



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 17/05/2023]

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 17/05/2023]

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 17/05/2023]

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

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 17/05/2023]

12. There are no technology implications arising from the report

HEALTH IMPLICATIONS [Officer Initials RS Date 17/05/2023]

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

EQUALITY IMPLICATIONS [Officer Initials JB Date 17/05/2023]

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
22/00956/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
22/00581/FUL	Re-building/re-construction of former waiting room/station building within the parameters of the existing concrete base and extensions to form independent dwelling; erection of outbuilding for games room/gym use; associated engineering works; formation of new highway access and parking area; reinstatement of railway tracks and other associated works. at 71 Cadeby Road, Sprotbrough, Doncaster, DN5 7SF	Appeal Dismissed 03/04/2023	Sprotbrough	Delegated	NO
22/00250/OUT M	Outline Planning Permission (including means of access only) for B2, B8 and Class E:(g) - Employment uses of 31,846 square metres for up to 52 units and parking at Land At Former Blaxton Quarry, Mosham Road, Auckley, Doncaster	Appeal Allowed 17/04/2023	Finningley		NO
22/01630/ADV	Display of an internally illuminated D-poster sign to replace the existing poster sign. at Advertising Right Corner Of Swan Street, Adj 39 Askern Road, Bentley, Doncaster	Appeal Dismissed 06/04/2023	Bentley	Delegated	NO
22/01663/FUL	Erection of two-storey rear and side extension and installation of gates (being resubmission of application dismissed under appeal under ref 21/01596/FUL on 20/05/22). at 2 Rectory Gardens, Wheatley, Doncaster, DN1 2JU	Appeal Dismissed 11/05/2023	Town	Delegated	NO

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