

TITLE OF REPORT: **Planning Enforcement Appeals**

REPORT OF: **Elaine Rudman, Compliance & Regulatory Services
 Manager - Climate Change, Compliance, Planning
 and Transport**

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 or magistrates received during the report period.

New Appeals

2. There have been **no** appeals received since an update was last provided to committee.

Appeal Decisions

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

APPELLANT	REASON FOR NOTICE	MAGISTRATES DECISION
Former MGM Engineering, MGM House, Newburn Bridge Road, Blaydon, NE15 8NR	Community Protection Notice -Persistent or continuing unreasonable conduct having a detrimental impact on the quality of life of those in the locality, due to the accumulation of waste and litter, the failure to remove the waste from the premises and the failure to sufficiently secure the premises to prevent unauthorised access, fires and fly tipping on the land.	Appeal dismissed. Magistrates stated that he had not taken responsibility for his own site, he had not taken steps to release frozen funds to pay for works on the site and that the site was having a detrimental effect on those in the locality. Costs of £1181 were awarded to the Council.

Outstanding Appeals

4. Details of outstanding appeals can be found in **Appendix 2**.

Recommendations

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

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 –

Ryton, Crookhill and Stella, Wickham North

BACKGROUND INFORMATION

Nil

Outstanding Enforcement Appeal Cases

APPELLANT	REASON FOR NOTICE	HOW APPEAL IS TO BE CONSIDERED
<p>3 Shield Avenue Swalwell NE16 3EG</p>	<p>Without planning permission, the removal of a first-floor window in the rear elevation, and the installation of French doors in place of the window.</p> <p>Without planning permission, the installation of a clear glass balustrade on the roof of the single storey rear extension.</p>	<p>The appeal will proceed on ground (a) and (f) as set out at Section 174(2) of the 1990 Act.</p> <p>The planning inspectorate has confirmed the start date of the appeal as 21 January 2025. The appeal is to be heard through the written representation's procedure.</p> <p>The appeal reference is APP/H4505/C/24/3353466. Any representations are to be received by the planning inspector no later than 04 March 2025.</p> <p>Guidance on making representations can be found in the following link Taking part in a planning, listed building or enforcement appeal - GOV.UK (www.gov.uk)</p>