



Northumberland

County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 23 JANUARY 2020

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
19/00436/OUT	Outline Application for the erection of 1 no. detached dwelling within existing garden space - land north of Peartrees Cottage, Sandhoe	31 July 2019 Appeal against non-determination

	Main issues: development in the Green Belt and impacts on the setting of listed buildings.	
18/01020/OUT	<p>Outline Application (With Layout) - 15 Dwellings (100% Self Build Plots) & Landscaped Area - land north-east of Stoney Hills, Alnwick</p> <p>Main issues: fails to protect landscape character; harm to the setting of listed buildings; and fails to address highway safety concerns.</p>	<p>7 August 2019</p> <p>Committee Decision - Officer Recommendation: Approve</p>
18/00332/FUL	<p>Proposed detached dwelling within existing site curtilage - Halliwell Dene Hall, Dene Park, Hexham</p> <p>Main issues: harmful impact upon the setting of the Grade II listed Halliwell Dene Hall.</p>	<p>20 August 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/00716/HED	<p>High Hedge Complaint: Problems with the height of neighbouring hedge, with no action from neighbour following requests - The Haven, Back Crofts, Rothbury</p> <p>Main issues: impact of the hedge on the site and wider area</p>	<p>3 September 2019</p> <p>Delegated Decision: remedial notice issued requiring reduction in height of hedge</p>
19/01097/FUL	<p>Proposed construction of nine new build dwellings along with associated highways access, vehicle parking and landscaping. Red line boundary extended to include access to site (Amended Description 18th June 2019) land west of Westacres, Wark</p> <p>Main issues: development in the open countryside; harmful impact on the character and appearance of the site and setting of the village; insufficient information to assess ecological</p>	<p>17 September 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	impacts; and no acceptable provision for affordable housing.	
18/02731/VAR YCO	Variation of condition 2 (approved plans) pursuant to planning permission 17/01334/VARYCO in order to add a revised site plan - Hopedene, The Dene, Allendale Main issues: loss of privacy and impact on residential amenity	17 September 2019 Committee Decision - Officer Recommendation: Approve
18/04479/OUT	Outline application for development of 5 no. bungalows (C3 Use) with all matters reserved - land west of 42 Park Road, Swarland Main issues: detrimental impact on character and visual impact on the street scene; and harm to listed building.	9 October 2019 Delegated Decision - Officer Recommendation: Refuse
19/02085/OUT	Resubmission: Outline application for development of approximately 40 dwellings - amended 09/08/19 - land south of Lightpipe Farm, Longframlington Main issues: location; scale and design of development; and impacts on the character of the village.	14 October 2019 Appeal against non-determination
19/01348/VAR YCO	Removal of conditions 10 (Highways), 11 (Permitted Development), 15 (Permitted Development) and 16 (Permitted Development) pursuant to planning permission 13/01837/FUL - The Old Farm Byre, East Thirston Main issues: design; residential amenity; and access.	14 October 2019 Delegated Decision - Officer Recommendation: Refuse
18/01724/FUL	New one bedroomed single storey cottage in garden as ancillary accommodation to main cottage, new	22 October 2019 Delegated Decision - Officer

	<p>parking and turning area - 22 Links Road, Bamburgh</p> <p>Main issues: adverse impact on residential amenity.</p>	<p>Recommendation: Refuse</p>
19/01771/ADE	<p>Replacement of an existing illuminated 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display - 469 Cowpen Road, Blyth</p> <p>Main issues: harm to the amenity of the area; and harm to public and highway safety.</p>	<p>29 October 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/04418/FUL	<p>Proposed new single-storey dwelling adjacent to Westfield, Hepscott (amended plans 11.07.2019) - Westfield, Hepscott, Morpeth</p> <p>Main issues: not appropriate subdivision of the site resulting in detrimental impact to the character of Hepscott; and loss of amenity to existing and future occupants.</p>	<p>1 November 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/03873/OUT	<p>Outline planning permission with all matters reserved for the demolition of an existing garage and erection of a single residential unit - land south-west of Barmoor Farm, Barmoor</p> <p>Main issues: development in the open countryside; and inappropriate development in the Green Belt.</p>	<p>1 November 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/03529/FUL	<p>Proposed new dwelling & associated works - Blue House Farm Cottages, Blue House Farm Road, Netherton Colliery</p> <p>Main issues: development in the open countryside; failed to address concerns in respect of highway safety and</p>	<p>13 November 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	access; and lack of information to assess ecological impacts.	
19/02221/FUL	Proposed dining room extension - The Dairy, High Callerton Main issues: out of character with farm steading and impact on the High Callerton Conservation Area.	2 December 2019 Delegated Decision - Officer Recommendation: Refuse
19/01170/VAR YCO	Variation of condition 2 (habitation period) of application 18/01745/VARYCO to allow 12 month habitation period (amended description) - Blue Sky Resorts Ltd, Heathergate Country Park, Lowgate, Hexham Main issues: loss of amenity for local residents; and insufficient justification for year round accommodation.	3 December 2019 Committee Decision - Officer Recommendation: Approve
19/01171/VAR YCO	Variation of condition 2 (habitation period) of application T/20050948 to allow 12 month habitation period - Blue Sky Resorts Ltd, Heathergate Country Park, Lowgate, Hexham Main issues: loss of amenity for local residents; and insufficient justification for year round accommodation.	3 December 2019 Committee Decision - Officer Recommendation: Approve
19/01026/VAR YCO	Variation of Condition 2 (Approved Plans) and removal of Condition 8 (Highways Works) pursuant to planning application 18/03203/FUL - Acton Caravan Site, Felton Main issues: unacceptable impact on the highway network.	3 December 2019 Committee Decision - Officer Recommendation: Approve
19/01688/FUL	Conversion of existing hemmel to a single residential unit - Hemmel south of Fieldhead, Causey Park Main issues: isolated dwelling in the countryside and inappropriate development in the Green Belt.	4 December 2019 Delegated Decision - Officer Recommendation: Refuse

19/00823/FUL	<p>Erection of 1 No. dwellinghouse (C3 use) plus new access - land south-west of Chesterhill Farm, Leamington Lane, Swarland</p> <p>Main issues: development in the open countryside; and impact on landscape character.</p>	<p>9 December 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/00007/FUL	<p>Convert loft space to 2 bedrooms - 4 Prospect Close, Felton</p> <p>Main issues: design, impact upon the Conservation Area and residential amenity.</p>	<p>9 December 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01955/FUL	<p>Erection of a 2.1m High Double Slatted Fence Panel and a 2.7m High Close Board Fence and change of use of agricultural land to residential garden to 'plot one' in relation to 16/03777/FUL - land west of Dyke House, The Avenue, Medurn</p> <p>Main issues: detrimental impact on visual amenity; and would not protect, improve and extend green infrastructure</p>	<p>10 December 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/04170/FUL	<p>Construction of 6 dwellings - land east of Furrow Grove, Station Road, Stannington</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; detrimental impact within the countryside; cumulative impact of development along Stannington Station; and lack of information to assess archaeological impact.</p>	<p>10 December 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
19/00033/VAR YCO	<p>Variation of Condition 4 (Workers Dwelling) pursuant to planning permission T/20030773 to remove restrictive planning condition and discharge the S106 agreement associated with T/20040574 - Smalesworth Farm, Tarsset, Hexham</p> <p>Main issues: application fails to convincingly demonstrate that there is no longer a need for the dwelling to be restricted to the use of a rural worker and if the condition was to be removed it would result in the creation of an isolated dwelling in an unsustainable location.</p>	<p>Hearing date: 15 October 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/02349/FUL	<p>Change of use and conversion of the Railway Inn Public House (Class A4) to a single residential dwelling (Class C3) - The Railway Inn, Fourstones, Hexham</p> <p>Main issues: failure to demonstrate that the pub is no longer viable and no longer serves the need of the community - loss of a community facility</p>	<p>17 March 2020</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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19/01422/FUL	<p>Proposed two storey side extension - 1 School Row, Hedley, Stocksfield</p> <p>Main issues: inappropriate development in the Green Belt; and harmful impact on the character and appearance of the dwelling and landscape</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
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>Committee Decision - Officer Recommendation: Refuse</p>	No
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 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>Committee Decision - Officer Recommendation: Refuse</p>	No
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>	No

	<p>Main issues: development would harm the setting and special character of listed buildings; and adverse impacts on residential amenity.</p> <p>Committee 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>Committee Decision - Officer Recommendation: Refuse</p>	No
18/03141/FUL	<p>Change of use of land to provide three shepherd huts for holiday accommodation (amended red line boundary) - land east of Manor Mill House, Mill Lane, Haltwhistle</p> <p>Main issues: increase in movements at substandard junction would be prejudicial to road safety; and impacts upon the character of the area and residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
18/03053/FUL	<p>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>Delegated Decision - Officer Recommendation: Refuse</p>	No

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>Delegated Decision - Officer Recommendation: Refuse</p>	No
19/00980/FUL	<p>Construction of one detached dwelling - land north of Clontibret, Allendale Road, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; and encroachment into the open countryside.</p> <p>Committee Decision - Officer Recommendation: Refuse</p>	No - claim refused
18/04460/FUL	<p>Change of use of land and the siting of 5 no. camping pods - land south of Heddon Banks Farm Cottage, Heddon-on-the-Wall</p> <p>Main issues: inappropriate development in the Green Belt; harmful encroachment in the countryside; and impact on the setting of listed buildings.</p> <p>Committee Decision - Officer Recommendation: Refuse</p>	No
19/01045/OUT	<p>Outline Planning Consent for the proposed construction of 1No. three bed detached dormer bungalow (all matters reserved) - land at Western Avenue and Cranbrook Drive, Prudhoe</p>	No

	<p>Main issues: loss of open space and impact on the character of the site and surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
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5. Planning Appeals Allowed

Reference No	Proposal and main planning considerations	Award of Costs?
17/01329/OUT	<p>Outline application to build a single dormer bungalow to include parking and garden areas (some matters reserved) - land north of Fernleigh, Cottingwood Lane, Morpeth</p> <p>Main issues: harm to Conservation Area and setting of listed buildings</p> <p>Appeal against non-determination</p>	No - claim refused

6. Planning Appeals Split Decision

None

7. Planning Casework Unit Referrals

None

8. Enforcement Appeals received

Reference No	Description and Address	Appeal Start Date
18/01524/LISTED	<p>Church View, Slaley</p> <p>Main issues: solar panels installed in 2006 without planning permission - requests for removal have been unsuccessful.</p>	2 December 2019

18/01344/ENDE VT	Bridgend Caravan Park, Wooler Main issues: one Enforcement Notice appealed by three parties in respect of operational development to provide extra bases for residential static caravans with associated services	3 December 2019
18/00033/NOAPL	98 Millerfield, Acomb Main issues: development has been undertaken based on plans refused under planning application 17/00072/FUL	3 December 2019

9. Enforcement Appeals Dismissed

None

10. Enforcement Appeals Allowed

None

Implications

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
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.

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