

Graham Dunlop



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Graham Dunlop is ranked as a leading Junior Counsel (Tier 1) for planning, environmental and licensing in the latest edition of the Legal 500: **'He has extensive knowledge of planning matters.'** Described as **'Measured and pragmatic'**, he is also ranked Tier 1 for Property, Construction and Agriculture (Legal 500, 2019).

Previous editions have highlighted his *'expertise in planning disputes'* and described him as *'very thorough'*, *'[he] considers all the angles'*.

Biography

Graham was a solicitor for over 10 years prior to calling at the bar in 2009, having worked in both private practice and latterly as Principal Litigation Solicitor of a local authority. He has particular experience in planning, valuation & rating, public law, construction, property, employment, commercial, and personal injuries actions.

Graham has successfully conducted a number of planning inquiries, hearings and appeals. He has appeared in a variety of Adjudications, Arbitrations, Valuation and rating appeals, the Lands Tribunal Scotland and Land Valuation Appeal Court.

He appears regularly before the Inner House, Outer House, and Commercial Court in the Court of Session. He has experience of advocacy in a range of Inquiries, Proofs, Debates, and Appeals in the Sheriff Courts. In addition he appears regularly in Employment Tribunals and the Employment Appeal Tribunal.

Appointments

Ad Hoc Reporter to the Scottish Legal Complaints Commission
Legal Member of First Tier Tribunal (Housing and Property Chamber)

Memberships

Member of the Chartered Institute of Arbitrators
Member of the Faculty of Advocates Dispute Resolution Service (FDRS)

Recent Articles and Events

New Planning Enforcement Powers

Recent Cases

Planning:

Currently instructed as Junior Counsel for City of Edinburgh Council in the Tram Inquiry.

Gladman Developments Limited v Scottish Ministers (2018) CSIH17 - challenge to Clydeplan.

Calmac Developments Ltd v Dumfries and Galloway Council [2015] CSOH 129 - Acting for the Respondent in an appeal challenging the Local Development Plan.

David Barratt Wilson Homes v East Lothian Council - Acting for the planning authority in an Public Local Inquiry concerning the refusal to grant planning permission for housing due to infrastructure constraints. Scottish Ministers' decision pending.

Dr Carter v Scottish Ministers - Acting for the Appellant in a section 239 appeal challenging the development of student accommodation.

Planning Appeal by *Scottish Power Renewables against a decision of North Lanarkshire Council* - Acting for the planning authority in an Inquiry under the Electricity Act concerning the refusal of consent for wind turbines due to cumulative noise impact and visual impact.

CPO of listed buildings by The Highland Council - Advising and appearing at an Inquiry for the CPO of listed buildings including an order for minimum compensation.

Advising and appearing as Junior Counsel in a *CPO Inquiry* for a Hotel Development in Glasgow City Centre.

Advising and appearing at a *Public Inquiry* in respect of a Certificate of Appropriate Alternative Development on Land North of the M80.

Commercial and Construction:

Advising, drafting papers and appearing in a multi-million pound Arbitration concerning a dispute regarding termination of employment arising under a construction contract.

Kennedy & others v Dickie & Moore Ltd - Advising and appearing at a Proof concerning the interpretation of an agreement.

Advising, drafting papers, and appearing in a statutory adjudication concerning entitlement to EOT's during the construction of a cemetery.

Advising drafting papers, and appearing in a statutory adjudication arising from works carried out to an educational establishment.

Valuation and Rating:

Advising and appearing in *The Assessor for Tayside Valuation Joint Board and another v Hutchison (3G) Limited and others* - Appeal to the LVAC from the LTS concerning the valuation and rating of telecommunications masts.

Cosmopolitan Bellshill Limited and Almondvale Investments (Jersey) Limited v North Lanarkshire Council

Old Course Limited v Assessor for Fife - Rating appeal to the Lands Tribunal for Scotland concerning the complexity of valuing apartments used as showhomes worth between £2M and £7M.

RHI Refractories UK Ltd v Assessor for Central Scotland - Rating appeal concerning various factory and workshop premises inc. legal debate into the meaning of 'Material Change of Use'.

Advising and appearing a Court of Session action challenging rating summary warrant procedure as being incompatible with convention rights.

Advising and appearing in a variety of appeals against rating and valuation before the LTS and JVB's.

Property:

Advising and appearing on behalf of a local authority in an action seeking declarator of a public right of way over land held by a Clan Chief.

Advising and appearing in an Arbitration and subsequent appeal to the Court of Session by *G1 Venues Limited* in a dispute over the use of a public road by owners of a nightclub.

Advising and appearing in the Commercial Court in respect of a disputed schedule of dilapidations.

Advising and appearing in *Crombie v Smith* - defence of a boundary dispute.

Employment & Personal Injuries:

Advising and appearing in *Kulaga v Marriot Hotels International Limited* - Acting for the respondents in a sex discrimination claim.

Advising and appearing in *Hughes and Others v City of Edinburgh Council and Compass Group Limited* - for the second respondents in various claims seeking equal pay.

Advising and acting since 2011 for one of the big 4 supermarkets in a variety of employment disputes including mediation.

McManus and others v City Link Developments Ltd & other - acting for third defenders in 50+ personal injuries actions seeking damages arising from development of housing on contaminated land.

Leckie & others v North Lanarkshire Council - acting for defenders in a Court of Session action seeking damages as a result of contracting mesothelioma.

Advising and appearing in a wide variety of personal injuries actions (mainly for pursuers) including EL, PL, Occupiers Liability, and fatalities (including whilst in police custody).