



Northumberland

County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 22 AUGUST 2019

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 |
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| 18/01370/OUT | Outline application (with some matters reserved) for 4 dwellings - land south east of Greensfield Moor Farm, Alnwick | 6 February 2019 Delegated Decision - Officer |

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| | Main issues: development in the open countryside that would adversely affect the rural setting and character of the area. | Recommendation: Refuse |
| 18/02843/FUL | Change of use to residential (C3 use) comprising 24 no. houses, access road and landscaping - land west of Hawthorns, Longframlington Main issues: obtrusive development in the rural landscape that would adversely affect the rural setting; and fails to address issues of drainage discharge. | 18 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 |
| 18/04471/FUL | Replace Velux rooflight with a Cabrio Velux Rooflight - 3 Mizen Court, Bamburgh Main issues: unacceptable impact on residential amenity | 2 May 2019 Delegated Decision - Officer Recommendation: Refuse |
| 18/04268/FUL | 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 Main issues: out of keeping in terms of design, scale and siting and harmful impact upon amenity of adjacent residents. | 7 May 2019 Delegated Decision - Officer Recommendation: Refuse |

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| 18/02665/FUL | <p>Residential development for 4 no. dwellings (amended plans and description) - land north-west of Millfield Court Bardon Mill</p> <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.</p> | <p>7 May 2019</p> <p>Appeal against non-determination</p> |
| 19/00151/FUL | <p>Construction of two-storey extensions to the side and rear and porch to front - Blackhall Mill, The Mill, Juniper, Steel</p> <p>Main issues: inappropriate development in the Green belt and very special circumstances do not exist.</p> | <p>15 May 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 18/03951/OUT | <p>Outline application for the construction of two semi-detached one and a half storey houses (with appearance, landscaping, layout and scale reserved) - land north-west of Woodhouse Farm, Coanwood</p> <p>Main issues: development within the open countryside and not a sustainable location; inadequate standards of amenity; and lack of information on impact upon trees and ecological value of the site.</p> | <p>20 May 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 18/04344/FUL | <p>Ground and first floor extension to cottage - Rose Cottage, Longhoughton Road, Lesbury</p> <p>Main issues: the development would result in less than substantial harm and have an adverse effect on the Conservation Area; and the design would not represent an appropriate form of development.</p> | <p>4 June 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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| 18/03943/FUL | <p>Part demolition of existing single storey rear extension, construction of first floor extension, internal alterations and formation of new parking area - Woodhouse Farm, Coanwood</p> <p>Main issues: design not in keeping with the character and appearance of the existing building and surrounding area; and detrimental impact on residential amenity</p> | <p>11 June 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 18/03964/FUL | <p>Erection of 1 dwelling (C3 use) as self-build/custom plot - land east of Townfoot Steading, Lesbury</p> <p>Main issues: development in the open countryside in an unsustainable location outside of the settlement; and development would be out of character with and have a detrimental visual impact upon the surrounding countryside.</p> | <p>17 June 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 14/01898/OUT | <p>Outline application for construction of single detached dwelling house - land west of Bramblings, Tranwell Woods, Morpeth</p> <p>Main issues: inappropriate development in the Green Belt.</p> | <p>17 June 2019</p> <p>Committee Decision - Officer Recommendation: Refuse</p> |
| 18/03397/FUL | <p>Erection of a new dwelling house - land north of Cheviot View, Netherton</p> <p>Main issues: development in the open countryside in an unsustainable location outside of any settlement; insufficient information to assess the risk of potentially contaminated land; and obtrusive form of development in the rural landscape.</p> | <p>18 June 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 18/03053/FUL | <p>Demolition of existing two storey, flat roofed extension and replacement with a new two storey, pitched roof</p> | <p>27 June 2019</p> <p>Delegated Decision - Officer</p> |

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| | <p>extension with single storey flat roofed garden room projection - Ridley Mill House, Ridley Mill Road, Stocksfield</p> <p>Main issues: the development by virtue of its overall design, form and materials palette, would introduce an incongruous form of development upon the listed building that would be harmful to its character as a building of special architectural and historic interest.</p> | <p>Recommendation: Refuse</p> |
| 18/03054/LBC | <p>Listed Building Consent for the demolition of existing two storey, flat roofed extension and replacement with a new two storey, pitched roof extension with single storey flat roofed garden room projection - Ridley Mill House, Ridley Mill Road, Stocksfield</p> <p>Main issues: the development by virtue of its overall design, form and materials palette, would introduce an incongruous form of development upon the listed building that would be harmful to its character as a building of special architectural and historic interest.</p> | <p>27 June 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 18/01223/FUL | <p>Demolition of existing modern structures, Change of Use of existing agricultural buildings to residential use including internal and external alterations and construction of 1.5 storey extension on footprint of previous building - Riding Farm, Riding Mill</p> <p>Main issues: proposal would result in substantial harm to the listed buildings and any limited public benefits would not outweigh the harm.</p> | <p>27 June 2019</p> <p>Committee Decision - Officer Recommendation: Refuse</p> |
| 18/01224/LBC | <p>Listed building consent for demolition of existing modern structures, Change of Use of existing agricultural buildings to residential use including internal and external alterations and construction of</p> | <p>27 June 2019</p> <p>Committee Decision - Officer</p> |

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| | <p>1.5 storey extension on footprint of previous building - Riding Farm, Riding Mill</p> <p>Main issues: proposal would result in substantial harm to the listed buildings and any limited public benefits would not outweigh the harm.</p> | <p>Recommendation: Refuse</p> |
| 18/01246/FUL | <p>Construction of two one and a half storey dwellings and alterations to parking and access arrangements - Riding Farm, Riding Mill</p> <p>Main issues: development would harm the setting and special character of listed buildings; and adverse impacts on residential amenity.</p> | <p>27 June 2019</p> <p>Committee Decision - Officer Recommendation: Refuse</p> |
| 18/04546/FUL | <p>Construction of 1 no. detached dwellinghouse (C3 use) - land north-west of Clifton Lodge, Great North road, Clifton</p> <p>Main issues: unnecessary and unjustified development in the open countryside outside of a defined settlement boundary; inappropriate development in the Green Belt; and insufficient information to assess impacts upon protected species and their habitats.</p> | <p>2 July 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 18/04514/VAR YCO | <p>Variation of condition 6 (Doors and Windows) pursuant to planning permission 13/01496/VARYCO - The Byre, The Hopps and The Meadows, Summerfield Farm, Allensford, Consett</p> <p>Main issues: inappropriate form of development that would erode and have an adverse effect upon the character and appearance of the traditional former agricultural buildings,</p> | <p>2 July 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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| | and the overall development and surrounding area. | |
| 18/01850/FUL | <p>Proposed two semi detached, three bedroom properties, including landscaping and parking - land north of Mags Newsagents, Main Street, Haltwhistle</p> <p>Main issues: by virtue of its scale and design, the development is considered to be inappropriate to the character of the application site and its surroundings; the development would not provide suitable standards of amenity for future occupants; and access to the site is substandard in terms of width preventing vehicles being able to pass.</p> | <p>2 July 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 19/01031/OUT | <p>Erection of 3 no. dwellinghouses (C3 use) plus new access road - land east of 21 Station Road, Station Road, Stannington</p> <p>Main issues: cumulative impact of development would diminish and fail to respect the rural, dispersed and open character of the settlement.</p> | <p>4 July 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 18/04275/OUT | <p>Outline application with all matters reserved for nine residential dwellings (as supplemented by information received 20th December 2018 and 4th March 2019) - land north-east of 51 Station Road, Station Road, Stannington</p> <p>Main issues: development in the Green Belt and effects on the character of Station Road, Stannington</p> | <p>5 July 2019</p> <p>Appeal against non-determination</p> |
| 18/03573/FUL | <p>Extension to existing bed and breakfast establishment - 88 Main Street, North Sunderland</p> | <p>5 July 2019</p> <p>Delegated Decision - Officer</p> |

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| | <p>Main issues: detrimental effect on the amenity of neighbouring properties; the AONB; Conservation Area; and the character of the area.</p> | <p>Recommendation: Refuse</p> |
| 18/02671/FUL | <p>Demolition of existing buildings and erection of 9 residential units with associated access (Amended Site Location Plan and Red Line Boundary, and Reduction in number of units in scheme 04.11.2018) - West Road Garage, Rothbury Road, Longframlington</p> <p>Main issues: significant adverse visual impact on the immediate area surrounding the site; and significant adverse impact on the setting of adjacent listed buildings</p> | <p>5 July 2019</p> <p>Committee Decision - Officer Recommendation: Approve</p> |
| 17/04451/OUT | <p>Outline permission with some matters reserved for the development of 11no. detached 2 storey dwellings with associated access works and removal of trees (as amended 03/05/18) - land north-west of Blue House Farm, Netherton Colliery</p> <p>Main issues: development within the open countryside outside of any defined settlement boundary; substantial harm to the setting of the adjacent listed building; and failed to address concerns in regards to highway safety.</p> | <p>8 July 2019</p> <p>Committee Decision - Officer Recommendation: Refuse</p> |
| 17/03167/FUL | <p>Demolition of existing former piggeries, stores, saw mill and joiner's shop. Erection of a single storey dwelling including basement. New timber garage and log store. Retain existing access - Wright house, Howden Dene, Newcastle Road, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt.</p> | <p>15 July 2019</p> <p>Committee Decision - Officer Recommendation: Refuse</p> |

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| 19/00750/FUL | <p>Side extension (retrospective) - Whitethorn, Oakwood, Hexham</p> <p>Main issues - disproportionate addition over and above the size of the original dwelling resulting in inappropriate development in the Green Belt.</p> | <p>18 July 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 19/00508/FUL | <p>Erect a fence as an extension to the current fence at the rear of the property, thereby extending the yard area - 18 Scott Street, East Hartford, Cramlington</p> <p>Main issues: uncharacteristic addition to the surrounding streetscene and fails to enhance the visual amenity of the area.</p> | <p>18 July 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 18/04365/FUL | <p>Erection of a dwellinghouse - land east of Valley View, Carterway Heads, Consett</p> <p>Main issues: development in the open countryside that would not be a sustainable location for new housing; domestic incursion into the countryside impacting on the undeveloped character of the site and harm to the character and appearance of the landscape in this area; and removal of trees would have an adverse impact upon the character, amenity and local landscape.</p> | <p>19 July 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

2. Appeals Withdrawn

None

3. Inquiry and Hearing Dates

| Reference No | Description and Address | Inquiry/Hearing date and Decision Level |
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| 16/04486/FUL | <p>Detailed planning proposal for 53 residential dwellings and associated infrastructure - land North of The Garth, Pottery Bank, Morpeth</p> <p>Main Issues: insufficient information submitted to assess whether the development will not have a severe residual cumulative impact on highway 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</p> | <p>Inquiry date: 4 - 7 June 2019</p> <p>Committee Decision - Officer Recommendation: Approve</p> |
| 18/01014/FUL | <p>Proposed construction of 7 dwellings - land west of Station Road, Embleton</p> <p>Main issues: incursion into the open countryside impacting on character and beauty of the countryside; and fails to protect and enhance landscape character</p> | <p>Hearing date: 16 July 2019</p> <p>Committee Decision - Officer Recommendation: Refuse</p> |

4. Planning Appeals Dismissed

| Reference No | Proposal and main planning considerations | Award of Costs? |
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| 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</p> | N |

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| | <p>adverse impact upon the character of the village.</p> <p>Committee Decision - Officer Recommendation: Approve</p> <p>Comments: The Inspector concluded that the proposed development would not have a harmful effect on the character and appearance of the surrounding area and there was no overriding evidence to indicate that the proposal would have a significantly harmful environmental effect on the area. The Inspector also concluded that identified contributions are required for the development, although a completed Section 106 Agreement had not been submitted as part of the appeal. Given the obligations are necessary, the Inspector dismissed the appeal on this basis.</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>Committee Decision - Officer Recommendation: Approve</p> | N |
| 18/02411/FUL | <p>Demolition of outbuilding and construction of one dwelling (retrospective) as variation to permission 13/03141/OUT - Witton Shield House, Pigdon</p> <p>Main issues: development in the open countryside; and the development is in an unsustainable location.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | N |

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| <p>18/01671/VARYC O</p> | <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>Delegated Decision - Officer Recommendation: Refuse</p> | <p>N</p> |
| <p>18/01672/VARYC O</p> | <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>Delegated Decision - Officer Recommendation: Refuse</p> | <p>N</p> |
| <p>18/04028/FUL</p> | <p>Extension to dwelling - North Side Farm, Oatens Park, Horsley</p> <p>Main issues: inappropriate development in the Green belt and very special circumstances do not exist; and harmful impact upon character of dwelling</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | <p>N</p> |

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| 18/03108/AGTRES | <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 the extent of proposed building operations</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | N - claim refused |
| 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>Committee Decision - Officer Recommendation: Refuse</p> | N |
| 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>Committee Decision - Officer Recommendation: Refuse</p> | N |

5. Planning Appeals Allowed

| Reference No | Proposal and main planning considerations | Award of Costs? |
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| 18/04155/FUL | Change of use from three bay garage to single dwellinghouse with adjacent change of use of adjacent land to garden - land | N - claim refused |

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| | <p>north-west of Hague Cottage, Wylam Wood Road, Wylam</p> <p>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</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> <p>Comments: The Planning Inspector concluded that the proposal would not result in inappropriate development in the Green Belt on the basis that the building on site was felt to be more than partially constructed and would not therefore involve the construction of a new building in the Green Belt, whilst there would be no harm to the openness of the Green Belt. In addition the Inspector concluded that the proposal would not result in harm to the living conditions of neighbouring properties or the character of the area.</p> | |
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6. Planning Appeals Split Decision

None

7. Planning Casework Unit Referrals

None

8. Enforcement Appeals received

None

| Reference No | Description and Address | Appeal Start Date |
|---------------------|----------------------------------------------------------------------------|--------------------------|
| 18/00595/COU | Change of use from shop to ground floor flat - 55 Woodhorn Road, Ashington | 11 February 2019 |

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| | 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. | |
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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 |
| 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 |

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| Carbon reduction | Each application/appeal may have an impact 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

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