

<b>Title of Report:</b>  <b>Item 10: Planning Appeals Update</b>	<b>Officer Presenting:</b>  <b>Principal Planning Officer</b>  <b>Author: Principal Planning Officer</b>
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## **1 Purpose of Report/Recommendations**

- 1.1 To appraise Members on planning appeals currently in the system. A background table is enclosed in Appendix 16 showing the current status of any live appeals and any decisions made since last month.

## **2 Background**

- 2.1 Since transfer of Planning to local government, members have been advised on a monthly basis of the transitional provisions for dealing with planning appeals following transfer of powers on 1<sup>st</sup> April 2015 as set out in The Planning (2011 Act) (Commencement No.3) and (Transitional Provisions) Order (Northern Ireland) 2015.
- 2.2 With regard to applications refused by the Council post 1<sup>st</sup> April 2015, officials have and will continue to notify the Planning Committee when appeals are received and dates for submission are published by the Planning Appeals Commission (PAC).

## **3 Key Issues**

- 3.1 Members are advised that no new appeals have been submitted to the PAC since the last Committee meeting.
- 3.2 Members are advised that the appeal decision listed overleaf has been notified since last Committee meeting.
  - LA11/2017/0085/CA Alleged unauthorised use of land for the deposition of controlled waste (as defined in the Waste and Contaminated Land (NI) Order 1997) causing infilling and raising of land, at former Drumahoe Industrial Estate, Drumahoe Road, Ardnabrocky.

## **Enforcement Notice Quashed**

The appeals schedule has been updated accordingly with dates for PAC hearings and PAC site visits.

### **4 Financial, Equality, Legal, HR, Improvement and other Implications**

- 4.1 Paragraph 3(5) of The Planning (2011 Act) (Commencement No.3) and (Transitional Provisions) Order 2015, states that an appeal made to PAC against relevant decisions or determinations of the Department under the 1991 Order before 1<sup>st</sup> April 2015, the award of costs shall not apply. In all other cases the award of costs shall apply.
- 4.2 No costs claims submitted since last month's Committee.

### **5 Recommendations**

- 5.1 Members note the update on the appeals.

## **Background Papers**

### **Appendix 16 - Appeals Schedule**