



# Northumberland

## County Council

### NORTH NORTHUMBERLAND LOCAL AREA COUNCIL PLANNING COMMITTEE

DATE: 19 JULY 2018

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#### PLANNING APPEALS

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

**Cabinet Member:** Councillor JR Riddle

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#### **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>      |
|---------------------|--|--|
| 17/03728/FUL        | Proposed construction of permanent site entrance and access track - Land | 13 March 2018<br>Committee<br>Decision - Officer |

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|              | <p>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>Recommendation: Approve</p>  |
| 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>11 May 2018</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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|                 | Main issues: insufficient information in respect of surface water drainage and flood risk   |   |
| 17/04351/FUL    | Change of use of public open space to form residential garden land - 7 Ringwood Drive, Parkside Glade, Cramlington<br><br>Main issues: loss of public open space and harm to visual appearance and character of the locality  | 17 May 2018<br><br>Delegated Decision - Officer Recommendation: Refuse  |
| 16/04673/OUT    | Outline application for 2no detached two storey dwellings - land north of Bowes Hill, Newton<br><br>Main issues: inappropriate development in the Green Belt  | 17 May 2018<br><br>Delegated Decision - Officer Recommendation: Refuse  |
| 17/03598/DISCON | Discharge of condition 24 (Gas Protection Measures) relating to planning permission 15/02628/FUL - Land east of Barrington Park, East Sleekburn<br><br>Main issues: insufficient information in respect of ground gas protection measures to discharge condition  | 21 May 2018<br><br>Delegated Decision - Officer Recommendation: Refuse  |
| 17/00884/FUL    | 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<br><br>Main issues: impact on amenity of neighbouring residents; and harm to heritage assets | 21 May 2018<br><br>Committee Decision - Officer Recommendation: Approve |
| 17/02304/LBC    | Listed building consent for enclosure of the existing entrance courtyard with a flat roof and roof lantern, including re-roofing of the North elevation of the  | 21 May 2018<br><br>Delegated Decision - Officer                         |

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|              | <p>outhouse roof with new - Midcote, Shoreston, Seahouse</p> <p>Main issues: less than substantial harm to Grade II listed building identified has not been demonstrated as necessary and has not been justified.</p>   | <p>Recommendation:<br/>Refuse</p>  |
| 17/00389/FUL | <p>Change of use to caravan storage including erection of boundary fence and access roads as supplemented by drainage strategy plan received 18/05/17 and amended by site layout plan received 08/06/17 together with cabin details - Land between A189 and B1505, Cramlington</p> <p>Main issues: potential to generate a significant increase in traffic with insufficient evidence to demonstrate impact, and potential for the development to give rise to severe impacts on the highway network to the detriment of road users and general highway safety; and the proposal would result in overdevelopment, would be out of keeping with the character of the area and represents a significant visual intrusion to the detriment of the amenity of the area.</p> | <p>30 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 | Outline application for the development of approximately 125 no. units with associated | Inquiry - 17 July          |

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|  | <p>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> | 2018 (6 days) |
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#### 4. Planning Appeals Dismissed

| Reference No | Proposal and main planning considerations  | Award of Costs? |
|--------------|--|-----------------|
| 17/02580/COU | <p>Change of use from an existing hot &amp; cold food &amp; drink for consumption off the premises bakers/shop to a hot food takeaway (Use Class A5) with an 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>Delegated Decision - Officer Recommendation: Refuse</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> | N               |
| 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>Committee Decision - Officer Recommendation: Refuse</p> <p>Main Issues: New dwellings in an unsustainable location; impact on landscape;</p>   | N               |

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|              | and insufficient information regarding archaeology.   |   |
| 17/03856/FUL | <p>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>Delegated Decision - Officer<br/>Recommendation: Refuse</p> <p>Main issues: the proposal is not appropriate in form or material to the character of the property or the Conservation Area.</p> | N |

## 5. Planning Appeals Allowed

| Reference No | Proposal and main planning considerations   | Award of Costs? |
|--------------|---|-----------------|
| 17/03320/ADE | <p>Advertisement consent hoardings signs - Land south of Beal Bank, Rotary Way, Warkworth</p> <p>Delegated Decision - Officer<br/>Recommendation: Refuse</p> <p>Main issues: significant detrimental impact on visual amenity of the rural setting</p> <p>The Inspector states that the proposed advertisement graphics would not be particularly large or garish in composition and form. Accordingly, due to the scale, proposed use of relatively subdued colours and the siting against a hedgerow, a stark contrast would not occur between the advertisement and its muted rural setting. Given the distance from Warkworth Castle, and the location and scale of the advertisement, no harm in relation to the setting of the listed building has been identified. In relation to the adjacent</p> | N               |

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|  | <p>Conservation Area and the AONB, the proposal would not be unduly dominant and as such, the character and appearance of both designations would be preserved.</p> <p>Concerns in respect of cumulative impact were acknowledged, but the Inspector states each application and appeal must be treated on its individual merits. The Inspector concludes that the advertisement would not appear as an incongruous feature and therefore no significant harm has been identified in relation to amenity.</p> |  |
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## 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 application was recommended for approval based on the very special circumstances offered and strong links to the Ponteland School and Leisure application,</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</p> |

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|  | 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. | 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. |
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#### 8. Enforcement Appeals received

None

#### 9. Enforcement Appeals Dismissed

| Reference No | Description and Address   | Award of costs? |
|--------------|---|-----------------|
| 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 - Inspector's decision based solely on the assessment of whether the 6 structures and polytunnel with adjoining structure referred to in the enforcement notice constitute building operations.</p> <p>The appeal is dismissed and the enforcement notice is upheld</p> | No              |

#### 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 |



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| <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><br>(Impact Assessment attached)<br>Yes <input type="checkbox"/> No <input type="checkbox"/><br>N/A <input type="checkbox"/> | Planning applications and appeals are considered having regard to the Equality Act 2010                        |
| <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**

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