

**DUDLEY METROPOLITAN BOROUGH COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE – 2<sup>nd</sup> April 2013**

**REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT – DEVELOPMENT CONTROL PERFORMANCE**

**Purpose of report**

- 1 To inform Committee of the decisions made on applications determined under ‘delegated powers’ by the Director of the Urban Environment. This report also includes decisions on appeals made against the Council’s decision on planning applications as set out in the attached appendices.

**Background**

- 2 Planning applications submitted to the Council are either considered by the Development Control Committee or delegated to the Director of the Urban Environment for decision in line with the constitution.
- 3 Applications are normally referred to the Development Control Committee if there is a substantial objection from local residents or statutory consultees, the proposal is in conflict with the development plan; or where the Committee Chairman or Ward Councillor requests (on sound planning grounds) that the application be referred to committee. Where none of the above criteria apply the decision making can be delegated. Appendix A lists all the applications determined under delegated authority since the last committee date.
- 4 When a planning application is determined; either to refuse or approve subject to conditions the applicant does not agree with, the applicant can submit an appeal to the Planning Inspectorate. The Inspectorate then independently re-assesses the planning proposal and can decide to uphold the Council’s decision or to overturn it and allow the appeal. Appendix B lists all the appeals decided since the last committee date.

**Finance**

- 5 There are no direct financial consequences arising from this report, and the costs of determining planning applications are covered by existing budgets. However under the appeal process claims for costs can be made, and if the Inspectorate is satisfied that the behaviour of a party is unreasonable full or partial costs can be awarded. In the event that an award of costs went against the Local Planning Authority it would also have to be met through the existing budget resources.

**Law**

- 6 Sections 70-76, 78, 195, 196 of the Town and Country Planning Act, Section 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990, Regulation 17 of the Town and Country Planning (Control of Advertisements England) Regulations 2007.

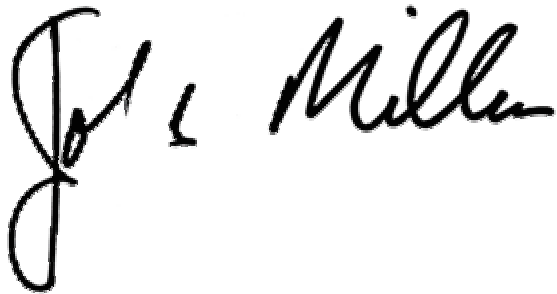
Decisions are made in line with Dudley Metropolitan Borough Council Constitution.

### **Equality Impact**

- 7 The proposals contained within this report takes into account the Council's equal opportunities policies and assist with the Council Plan's objective of achieving a fairer society.

### **Recommendation**

- 8 That the Committee note the contents of this report.

A handwritten signature in black ink, appearing to read 'John B. Millar'. The signature is written in a cursive style with a large initial 'J'.

**John B Millar**  
**Director of the Urban Environment**

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