City of Doncaster Council

Date: 4th April, 2023

To the Chair and Members of the Planning Committee

APPEAL DECISIONS

EXECUTIVE SUMMARY

1. The purpose of this report is to inform members of appeal decisions received from the planning inspectorate. Copies of the relevant decision letters are attached for information.

RECOMMENDATIONS

2. That the report together with the appeal decisions be noted.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. It demonstrates the ability applicants have to appeal against decisions of the Local Planning Authority and how those appeals have been assessed by the planning inspectorate.

BACKGROUND

4. Each decision has arisen from appeals made to the Planning Inspectorate.

OPTIONS CONSIDERED

5. It is helpful for the Planning Committee to be made aware of decisions made on appeals lodged against its decisions.

REASONS FOR RECOMMENDED OPTION

6. To make the public aware of these decisions.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

7.

	Outcomes	**Implications**
	Working with our partners we will provide strong leadership and governance.	Demonstrating good governance.

RISKS AND ASSUMPTIONS

8. N/A

LEGAL IMPLICATIONS [Officer Initials SC Date 22/03/2023]

9. Sections 288 and 289 of the Town and Country Planning Act 1990, provides that a decision of the Secretary of State or his Inspector may be challenged in the High Court. Broadly, a decision can only be challenged on one or more of the following grounds:
   a) a material breach of the Inquiries Procedure Rules;
   b) a breach of principles of natural justice;
   c) the Secretary of State or his Inspector in coming to his decision took into account matters which were irrelevant to that decision;
   d) the Secretary of State or his Inspector in coming to his decision failed to take into account matters relevant to that decision;
   e) the Secretary of State or his Inspector acted perversely in that no reasonable person in their position properly directing themselves on the relevant material, could have reached the conclusion he did;
   a material error of law.

FINANCIAL IMPLICATIONS [Officer Initials BC Date 22/03/2023]

10. There are no direct financial implications as a result of the recommendation of this report, however Financial Management should be consulted should financial implications arise as a result of an individual appeal.

HUMAN RESOURCES IMPLICATIONS [Officer Initials CR Date 22/03/2023]

11. There are no Human Resource implications arising from the report.

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 22/03/2023]

12. There are no technology implications arising from the report

HEALTH IMPLICATIONS [Officer Initials RS Date 22/03/2023]

13. It is considered that there are no direct health implications although health should be considered on all decisions.

EQUALITY IMPLICATIONS [Officer Initials RR Date 22/03/2023]

14. There are no Equalities implications arising from the report.

CONSULTATION

15. N/A

BACKGROUND PAPERS

16. N/A

CONCLUSIONS

17. Decisions on the under-mentioned applications have been notified as follows:-

Application No.	Application Description & Location	Appeal Decision	Ward	Decision Type	Committee Overturn
22/00467/FUL	Erection of single storey rear extension and two storey side and front extension at 35 Cromwell Drive, Sprotbrough, Doncaster, DN5 8DF	Appeal Dismissed 08/03/2023	Sprotbrough	Delegated	No
22/01599/ADV	Display of wall mounted internally illuminated 48-sheet D-Poster digital display with a height of 3 metres and a width of 6 metres. at 8 Town End, Bentley, Doncaster, DN5 9AG	Appeal Dismissed 21/02/2023	Bentley	Delegated	No
22/01326/FUL	Erection of 1.77m - 1.60m high boundary wall and 1.68m high gates (Retrospective) with alterations to lower sections of wall to 0.90m to improve visibility (being resubmission of 21/03467/FUL, refused on 03/02/2022). at 49 Ravenswood Drive, Auckley, Doncaster, DN9 3PA	Appeal Dismissed 21/02/2023	Finningley	Delegated	No
22/00956/ADV	Display of a wall-mounted 48-sheet sized digital LED advertising unit at 47 Main Street, Mexborough, S64 9LU	Appeal Dismissed 21/03/2023	Mexborough	Delegated	No

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