



Northumberland

County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL PLANNING COMMITTEE

DATE: 21 JUNE 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

| Reference No | Description and Address | Appeal Start Date and Decision Level |
|---------------------|---|---|
| 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 Delegated Decision - Officer |

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| | <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: 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: 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 lighting; and detrimental impact on the environment</p> | <p>13 March 2018</p> <p>Committee Decision - Officer Recommendation: Approve</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 Windows - Manor Cottage, Whalton, Morpeth</p> | <p>23 April 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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| | Main issues: the proposal is not appropriate in form or material to the character of the property or the Conservation Area. | |
| 17/03660/OUT | <p>Outline permission for up to 9 dwellings. All matters are reserved - Station Road, Haydon Bridge</p> <p>Main issues: loss of employment site; lack of information to assess noise and contamination; and lack of information to assess impacts on trees and ecology.</p> | <p>2 May 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 17/02272/FUL | <p>Change of use of land from private garden for development of single residential dwelling, garage, car parking, access and garden area - Hall View, Birtley, Hexham</p> <p>Main issues: unsustainable and inappropriate location for new housing; harm to setting of listed building; and backland development resulting in harm to character and appearance of the area</p> | <p>8 May 2018</p> <p>Committee Decision - Officer Recommendation: Approve</p> |
| 17/04333/FUL | <p>Retrospective permission for the construction of single storey rear extension - 19 Badgers Green, Lancaster Park, Morpeth</p> <p>Main issues: impact on visual amenity and disproportionate scale</p> | <p>11 May 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 16/02282/FUL | <p>Development of small caravan park to include 30 touring pitches, approximately 5 tent pitches, office/coffee shop and toilet/shower block - land west of Beacon Hill farm, High Hauxley</p> <p>Main issues: insufficient information in respect of surface water drainage and flood risk</p> | <p>11 May 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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| 17/04351/FUL | <p>Change of use of public open space to form residential garden land - 7 Ringwood Drive, Parkside Glade, Cramlington</p> <p>Main issues: loss of public open space and harm to visual appearance and character of the locality</p> | <p>17 May 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 16/04673/OUT | <p>Outline application for 2no detached two storey dwellings - land north of Bowes Hill, Newton</p> <p>Main issues: inappropriate development in the Green Belt</p> | <p>17 May 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 17/03598/DISCON | <p>Discharge of condition 24 (Gas Protection Measures) relating to planning permission 15/02628/FUL - Land east of Barrington Park, East Sleekburn</p> <p>Main issues: insufficient information in respect of ground gas protection measures to discharge condition</p> | <p>21 May 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 17/00884/FUL | <p>Conversion of existing Grade II listed building to accommodate 13 No. self contained residential apartments (C3 use class) and development of 4 dormer bungalows (3no. 3 bed and 1no. 4 bed) within former car parking area - 94 Newgate Street, Morpeth</p> <p>Main issues: impact on amenity of neighbouring residents; and harm to heritage assets</p> | <p>21 May 2018</p> <p>Committee Decision - Officer Recommendation: Approve</p> |

2. Appeals Withdrawn

None

3. Inquiry and Hearing Dates

| Reference No | Proposal and main planning considerations | Date of Hearing or Inquiry |
|---------------------|--|-----------------------------------|
| 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

| Reference No | Proposal and main planning considerations | Award of Costs? |
|---------------------|---|------------------------|
| 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>Delegated Decision - Officer Recommendation: Refuse</p> | N |
| 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</p> | N |

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| | <p>archaeology, ecology, mine workings/gas and hydrology and flood risk</p> <p>Delegated Decision - Officer Recommendation: 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>Delegated Decision - Officer Recommendation: Refuse</p> | N |

5. Planning Appeals Allowed

None

6. Planning Appeals Split Decision

None

7. Planning Casework Unit Referrals

| Reference No. | Proposal and main planning considerations | Outcome |
|---------------|---|--|
| 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</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</p> |

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

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|------------------------------------|---|
| Policy | Decisions on appeals may affect future interpretation of policy and influence policy reviews |
| Finance and value for money | There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals |

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| Legal | It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals |
| Procurement | None |
| Human Resources | None |
| Property | None |
| Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Planning applications and appeals are considered having regard to the Equality Act 2010 |
| Risk Assessment | None |
| Crime & Disorder | As set out in individual reports and decisions |
| Customer Consideration | None |
| Carbon reduction | Each application/appeal may have an impact on on the local environment and have been assessed accordingly |
| Wards | 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

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