

TITLE OF REPORT: **Planning Enforcement Appeals**

REPORT OF: **Paul Dowling, Strategic Director, Communities and Environment**

Purpose of the Report

1. To advise the Committee of new appeals against enforcement action received and to report the decisions of the Planning Inspectorate received during the report period.

New Appeals

2. There has been **one** appeal received since an update was provided to committee.

| | | | |
|--|---|---------|-------------------|
| Da Vinci's Pizzeria 10 Harraton Terrace Durham Road Birtley Chester Le Street DH3 2QG | Without planning permission the change of use from a café (A3) to a mixed use, including café, hot food takeaway and hot food delivery. | Written | Awaiting Decision |
|--|---|---------|-------------------|

Appeal Decisions

3. There has been **one** appeal decisions received since the last Committee.

| | | | |
|--|---|---------|----------------|
| Land adjacent to Wilson's Auctions, Shadon Way, Birtley, DH3 2SW | Without planning permission the change of use of the Land from amenity land to use for the storage of vehicles including the formation of a hard standing and the erection of a paladin fence at an approximate height of 2.4 metres, incorporating gates | Written | Appeal Allowed |
|--|---|---------|----------------|

4. Full copies of the Decision letters can be found attached to this report and details of outstanding appeals can be found in **Appendix 2**

Recommendations

5. It is recommended that the Committee note the report.

CONTACT: John Bradley extension 3905

APPENDIX 1

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

HUMAN RESOURCES IMPLICATIONS

Nil

EQUALITY AND DIVERSITY IMPLICATIONS

Nil

CRIME AND DISORDER IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

HUMAN RIGHTS IMPLICATIONS

The subject matter of the report touches upon two human rights issues:
the right of an individual to a fair trial and the right to peaceful enjoyment of property

As far as the first issue is concerned the planning enforcement appeal regime is outside of the Council's control being administered by the Planning Inspectorate.

WARD IMPLICATIONS –

Birtley

BACKGROUND INFORMATION

Appeal start letter
Appeal decision

Outstanding Enforcement Appeal Cases

| Appeal Site (Ward) | Subject | Appeal Type | Appeal Status |
|---|---|-------------|--------------------------|
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