



# Northumberland

## County Council

### NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 20 JUNE 2019

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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>
18/02789/FUL	Proposed roof terrace - 3 Dunkirk Terrace, Corbridge  Main issues: works are not in keeping with the terrace and would cause harm	3 January 2019  Delegated Decision - Officer

	to the appearance of the property and Conservation Area.	Recommendation: Refuse
18/00401/OUT	<p>Outline permission with all matters reserved for the erection of a mixed-use building comprising D1, A1 and A3 uses plus managers quarters (C3) - land north-west of Cross Cottage, Longhorsley</p> <p>Main issues: non-essential and unjustified development in the open countryside outside of the defined settlement boundary; and inappropriate development within the Green Belt for which no very special circumstances have been demonstrated</p>	<p>4 January 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/00765/FUL	<p>Proposed single storey rear extension, Infilling the current area between Stable Cottage and The Granary - Stable Cottage and The Granary, Old Ridley, Stocksfield</p> <p>Main issues: disproportionate addition to the original house resulting in inappropriate development in the Green Belt; design of the extension would not be sympathetic to the character and setting of the listed building; and development would lead to a loss of light and would appear overbearing to the residents of this property</p>	<p>4 January 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/01671/VAR YCO	<p>Variation of condition 10 (holiday occupancy) pursuant to planning permission A/2008/0543 - Netherton Burnfoot Steading, Netherton</p> <p>Main issues: removal of the occupancy condition would, by virtue of its location in the open countryside, result in the construction of new unrestricted dwellings in an unsustainable location and no demonstrated need, justification or other material consideration that</p>	<p>4 January 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	would justify the construction of a new dwelling in this unsustainable location	
18/01672/VAR YCO	<p>Variation of condition 10 (holiday occupancy) pursuant to planning permission A/2008/0543 - Netherton Burnfoot Steading, Netherton</p> <p>Main issues: removal of the occupancy condition would, by virtue of its location in the open countryside, result in the construction of new unrestricted dwellings in an unsustainable location and no demonstrated need, justification or other material consideration that would justify the construction of a new dwelling in this unsustainable location</p>	<p>4 January 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/03108/AGT RES	<p>Proposed change of use of agricultural building to residential - the Gin Gan, Whalton</p> <p>Main issues: the proposal would not constitute permitted development due to extent of proposed building operations</p>	<p>4 February 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/01508/FUL	<p>Construction of two dwellings - land north of Lynebank, Ulgham</p> <p>Main issues: inappropriate development in the Green Belt and no very special circumstances that outweigh the harm; development in the open countryside and no essential need justified; and not a sustainable location for new housing</p>	<p>5 February 2019</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
18/01370/OUT	<p>Outline application (with some matters reserved) for 4 dwellings - land south east of Greensfield Moor Farm, Alnwick</p> <p>Main issues: development in the open countryside that would adversely affect the rural setting and character of the area.</p>	<p>6 February 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

18/02189/FUL	<p>Residential development (use class C3) for six single storey dwellings with associated landscaping and access - 26 Station Road, Stannington, Morpeth</p> <p>Main issues: inappropriate development in the Green Belt and no very special circumstances that outweigh the harm.</p>	<p>6 February 2019</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
18/02215/OUT	<p>Outline permission for 9 no. residential units (C3 use) (all matters reserved) - Butley Ben, North Lane End, Morpeth</p> <p>Main issues: inappropriate development in the Green belt and open countryside</p>	<p>11 March 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/03085/FUL	<p>Erection of one 3 bedroomed dwellinghouse - land west of Chapel Lane, The Chare, Wall</p> <p>Main issues: harmful to the character of the Conservation area; and unacceptable impacts upon amenity of neighbouring residents</p>	<p>12 March 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/00162/OUT	<p>Outline Application (All Matters Reserved); 40 Dwellings - As Amended 23/07/18 - land south of Lightpipe farm, Longframlington</p> <p>Main issues: benefits of junction improvements not considered to outweigh environmental impact; overdevelopment of the site and adverse impact on the area; and adverse impact upon the character of the village.</p>	<p>13 March 2019</p> <p>Committee Decision - Officer Recommendation: Approve</p>
18/02483/FUL	<p>Change of use to residential (C3 use) comprising 24 no. houses, access road and landscaping - land west of Hawthorns, Longframlington</p> <p>Main issues: obtrusive development in the rural landscape that would adversely affect the rural setting; and</p>	<p>18 March 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	fails to address issues of drainage discharge.	
18/02411/FUL	Demolition of outbuilding and construction of one dwelling (retrospective) as variation to permission 13/03141/OUT - Witton Shield House, Pigdon  Main issues: development in the open countryside; and the development is in an unsustainable location.	20 March 2019  Delegated Decision - Officer Recommendation: Refuse
18/02506/FUL	Proposed detached dwelling and garage, also garaging for No 13 and 14 Rothesay Terrace - 14 Rothesay Terrace, Bedlington  Main issues: development would appear excessively large, isolated and incongruous that would be harmful to the character and appearance of the area.	21 March 2019  Delegated Decision - Officer Recommendation: Refuse
18/03779/FUL	Proposed balcony extension - 27 Bernicia Way, Beadnell  Main issues: inappropriate design for the property and surrounding area.	1 April 2019  Delegated Decision - Officer Recommendation: Refuse
18/04155/FUL	Change of use from three bay garage to single dwellinghouse with adjacent change of use of adjacent land to garden - land north-west of Hague Cottage, Wylam Wood Road, Wylam  Main issues: inappropriate development within the Green Belt; harm to the amenity of local residents; adverse impact upon the character of the area and urbanising effect on the site	9 April 2019  Delegated Decision - Officer Recommendation: Refuse
18/02339/FUL	First floor side extension and alterations to existing. Removal of conservatory and erection of new garden room to	11 April 2019  Delegated Decision - Officer

	<p>rear. Driveway works (as amended 29/10/18) - Dodley Farm, Stamfordham</p> <p>Main issues: unacceptable form of development to the non-designated heritage asset; and does not address potential impacts on bats and other protected species</p>	<p>Recommendation: Refuse</p>
18/04030/ADE	<p>Advertisement Consent application for the erection of 1no. totem sign advertising housing development at Guilden Road - land south of Morwick Road, Warkworth</p> <p>Main issues: significant detrimental impact on visual amenity affecting the character and appearance of the surrounding area.</p>	<p>15 April 2019</p> <p>Committee Decision - Officer Recommendation: Approve</p>
18/04471/FUL	<p>Replace Velux rooflight with a Cabrio Velux Rooflight - 3 Mizen Court, Bamburgh</p> <p>Main issues: unacceptable impact on residential amenity</p>	<p>2 May 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/04268/FUL	<p>Insertion of two dormers and construction of porch to front elevation; rear roof extension dormer and erection of rear ground floor single storey extension to provide living accommodation - 21 Windsor Crescent, Ovingham</p> <p>Main issues: out of keeping in terms of design, scale and siting and harmful impact upon amenity of adjacent residents.</p>	<p>7 May 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/02665/FUL	<p>Residential development for 4 no. dwellings (amended plans and description) - land north-west of Millfield Court Bardon Mill</p>	<p>7 May 2019</p> <p>Appeal against non-determination</p>

	Main issues: the applicant has appealed against non-determination although officers have advised that the application could not be supported due to matters of location and harmful impacts upon the character and appearance of the area.	
18/04028/FUL	Extension to dwelling - North Side Farm, Oatens Park, Horsley  Main issues: inappropriate development in the Green belt and very special circumstances do not exist; and harmful impact upon character of dwelling	14 May 2019  Delegated Decision - Officer Recommendation: Refuse
19/00151/FUL	Construction of two-storey extensions to the side and rear and porch to front - Blackhall Mill, The Mill, Juniper, Steel  Main issues: inappropriate development in the Green belt and very special circumstances do not exist.	15 May 2019  Delegated Decision - Officer Recommendation: Approve

**2. Appeals Withdrawn**

None

**3. Inquiry and Hearing Dates**

<b>Reference No</b>	<b>Description and Address</b>	<b>Inquiry/Hearing date and Decision Level</b>
16/04486/FUL	Detailed planning proposal for 53 residential dwellings and associated infrastructure - land North of The Garth, Pottery Bank, Morpeth  Main Issues: insufficient information submitted to assess whether the development will not have a severe residual cumulative impact on highway	Inquiry date: 4 - 7 June 2019  Committee Decision - Officer Recommendation: Approve

	network; site is not designated for housing development; insufficient information to demonstrate the development will not increase the risks of flooding; and by virtue of its design, height and massing the development would have an adverse impact on residential amenity	
18/01014/FUL	Proposed construction of 7 dwellings - land west of Station Road, Embleton  Main issues: incursion into the open countryside impacting on character and beauty of the countryside; and fails to protect and enhance landscape character	Hearing date: 16 July 2019  Committee Decision - Officer Recommendation: Refuse

#### 4. Planning Appeals Dismissed

Reference No	Proposal and main planning considerations	Award of Costs?
18/03216/FUL	Proposed detached dwelling and detached garage - land south of 18 Victoria Road, Wooler  Main issues: out of character with and detrimental visual impact upon the surrounding street scene.  Delegated Decision - Officer Recommendation: Refuse	N
18/03167/ADE	Retrospective Advertisement Consent: Installation of 1no. non-illuminated hoarding sign - signage east of Lifeboat House, Seahouses  Main issues: negative impact on visual amenity of AONB and Conservation Area	N



	Delegated Decision - Officer Recommendation: Refuse	
18/01818/FUL	<p>Application for the erection of a timber garden studio for business use - land south east of 10 The Village, Fenwick</p> <p>Main issues: building would be out of character with the area and detrimental to visual amenity and streetscene</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	N

## 5. Planning Appeals Allowed

Reference No	Proposal and main planning considerations	Award of Costs?
17/03367/OUT	<p>Outline application for 2 no. 2.5 storey dwelling houses with garages all matters reserved (re-submission of withdrawn outline planning application 17/00666/OUT) - Plots 5 and 6, land north of Dyke House, The Avenue, Medburn</p> <p>Main issues: increase in vehicular traffic and safe and suitable access cannot be achieved along The Avenue; and not a sustainable location for new development.</p> <p>Committee Decision - Officer Recommendation: Approve</p> <p>Comments: The Inspector concluded that <i>"I have considered the development on its own merits and found that it would have safe and suitable access and there would be facilities and services available in the nearby settlements. I have also taken into account that planning permission has recently been granted for other similar development both generally in Medburn, and on the appeal site"</i></p>	Y

	<i>itself. The development would also make a modest contribution to the delivery of new homes, although I give this little weight. In conclusion, the proposal would accord with the Framework with respect to highway safety and access to facilities and services and with policy PNP 2 of the Neighbourhood Plan and policy H12 of the Local Plan with respect to its effect on the character of the area”.</i>	
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**6. Planning Appeals Split Decision**

None

**7. Planning Casework Unit Referrals**

None

**8. Enforcement Appeals received**

None

<b>Reference No</b>	<b>Description and Address</b>	<b>Appeal Start Date</b>
18/00595/COU	Change of use from shop to ground floor flat - 55 Woodhorn Road, Ashington  Main issues: planning permission refused under delegated powers due to external alterations being out of character with the building and locality - appeal against Enforcement Notice served in respect of unacceptable works that have been undertaken.	11 February 2019

**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> (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
<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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