kirkton Energy Park

Decisions issued by Scottish Ministers this year following a reporter's report and recommendation to grant consent totalled 833 MW of output.

We also submitted 31 reports to Ministers on applications for a necessary wayleave. During the course of the year 44 wayleaves cases that had been referred to us were withdrawn, some after a considerable amount of work had been carried out on them. At the end of the review period, we had 21 such cases in-hand. There is a continuing pattern of a high proportion these cases being withdrawn. We anticipate there will be a sharp increase in these cases over the coming years and that is a major concern for us in terms of resources and budget.

Court Of Session Appeals Position

Case reference	Date referred to Court of Session	Court of Session outcome date	Court of Session outcome
ENA-230-2234	03/03/2023	21/09/2023	Withdrawn
ENA-210-2019	28/03/2023	19/12/2023	Quashed
BDA-011-2019	30/11/2023		
ENA-230-2265	22/12/2023		
LBE-230-2057	22/12/2023		

Volume Of Cases Handled By DPEA

Business year	In hand at start of the year	Received	Delegated appeals decided	Reports submitted	Withdrawn	In hand at end of the year
2023 to 2024	212	613	498	69	57	201
2022 to 2023	209	625	502	58	62	212
2021 to 2022	199	577	468	53	46	209
2020 to 2021	191	438	365	37	28	199
2019 to 2020	213	601	470	69	84	191

*Includes appeal and non-appeal cases

The total number of cases sisted/suspended as of 31 March 2024 was 29.

1.1.1 Table 2: Types Of Cases Received

Types Of Cases Received					
Type Of Case	2019 2020	2020 2021	2021 2022	2022 2023	2023 2024
Planning permission appeals	227	229	258	245	230
Planning enforcement appeals	94	37	76	82	109
Conservation area consent, listed building consent and listed building enforcement appeals	69	48	51	56	65
Advertisement consent, discontinuance notice and advertisement enforcement appeals	51	33	23	43	39
High Hedge appeal	17	8	20	16	18
All other types of appeal	45	46	66	61	88
Subtotal: all types of appeals	503	401	494	503	549
Called-in application	1	1	3	1	0
Completion Notice	1	0	0	0	0
Compulsory Purchase Order	10	5	5	3	9
Core Paths Plan	2	1	1	0	0
Extinguishment of Public Right of Way	2	0	0	0	0
Flood Prevention Scheme	0	0	1	0	1
Listed Building Notified Application	0	1	0	0	1
Local Development Plan	6	4	3	4	0
Notification Direction	2	0	0	1	1
Notified application	6	6	8	13	10
Power Station	1	0	0	0	1
Public path creation/diversion/extinguishment order	0	0	1	0	0
Purchase Notice	1	0	0	0	2
Revocation order	0	0	1	0	1
Roads order	5	2	0	2	0
Section 36 Wind Farm	5	8	5	9	3
Section 37 Transmission line	0	0	5	1	0
Stopping up order	2	1	5	1	2
Strategic Development Plan	1	0	0	0	0
Traffic Regulation Order	1	0	1	2	5
Wayleave	52	8	44	85	28
Called-in application	1	1	3	1	0
Subtotal: all types of non-appeal cases	98	37	83	122	64
All Cases Received	601	438	577	625	613

Breakdown Of Cases Received By Their Characteristics

Characteristics	2018 2019	2019 2020	2020 2021	2022 2023	2023 2024
Advertisement	57	33	24	46	41
Agricultural	7	9	7	12	6
Animal (cattery, kennel, stable etc.)	5	3	4	4	4
Building Alterations (householder)	86	72	72	64	71
Building Alterations (non-householder)	20	12	20	17	24
Business	28	22	9	23	10
Car park	23	12	17	17	12
Caravan and Campsites	9	4	13	16	17
Cemetery/Religious Building	2	1	1	3	2
Chimney/Flue	4	1	0	0	0
Community Asset Transfer	4	3	4	4	1
Compulsory Purchase Order	7	4	5	3	8
Demolition	15	13	13	23	19
Designation of Building/Monument	3	2	6	2	2
Development Plan (Local)	6	4	3	5	1
Development Plan (Strategic)	1	0	0	0	0
Dock/Harbour	1	1	1	0	0
Environmental Appeal	3	4	7	7	12
Fencing/Wall	30	20	31	16	16
Fish Farm	6	1	5	2	0
Flood Prevention Scheme	0	0	1	0	1
Hazardous Substance	1	0	0	0	0
Hedge	17	8	20	15	18
Holiday/Leisure	19	10	22	8	8
Hospital/Medical Centre	0	2	1	0	0
Hot Food Takeaway	8	5	9	4	3
Hotels	46	20	23	1	2
House in Multiple Occupation	8	1	4	5	6
Housing (10 or more houses)	54	47	55	38	26
Housing (more than one house)	22	21	22	24	28
Housing (single dwelling)	46	47	43	65	40
Hydro/Solar Power	2	1	0	1	4
Industrial	3	1	4	3	1
Landscaping	37	15	37	38	15
Leisure Facility/Ground	4	7	10	7	8

Meteorological/Anemometrical Mast	0	0	1	0	0
Mineral Extraction	0	3	3	3	0
Nursing/Care/Retirement Home	2	3	3	4	0
Other	5	4	21	13	27
Path	9	5	8	1	7
Petrol Station	4	0	1	1	0
Power Station/Energy from Waste	3	0	2	4	2
Recycling	1	0	1	0	0
Restaurant/Cafe/Licensed Premises	7	13	9	12	8
Retail (food)	10	13	6	2	2
Retail (non-food)	14	9	2	7	5
Road/Bridge	23	14	9	12	13
Scheduled Monument	0	0	1	1	0
School/Educational	6	4	2	5	3
Shed/Garage	20	24	27	13	11
Short stay accommodation	0	0	9	58	156
Storage (non-warehousing)	19	12	11	7	10
Student Accommodation	3	8	1	4	8
Substation/Transmission Line/Pipeline	1	0	6	1	0
Telecommunication	1	15	13	12	8
Traffic Regulation Order	1	1	1	2	2
Transport	2	0	1	2	0
Travelling Persons Site	1	1	2	0	0
Tree	10	4	22	11	8
Warehouse/Distribution	0	0	3	3	1
Waste Disposal	4	0	0	1	4
Water/Sewage	8	8	8	10	35
Wayleave	51	8	44	84	28
Wind Farm (two or more turbines)	12	23	24	16	10
Wind turbine (single)	1	3	0	0	0
Windows - Timber	6	1	7	4	6
Windows - UPVC	21	6	12	15	13

Success Rates For Delegated Appeals Planning Authority

Planning authority	Appeals decided	Appeals allowed	Success rate
Aberdeen City Council	19	8	42%
Aberdeenshire Council	24	8	33%
Angus Council	9	4	44%
Argyll and Bute Council	4	2	50%
Cairngorms National Park Authority	1	0	0%
City of Edinburgh Council	129	38	29%
Clackmannanshire Council	2	1	50%
Dumfries and Galloway Council	6	3	50%
Dundee City Council	1	0	0%
East Ayrshire Council	4	2	50%
East Dunbartonshire Council	6	5	83%
East Lothian Council	3	0	0%
East Renfrewshire Council	10	4	40%
Falkirk Council	2	0	0%
Fife Council	21	6	29%
Glasgow City Council	36	16	44%
Highland Council	17	9	53%
Historic Environment Scotland	1	0	0%
Midlothian Council	3	0	0%
Moray Council	5	3	60%
North Ayrshire Council	3	1	33%
North Lanarkshire Council	7	1	14%
Orkney Islands Council	1	0	0%
Perth and Kinross Council	14	6	43%
Renfrewshire Council	5	2	40%
Scottish Borders Council	11	6	55%
Shetland Islands Council	1	1	100%
South Ayrshire Council	2	1	50%
South Lanarkshire Council	12	2	17%
Stirling Council	3	0	0%
West Dunbartonshire Council	1	0	0%
West Lothian Council	21	11	52%
Total	384	140	36%

Development Plan Examinations Completed

Development plans	Number of reporters	Weeks to complete
Argyll & Bute Proposed Local Development Plan	4	71
Scottish Borders Proposed Local Development Plan	4	51
East Ayrshire Local Development Plan 2	3	43
Edinburgh Local Development Plan - Proposed City Plan 2030	6	68
Inner Moray Firth Proposed Local Development Plan 2	5	43

Development Plan Examinations In Hand/Completed After End of March

Development plans	Received	Report Date
Inner Moray Firth Proposed Local Development Plan 2	24/03/2023	
East Ayrshire Local Development Plan 2	24/02/2023	
Edinburgh Local Development Plan – Proposed City Plan 2030	08/12/2022	
Scottish Borders Proposed Local Development Plan	14/07/2022	
Argyll and Bute Proposed Local Development Plan	25/01/2022	13/06/2023

Expenses Claims

	Number of claims	Successful claims
By an authority against:		
A main contact	1	1
By a main contact against:		
An authority	31	9
By an other party against:		
A main contact	1	0

Performance Against Our Targets

Procedure	Target number of weeks to determine	Number of appeals	Performance against target	Average weeks taken to determine
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No Further Procedure	8	22	91%	7.1
Site Inspection	12	261	91%	10.7
Further Written Submission	20	99	83%	18.1
Hearing	26	5	0%	38.7

Time Taken To Submit Reports

Case types	Reports submitted	Average weeks taken to submit
Recalled Planning/Listed Building Appeals	5	37.2
Community Asset Transfer Appeals	1	25.4
Called-in & Notified Applications	11	24.8
Compulsory Purchase Orders	3	43.2
Other Orders	7	36.9
Section 36 Wind Farm Applications	8	51.2
Section 37 Transmission Lines	6	89.5
Wayleave Applications	23	30.4

Appeal Cases Success Rates By Method Of Determination

	Number decided	Considered by oral process			Considered by site visit/review of written submissions			All cases allowed	
		Total	Allowed	Percentage	Total	Allowed	Percentage	Allowed	Percentage
Delegate appeals									
Planning permission	137	1	1	100%	136	61	45%	62	45%
Planning enforcement	83	0	-	-	83	8	10%	8	10%
Conservation area consent, listed building consent and listed building enforcement	57	0	-	-	57	24	42%	24	42%
Advertisement consent, discontinuance notice and advertisement enforcement	33	0	-	-	33	12	36%	12	36%
High hedge	11	0	-	-	11	5	45%	5	45%
All others	63	4	3	75%	59	26	44%	29	46%
All Delegated Appeals	384	5	4	80%	379	136	36%	140	36%
Non-delegated Appeals	4	2	1	50%	2	1	50%	2	50%
All Appeals	388	7	5	71%	381	137	36%	142	37%

*In addition, a further 114 appeals were turned away as we had no powers to determine them

Non-Appeal Cases Success Rates By Method Of Determination

Case types	Number decided	Considered by oral process			Considered by site visit/review of written submissions			Cases allowed	
		Total	Allowed	Percentage	Total	Allowed	Percentage	Allowed	Percentage
Compulsory Purchase Order	1	1	0	0%	0	-	-	0	0%
Listed Building Notified Application	1	0	-	-	1	1	100%	1	100%
Notification Direction	1	0	-	-	1	-	-	0	0%
Notified application	8	1	0	0%	7	3	43%	3	38%
Purchase Notice	1	1	0	0%	0	-	-	0	0%
Revocation order	1	1	0	0%	0	-	-	0	0%
Section 36 Wind Farm	12	11	6	55%	1	1	100%	7	58%
Traffic Regulation Order	4	3	2	67%	1	1	100%	3	75%
Wayleave	22	10	10	100%	12	12	100%	22	100%
Total: All Non-appeal Cases	51	28	18	64%	23	18	78%	36	71%