



# Northumberland

## County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 20 FEBRUARY 2020

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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>
19/00716/HED	High Hedge Complaint: Problems with the height of neighbouring hedge, with no action from neighbour following	3 September 2019  Delegated Decision:

	<p>requests - The Haven, Back Crofts, Rothbury</p> <p>Main issues: impact of the hedge on the site and wider area</p>	<p>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 impacts; and no acceptable provision for affordable housing.</p>	<p>17 September 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/02085/OUT	<p>Resubmission: Outline application for development of approximately 40 dwellings - amended 09/08/19 - land south of Lightpipe Farm, Longframlington</p> <p>Main issues: location; scale and design of development; and impacts on the character of the village.</p>	<p>14 October 2019</p> <p>Appeal against non-determination</p>
19/01348/VAR YCO	<p>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</p> <p>Main issues: design; residential amenity; and access.</p>	<p>14 October 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/01724/FUL	<p>New one bedroomed single storey cottage in garden as ancillary accommodation to main cottage, new</p>	<p>22 October 2019</p> <p>Delegated Decision - Officer</p>

	<p>parking and turning area - 22 Links Road, Bamburgh</p> <p>Main issues: adverse impact on residential amenity.</p>	<p>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 &amp; 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 access; and lack of information to assess ecological impacts.</p>	<p>13 November 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/02221/FUL	<p>Proposed dining room extension - The Dairy, High Callerton</p> <p>Main issues: out of character with farm steading and impact on the High Callerton Conservation Area.</p>	<p>2 December 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01170/VAR YCO	<p>Variation of condition 2 (habitation period) of application</p>	<p>3 December 2019</p>

	<p>18/01745/VARYCO to allow 12 month habitation period (amended description) - Blue Sky Resorts Ltd, Heathergate Country Park, Lowgate, Hexham</p> <p>Main issues: loss of amenity for local residents; and insufficient justification for year round accommodation.</p>	<p>Committee Decision - Officer Recommendation: Approve</p>
19/01171/VARYCO	<p>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</p> <p>Main issues: loss of amenity for local residents; and insufficient justification for year round accommodation.</p>	<p>3 December 2019</p> <p>Committee Decision - Officer Recommendation: Approve</p>
19/01026/VARYCO	<p>Variation of Condition 2 (Approved Plans) and removal of Condition 8 (Highways Works) pursuant to planning application 18/03203/FUL - Acton Caravan Site, Felton</p> <p>Main issues: unacceptable impact on the highway network.</p>	<p>3 December 2019</p> <p>Committee Decision - Officer Recommendation: Approve</p>
19/01688/FUL	<p>Conversion of existing hemmel to a single residential unit - Hemmel south of Fieldhead, Causey Park</p> <p>Main issues: isolated dwelling in the countryside and inappropriate development in the Green Belt.</p>	<p>4 December 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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>9 December 2019</p>

	Main issues: design, impact upon the Conservation Area and residential amenity.	Delegated Decision - Officer Recommendation: Refuse
19/01955/FUL	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  Main issues: detrimental impact on visual amenity; and would not protect, improve and extend green infrastructure	10 December 2019  Delegated Decision - Officer Recommendation: Refuse
18/04170/FUL	Construction of 6 dwellings - land east of Furrow Grove, Station Road, Stannington  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.	10 December 2019  Delegated Decision - Officer Recommendation: Refuse
18/03231/FUL	Construction of 58 residential units with associated access, landscaping and amenity space - land north of Fairfields, Longframlington  Main issues: detrimental impact on the character of the local area and village; and design is alien to a rural village and out of character with the surroundings	13 January 2020  Committee Decision - Officer Recommendation: Approve
19/02141/FUL	Replace existing timber sash windows with sympathetic uPVC sash windows of similar proportions - 15 Chains Drive, Corbridge	19 December 2019  Delegated Decision - Officer

	<p>Main issues: less than substantial harm to the Conservation Area with no public benefits to outweigh the harm</p>	<p>Recommendation: Refuse</p>
19/00882/COU	<p>Change of Use from A1 retail to the rear area of the ground floor and upper floors to Sui Generis to accommodate a House in Multiple Occupation (HMO) comprising 19 residential units and ancillary communal areas, with the front section of the ground floor to be retained in A1 retail use (as amended) - 27-29 Waterloo Road, Blyth</p> <p>Main issues: development in the primary retail hub would conflict with priorities and vision for the future regeneration of blyth town centre, and would undermine the aspiration for recovery, vitality and growth in the town centre by introducing restricted quality residential accommodation within a prominent and centrally located building</p>	<p>19 December 2019</p> <p>Committee Decision - Officer Recommendation: Approve</p>
18/03984/OUT	<p>Outline planning permission with all matters reserved for the construction of 5 no dwellings, associated gardens, amenity space and infrastructure - land north of Beachside, Low Hauxley</p> <p>Main issues: lack of information to assess impacts on archaeology and Section 106 agreement required in respect of Coastal Mitigation Scheme</p>	<p>23 December 2019</p> <p>Appeal against non-determination</p>
19/02137/FUL	<p>Proposed erection of an enclosure to rear of property to existing flat roof (retrospective) (Amended Plans received 11.09.2019) - 105 Front Street, Newbiggin-by-the-Sea</p> <p>Main issues: less than substantial harm to the property and Conservation Area with no public benefits to outweigh the harm; and impact on residential amenity</p>	<p>24 December 2019</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

19/00519/FUL	<p>Proposed two storey side extension - 1 South View, Lesbury</p> <p>Main issues: the extension would not be subservient to the existing dwelling and would have an overly dominant appearance within the streetscene</p>	<p>8 January 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/03043/VAR YCO	<p>Retrospective variation of condition 12 (materials) pursuant to planning permission 16/04246/FUL - land west of Masons Arms, Stamford Cottages, Stamford</p> <p>Main issues: development will not achieve a high standard of design, will not reflect local character and will have an unacceptable impact on the local vernacular</p>	<p>9 January 2020</p> <p>Committee Decision - Officer Recommendation: Approve</p>
19/01251/FUL	<p>Residential development (use class C3) for one dwelling and the provision of a garage for the existing property - land around Talstead, Fairmoor, Morpeth</p> <p>Main issues: inappropriate development in the Green Belt and no very special circumstances to outweigh the harm</p>	<p>9 January 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/04097/FUL	<p>Construction of three dwellings - land south of Strathmore, St Mary Lane, St Mary Park, Morpeth</p> <p>Main issues: unacceptable development in the open countryside; and inappropriate development in the Green Belt</p>	<p>13 January 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/03756/FUL	<p>Construction of ground floor rear extension - Lorrain, 11 Lynemouth Road, Ellington</p> <p>Main issues: significant adverse impact on amenity and outlook of neighbouring dwelling and detrimental to the character of the original dwelling</p>	<p>16 January 2020</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>Hearing date: 17 March 2020</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
18/04476/OUT	<p>Outline application (all matters reserved) for rural workers dwelling to serve Heddon Stables Ltd. - land south</p>	<p>Hearing date: 17 March 2020</p> <p>Delegated Decision - Officer</p>



	of Birks Cottage, Birk Road, Heddon-on-the-Wall  Main issues: inappropriate development in the Green Belt and development in the open countryside	Recommendation: Refuse
19/01055/FUL	Proposed erection of rural worker's dwelling - land south of Woodside Cottage, Bardon Mill  Main issues: lack of justification of essential need for new dwelling in the open countryside and concerns over location of new dwelling	Hearing date: 7 April 2020  Appeal against non-determination

#### 4. Planning Appeals Dismissed

Reference No	Proposal and main planning considerations	Award of Costs?
19/01045/OUT	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  Main issues: loss of open space and impact on the character of the site and surrounding area.  Delegated Decision - Officer Recommendation: Refuse	No
19/01771/ADE	Replacement of an existing illuminated 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display - 469 Cowpen Road, Blyth  Main issues: harm to the amenity of the area; and harm to public and highway safety.	No

	Delegated Decision - Officer Recommendation: Refuse	
18/00332/FUL	Proposed detached dwelling within existing site curtilage - Halliwell Dene Hall, Dene Park, Hexham  Main issues: harmful impact upon the setting of the Grade II listed Halliwell Dene Hall  Delegated Decision - Officer Recommendation: Refuse	No
19/00436/OUT	Outline Application for the erection of 1 no. detached dwelling within existing garden space - land north of Peartrees Cottage, Sandhoe  Main issues: development in the Green Belt and impacts on the setting of listed buildings  Appeal against non-determination	No
18/02731/VARYCO	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  Committee Decision - Officer Recommendation: Approve	Yes - claim allowed
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  Delegated Decision - Officer Recommendation: Refuse	No

**5. Planning Appeals Allowed**

<b>Reference No</b>	<b>Proposal and main planning considerations</b>	<b>Award of Costs?</b>
18/1020/OUT	<p>Outline Application (With Layout) - 15 Dwellings (100% Self Build Plots) &amp; 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>Committee Decision - Officer Recommendation: Approve</p>	No - claim refused

**6. Planning Appeals Split Decision**

None

**7. Planning Casework Unit Referrals**

None

**8. Enforcement Appeals received**

<b>Reference No</b>	<b>Description and Address</b>	<b>Appeal Start Date</b>
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	<p>Bridgend Caravan Park, Wooler</p> <p>Main issues: one Enforcement Notice appealed by three parties in respect of operational development to provide</p>	3 December 2019

	extra bases for residential static caravans with associated services	
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

<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 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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