



# Northumberland

## County Council

### NORTH NORTHUMBERLAND LOCAL AREA COUNCIL PLANNING COMMITTEE

DATE: 24 MAY 2018

---

#### PLANNING APPEALS

**Report of the Interim Executive Director of Place**

**Cabinet Member:** Councillor JR Riddle

---

#### **Purpose of report**

For Members' information to report the progress of planning appeals.

#### **Recommendations**

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

#### **Link to Corporate Plan**

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

#### **Key issues**

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.

#### **1. Appeals Received**

| <b>Reference No</b> | <b>Description and Address</b>  | <b>Appeal Start Date and Decision Level</b>     |
|---------------------|---|---|
| 17/02580/COU        | Change of use from an existing hot & cold food & drink for consumption off the premises bakers/shop to a hot food takeaway (Use Class A5) with an | 6 February 2018<br>Delegated Decision - Officer |

|              |   |  |
|--------------|---|--|
|              | <p>extended flue/duct system to extract above eaves level to rear of property - 2 Avenue Road (Former Jilly's Homebake / YumTums), Seaton Delaval</p> <p>Main Issues: Insufficient information in respect of noise and odour to assess impacts on residential amenity and impact of extract flue on residential amenity</p> | <p>Recommendation:<br/>Refuse</p>  |
| 17/01936/OUT | <p>Outline planning application for two built to rent affordable homes and five open market dwellings - Land east of Old Hall Farm, Old Swarland, Swarland</p> <p>Main Issues: New dwellings in an unsustainable location; impact on landscape; and insufficient information regarding archaeology.</p>                     | <p>8 February 2018</p> <p>Committee Decision - Officer Recommendation:<br/>Refuse</p>  |
| 17/00681/FUL | <p>Construction of horse menage 40m x 25m with sand/fibre top surface. Area to be enclosed with post/rail fence - Land south-east of Springfield, Haydon Bridge</p> <p>Main Issues: Adverse and urbanising impacts on open countryside due to design and location.</p>  | <p>12 February 2018</p> <p>Delegated Decision - Officer Recommendation:<br/>Refuse</p> |
| 17/03679/FUL | <p>Erection of 2 no. residential units as self-build/custom plots - Land north-west of North Cottage, Shoreston Hall, Seahouses</p> <p>Main issues: Adverse impacts upon rural setting of the area, AONB and Heritage Coast</p>   | <p>26 February 2018</p> <p>Delegated Decision - Officer Recommendation:<br/>Refuse</p> |
| 17/03728/FUL | <p>Proposed construction of permanent site entrance and access track - Land west of Heathergate Country Park, Lowgate, Hexham</p> <p>Main issues: encroachment into the countryside and Green Belt; effect of</p>   | <p>13 March 2018</p> <p>Committee Decision - Officer Recommendation:<br/>Approve</p>   |

|              |  |   |
|--------------|--|---|
|              | lighting; and detrimental impact on the environment  |   |
| 17/01037/OUT | <p>Change of use to residential (C3) by erecting approximately 7 self-build/custom houses - Land east of Fawdon House Farm, Longhirst</p> <p>Main issues: Development in the open countryside; not a sustainable location; inappropriate development in the Green Belt; detrimental impact on character; insufficient information to assess impacts in respect of archaeology, ecology, mine workings/gas and hydrology and flood risk</p> | <p>16 March 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 17/03320/ADE | <p>Advertisement consent hoardings signs - Land south of Beal Bank, Rotary Way, Warkworth</p> <p>Main issues: significant detrimental impact on visual amenity of the rural setting</p>  | <p>6 April 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>  |
| 17/03856/FUL | <p>Conservation Area Consent for replacement of existing windows to front with same colour, style and size windows constructed of Residence 9 Composite Wood effect</p> <p>Windows - Manor Cottage, Whalton, Morpeth</p> <p>Main issues: the proposal is not appropriate in form or material to the character of the property or the Conservation Area.</p>  | <p>23 April 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

**2. Appeals Withdrawn**

None

**3. Inquiry and Hearing Dates**

| <b>Reference No</b> | <b>Proposal and main planning considerations</b>   | <b>Date of Hearing or Inquiry</b> |
|---------------------|--|-----------------------------------|
| 16/03642/OUT        | <p>Outline application for the development of approximately 125 no. units with associated access - Land at Willowburn Trading Estate, Alnwick</p> <p>Main Issues: Refused due to loss of employment land and construction of housing would be contrary to the Alnwick and Denwick Neighbourhood Plan without any level of public benefit that would justify the loss of employment land</p> <p>Committee Decision - Officer Recommendation: Refuse</p> | Inquiry - 17 July 2018 (6 days)   |

#### 4. Planning Appeals Dismissed

| <b>Reference No</b> | <b>Proposal and main planning considerations</b>   | <b>Award of Costs?</b> |
|---------------------|--|------------------------|
| 17/01756/FELTPO     | <p>Tree Preservation Order: Fell 1no Hornbeam tree - 2 Beechcroft, Humshaugh, Hexham</p> <p>Main Issues: Effect of the removal of the hornbeam tree on the character and appearance of the area and whether sufficient justification has been demonstrated for the proposed felling</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | N                      |
| 17/03833/FUL        | <p>Two storey extension to side, single storey extension over garage. Single storey extensions to front and rear - 32 Rowan Grove, Prudhoe</p> <p>Main issues: Impacts on character of the property and surrounding area; and impact on residential amenity</p>  | N                      |

|  |  |  |
|--|--|--|
|  | Delegated Decision - Officer<br>Recommendation: Refuse |  |
|--|--|--|

## 5. Planning Appeals Allowed

| Reference No | Proposal and main planning considerations  | Award of Costs? |
|--------------|--|-----------------|
| 16/01647/OUT | <p>Proposed 4no. detached dwellings - Land north of Plot 5 Prospect Farm, The Avenue, Medburn</p> <p>Main Issues: Density of development and layout out of keeping with the character of the area and loss of amenity for residents</p> <p>Delegated Decision - Officer<br/>Recommendation: Refuse</p> <p>Summary of Inspector's Decision: The development would not have a harmful effect on the living conditions of neighbouring occupiers, with particular regard to privacy, nor would it have a harmful effect on the character and appearance of the area. It was therefore concluded that the proposal would accord with the relevant policies of the Ponteland Neighbourhood Plan, Castle Morpeth Local Plan and the NPPF.</p> <p>The Inspector also commented on the concerns of local residents in respect of the effect of traffic generated by the development on the surrounding highway network, and concluded that the traffic generated from four dwellings would be relatively modest in the context of existing and future vehicular movements on The Avenue, and that there is no compelling evidence that the highway impact would be severe having regard to paragraph 32 of the NPPF.</p> <p>The Inspector also considered that the proximity of Medburn to Ponteland is such</p> | N               |

|  |  |  |
|--|--|--|
|  | that new housing in Medburn could support the services and facilities within Ponteland by means of transport other than private car, in accordance with paragraphs 55 and 29 of the NPPF. As a result, the Inspector concluded that the proposal would contribute positively towards the environmental role of sustainability. |  |
|--|--|--|

**6. Planning Appeals Split Decision**

None

**7. Planning Casework Unit Referrals**

| <b>Reference No.</b> | <b>Proposal and main planning considerations</b>   | <b>Outcome</b>  |
|----------------------|--|---|
| 16/04408/OUT         | <p>Application for outline planning permission with some matters reserved for construction of 400 residential dwellings, associated roads, paths, car parking, drainage and landscaping - Land west of Cheviot View, Rotary Way, Ponteland</p> <p>Main Issues: Site within Green Belt therefore referral to the National Planning Casework Unit was required to consider if application is to be called-in and determined by the Secretary of State (SoS).</p> <p>Recommendation: The application was recommended for approval based on the very special circumstances offered and strong links to the Ponteland School and Leisure application, and subject to planning obligations and conditions. The Strategic Planning Committee considered the application at its meeting on the 15 March 2017</p> | <p>Following referral of the application, the National Planning Casework Unit has confirmed that the SoS has called-in the application, therefore, it will be determined by him as opposed to the Local Planning Authority. Further, the SoS has decided to hold a local inquiry. The start date of that process was the date of the response (19 April 2018) and further details from the Planning Inspectorate are awaited regarding timescales.</p> <p>The matters the SoS particularly wishes to be informed about are the consistency with the development plan; policies in the NPPF in</p> |

|  |  |   |
|--|--|---|
|  | and was minded to approve the application as set out in the committee reports, and subject to referral to the National Planning Casework Unit. | protecting Green Belt land; and any other matters the Inspector considers relevant. |
|--|--|---|

## 8. Enforcement Appeals received

| Reference No | Description and Address  | Appeal Start Date |
|--------------|--|-------------------|
| N/A          | <p>Unauthorised construction of timber buildings for residential use - Burnfoot Wood, Dilston Woods, Corbridge</p> <p>Main Issues: Development in the countryside and Green Belt contrary to policy.</p> | 15 February 2018  |

## 9. Enforcement Appeals Dismissed

None

## 10. Enforcement Appeals Allowed

None

## Implications

|                                    |   |
|------------------------------------|---|
| <b>Policy</b>                      | Decisions on appeals may affect future interpretation of policy and influence policy reviews  |
| <b>Finance and value for money</b> | There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals |
| <b>Legal</b>                       | It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals                          |
| <b>Procurement</b>                 | None  |
| <b>Human Resources</b>             | None  |
| <b>Property</b>                    | None  |
| <b>Equalities</b>                  | Planning applications and appeals are considered having regard to the Equality Act 2010   |

|  |   |
|--|---|
| (Impact Assessment attached)<br>Yes <input type="checkbox"/> No <input type="checkbox"/><br>N/A <input type="checkbox"/> |   |
| <b>Risk Assessment</b>   | None  |
| <b>Crime &amp; Disorder</b>  | As set out in individual reports and decisions  |
| <b>Customer Consideration</b>  | None  |
| <b>Carbon reduction</b>  | Each application/appeal may have an impact on on the local environment and have been assessed accordingly |
| <b>Wards</b>   | All where relevant to application site relating to the appeal   |

**Background papers:**

Planning applications and appeal decisions as identified within the report.

**Author and Contact Details**

Report Author: Elizabeth Sinnamon  
Senior Planning Manager - Development Management  
01670 625542  
Elizabeth.Sinnamon@northumberland.gov.uk