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**Proposal: Appeals Update Report**

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<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	16 March 2009

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**REASON FOR REPORTING**

- 1.1. Other (please state) As part of the Planning Unit's performance, it is considered appropriate that Committee Members are informed about the appeal decisions received since September 2008.

**2. RECOMMENDATIONS**

- 2.1. That the report be noted.

**3. Appeal Activity**

**3.1 Appeals lodged prior to 8 December 2008**

- 3.2 Out of the 16 decisions received, 10 appeals have been dismissed, 5 allowed and one withdrawn.

**3.3 Appeals lodged since 8 December 2008**

- 3.4 Out of 31 appeals lodged, 5 appeals have been allowed, 3 dismissed and 3 withdrawn. The remaining 20 appeals remain undetermined to date. The following two applications were refused permission by the Committee against the Officers recommendation but allowed on appeal.

2008/0341: 8 Bury Road, Rawtenstall

Change of use from Class A1 (phone shop) with living accommodation over to Class A5 (Take Away) with Class A3 (restaurant) and ancillary storage and living accommodation over.

2008/0405: Land adjacent to the Bungalow, Dean Road, Haslingden

Detached dwelling incorporating existing garage and store room.

**4. HUMAN RESOURCES**

- 4.1 **Human Rights Act 1998** implications are considered to be Article 8 which relate to the right to respect for private and family life, home and correspondence. Additionally, Article 1 of Protocol 1 relates to the right of peaceful enjoyment of possessions and protection of property.

**5. Background documents:**

5.1. The appeal decision letters on the relevant Planning Application files.

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