

Title of Report: Item 12: Planning Appeals Update	Officer Presenting: Principal Planning Officer Author: Principal Planning Officer
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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 27 showing the current status of any live appeals and any decisions made since the last meeting.

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 1st 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 Council post 1st 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 two new appeals have been submitted to the PAC since the last Committee meeting:
- 3.2 **1) LA11/2017/0763/LBC 2019/A0054** Appeal against refusal of Listed Building Consent - Change of use to 39 Shipquay Street to provide extension to approved amusement arcade (A/2014/0314/F) at 39 Shipquay Street, 1 & 2 Bank Place, Derry at 1-2 Bank Place, Derry

- 3.3 **2) LA11/2017/0764/F 2019/A0055** Appeal against refusal of application. Change of use to 39 Shipquay Street to provide extension to approved amusement arcade (A/2014/0314/F) at 1-2 Bank Place, Bentley Leisure 39 Shipquay Street, 1/2 Bank Place, Derry
- 3.4 Members are advised no appeal decisions have been notified since last Committee meeting.
- 3.5 The appeals schedule has been updated accordingly with dates for PAC hearings and PAC site visits.

4 Financial, Equality, Legal, HR, Improvement, Rural Needs 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 1st April 2015, the award of costs shall not apply. In all other cases the award of costs shall apply.

5 Recommendations

- 5.1 Members note the update on the appeals.

Background Papers

Appendix 27 - Appeals Schedule