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Northumberland County Council

Your ref:

Our ref:

Enquiries to: Rebecca Greally

Email:

Rebecca.Greally@northumberland.gov.uk

Tel direct: 01670 622616

Date: Tuesday, 5th October 2021

Dear Sir or Madam,

Your attendance is requested at a meeting of the **ASHINGTON & BLYTH LOCAL AREA COUNCIL** to be held in Meeting Space, Block 1, Floor 2, County Hall, Morpeth, NE61 2EF at 4:00 PM on **WEDNESDAY 13 OCTOBER 2021**.

Yours faithfully

Daljit Lally
Chief Executive

To Ashington and Blyth Local Area Council members as follows:-

J Lang, E Cartie, B Gallacher (Vice-Chair (Planning)), L Grimshaw (Chair), K Nisbet, K Parry, M Purvis, J Reid, E Simpson, C Ball, D Carr (Vice-Chair), C Humphrey, W Ploszaj, Richardson, A Wallace and A Watson

Any member of the press or public may view the proceedings of this virtual meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>.

Members are referred to the risk assessment, previously circulated, for meetings held in County Hall. Masks should be worn when moving around but can be removed when seated, social distancing should be maintained, hand sanitiser regularly used and members requested to self-test twice a week at home, in line with government guidelines.



Daljit Lally, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
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AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. **PROCEDURE AT PLANNING MEETINGS** (Pages 1 - 2)
2. **APOLOGIES FOR ABSENCE**
3. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room. NB Any member needing clarification must contact Legal Services by email at monitoringofficer@northumberland.gov.uk Please refer to the guidance on disclosures at the rear of this agenda letter.

4. **DETERMINATION OF PLANNING APPLICATIONS** (Pages 3 - 6)
To request the committee to decide the planning applications attached to this report using the powers delegated to it.

Please note that printed letters of objection/support are no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>

5. **21/03198/CCD** (Pages 7 - 16)
Proposal to increase the fencing to 2.1m in height freestanding, and 2.1m above the dwarf walls to improve the overall security of site. Proposals will bring together the mismatch style of the fencing/gates and standardise to improve the external aesthetics of the school.

Croftway Primary Academy, William Street, Blyth, NE24 2HP

6. **20/03203/FUL** (Pages 17 - 26)
Part Retrospective - Change of use from utility room to hair salon and erection of a fence to the side of property, adjacent to footpath

2 Houndslow Drive, Fallowfield, Ashington, NE63 8LZ

7. APPEALS UPDATE

(Pages
27 - 36)

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

8. DATE OF NEXT MEETING

The next meeting will be held on Wednesday, 10 November 2021

9. URGENT BUSINESS

To consider such other business, as in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussion or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name (please print):
Meeting:
Date:
Item to which your interest relates:
Nature of Registerable Personal Interest i.e either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):
Nature of Non-registerable Personal Interest (please give details):
Are you intending to withdraw from the meeting?

1. Registerable Personal Interests – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or

b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

(1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

(1) any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management); or (3) any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Council.

2. Non-registerable personal interests - You may have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

3. Non-participation in Council Business

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out below are satisfied in relation to any matter to be considered, or being considered at that meeting, you must : (a) Declare that fact to the meeting; (b) Not participate (or further participate) in any discussion of the matter at the meeting; (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and (d) Leave the room whilst the matter is being discussed.

The criteria for the purposes of the above paragraph are that: (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either** (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to above or in any of your register entries; **or** (c) the matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to above or in any of your register entries.

This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.

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Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

A Welcome from Chairman to members and those members of the public watching on the livestream

Welcome to also include reference to

- (i) Fact that meeting is being held in a Covid safe environment and available to view on a live stream through You Tube Northumberland TV
- (ii) Members are asked to keep microphones on mute unless speaking

B Record attendance of members

- (i) Democratic Services Officer (DSO) to announce and record any apologies received.

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

Local member (up to 5 mins)/ parish councillor (up to 5 mins)

Applicant/Supporter (up to 5 mins)

NO QUESTIONS IN RELATION TO WRITTEN REPRESENTATIONS OR OF/BY LOCAL COUNCILLOR

Committee members' questions to Planning Officers

Chairman to respond to raised hands of members as to whether they have any questions of the Planning Officers

Debate (Rules)

Proposal

Seconded

DEBATE

Again Chairman to respond to raised hand of members as to whether they wish to participate in the debate

- No speeches until proposal seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/Refuse/Defer

Vote(by majority or Chair's casting vote)

- (i) Planning Officer confirms and reads out wording of resolution
- (ii) Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)



Northumberland County Council

ASHINGTON & BLYTH LOCAL AREA COUNCIL

13 OCTOBER 2021

DETERMINATION OF PLANNING APPLICATIONS

Report of the Interim Executive Director of Planning and Local Services

Cabinet Member: Councillor CW Horncastle

Purpose of report

To request the Local Area Council to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Local Area Council is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.

Key issues

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Ashington & Blyth Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:
 - Decision makers are to have regard to the development plan, so far as it is material to the application

- Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
- Necessary
 - Relevant to planning
 - Relevant to the development permitted
 - Enforceable
 - Precise
 - Reasonable in all other respects
4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

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BACKGROUND PAPERS

These are listed at the end of the individual application reports.

IMPLICATIONS ARISING OUT OF THE REPORT

Policy:	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for Money:	None unless stated

Human Resources:	None
Property:	None
Equalities:	None
Risk Assessment:	None
Sustainability:	Each application will have an impact on the local environment and it has been assessed accordingly
Crime and Disorder:	As set out in the individual reports
Customer Considerations:	None
Consultations:	As set out in the individual reports
Wards:	All

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APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce s application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 10 minutes
- Amendments to Motions
- Approve/ refuse/ defer

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.

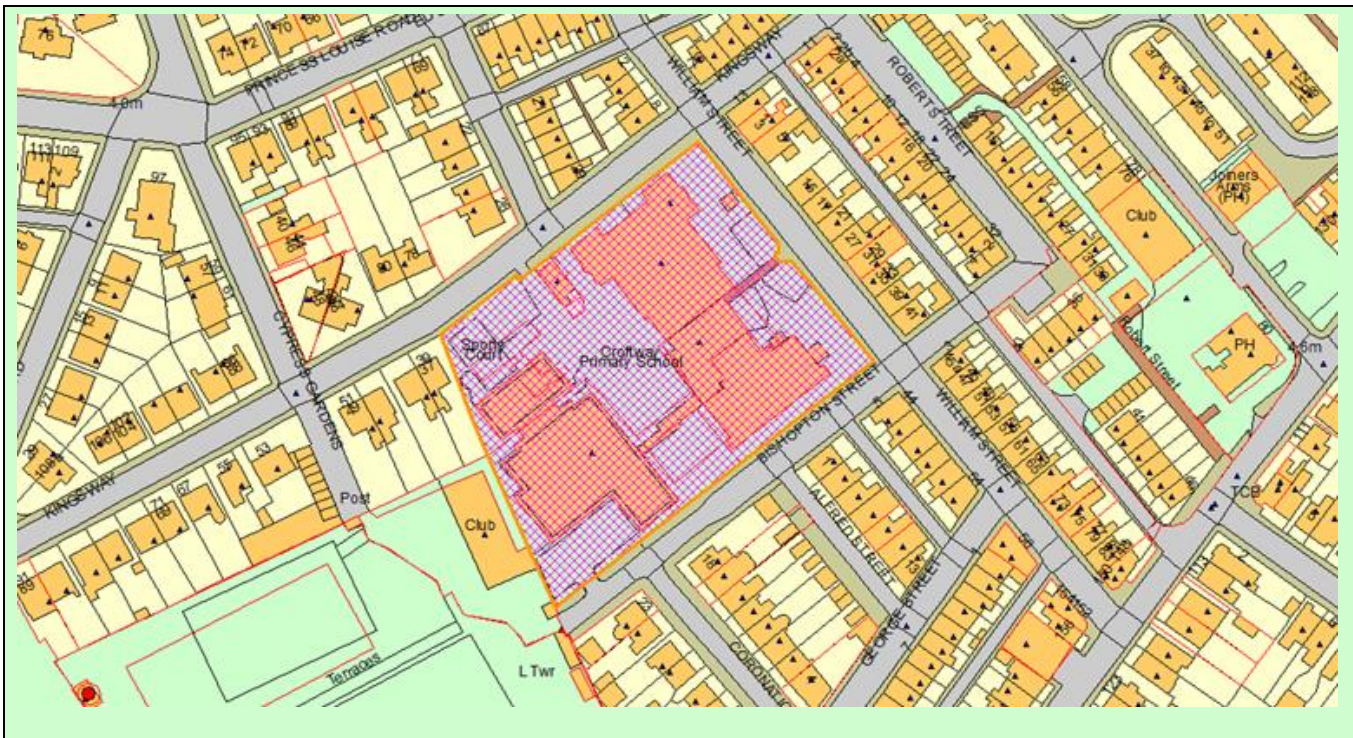


Northumberland
County Council

Ashington and Blyth Local Area Council
13th October 2021

Application No:	21/03198/CCD		
Proposal:	Proposal to increase the fencing to 2.1m in height freestanding, and 2.1m above the dwarf walls to improve the overall security of site. Proposals will bring together the mismatch style of the fencing/gates and standardise to improve the external aesthetics of the school.		
Site Address	Croftway Primary Academy , William Street, Blyth, NE24 2HP		
Applicant:	Lisa Charlton Croftway Primary Academy, William Street, Blyth, NE24 2HP	Agent:	Graeme Race Albany Court, Monarch Road, Newcastle Business Park, Newcastle NE47YB
Ward	Wensleydale	Parish	Blyth
Valid Date:	11 August 2021	Expiry Date:	19 October 2021
Case Officer Details:	Name: Miss Ashleigh Rossiter Job Title: Planning Technician Tel No: 07814075154 Email: Ashleigh.Rossiter@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission.



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1. Introduction

1.1 This application was referred to the Director of Planning and Chairs of the relevant Local Area Council committee for a decision on how the application was to be determined for the reason it raises issues of strategic, wider community or significant County Council interest. It was confirmed that the application should be referred to members for a Local Area Council committee decision

2. Description of the Proposals

2.1 Planning permission is sought to replace the existing, mismatched fencing that surrounds the school with new fencing, raising the existing height to 2.1m freestanding, and 2.1m above the dwarf walls.

2.2 This will improve the overall security of the school as well as standardising and improving the aesthetics.

3. Planning History

Reference Number: 11/01555/CCD

Description: Change of use: Existing caretakers house at Croftway primary school to office/meeting room accommodation and new timber fence

Status: Approved

Reference Number: 11/02021/CCD

Description:

Installation of solar photovoltaic panels on the school roof

Status: Approved

Reference Number: 15/02106/CCD

Description: Convert existing external area to multi use games area (MUGA). Proposed new area to be enclosed by 2m high panel of super mesh.

Status: Approved

Reference Number: C/03/00052/CCD

Description: Extension and refurbishment

Status: Approved

Reference Number: C/08/00030/CCD

Description: Demolition of the former nursery building and construction of a new 2 storey classroom teaching block to accommodate 120 pupils

Status: Approved

Reference Number: B/08/00111/CPO

Description: Demolition of former nursery building and construction of a new 2 storey classroom teaching block to accommodate 120 pupils.

Status: Approved

Reference Number: C/09/00152/CCDDET

Description: Discharge of conditions 3, 4 and 6 pursuant to planning permission 08/00030/CCD

Status: Approved

Reference Number: C/09/00198/CCD

Description: Construction of a covered walkway between the school buildings

Status: Approved

Reference Number: B/01/00197/CPO

Description: Construction of new multi purpose hall, kitchen and changing facilities

Status: Approved

Reference Number: B/03/00169/CPO

Description: Extension and refurbishment

Status: Approved

Reference Number: C/08/00030/CCD

Description: Demolition of the former nursery building and construction of a new 2 storey classroom teaching block to accommodate 120 pupils

Status: Approved

Reference Number: B/08/00111/CPO

Description: Demolition of former nursery building and construction of a new 2 storey classroom teaching block to accommodate 120 pupils.

Status: Approved

Reference Number: C/09/00152/CCDDET

Description: Discharge of conditions 3, 4 and 6 pursuant to planning permission 08/00030/CCD

Status: Approved

Reference Number: C/09/00198/CCD

Description: Construction of a covered walkway between the school buildings

Status: Approved

Reference Number: C/10/00029/DISCON

Description: Discharge of condition 4 in respect of materials pursuant to planning permission C/09/00198/CCD

Status: Approved

Reference Number: 15/02106/CCD

Description: Convert existing external area to multi use games area (MUGA). Proposed new area to be enclosed by 2m high panel of super mesh.

Status: Approved

Reference Number: C/98/CC/20

Description: Retention of four single mobile classroom units

Status: Approved

Reference Number: C/87/C/356

Description: Demolition of 'lean-to' kitchen to be replaced by brick / block cavity flat roofed extension

Status: Approved

Reference Number: B/01/00197/CPO

Description: Construction of new multi purpose hall, kitchen and changing facilities

Status: Approved

Reference Number: B/03/00169/CPO

Description: Extension and refurbishment

Status: Approved

Reference Number: C/08/00030/CCD

Description: Demolition of the former nursery building and construction of a new 2 storey classroom teaching block to accommodate 120 pupils

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Description: Construction of a covered walkway between the school buildings

Status: Approved

Reference Number: C/10/00029/DISCON

Description: Discharge of condition 4 in respect of materials pursuant to planning permission C/09/00198/CCD

Status: Approved

Reference Number: 15/02106/CCD

Description: Convert existing external area to multi use games area (MUGA). Proposed new area to be enclosed by 2m high panel of super mesh.

Status: Approved

4. Consultee Responses

Blyth Town Council	No response received.
Highways	No issues arise from the proposal.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	34
Number of Objections	0
Number of Support	0
Number of General Comments	1

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

1 General comment - Neighbour requested that we ensure that she has visibility maintained from driveway at 37 Kingsway and that the new fence does not prevent her vision.

Response – Highways have fully assessed the safety and visibility of the new fencing and have no objections. The fencing will be replaced and position not altered therefore full visibility will be maintained for neighbours.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QXM91YQSIH900>

6. Planning Policy

6.1 Development Plan Policy

Blyth Valley District Local Plan (1999, saved policies 2007) (BVDLP)

Policy C10 – Educational facilities

Blyth Valley Development Control Policies Document (2007) (DPD)

Policy DC1 – General development

Policy DC12 – Community facilities

Policy DC27 – Design of new developments

Blyth Valley Core Strategy (2007) (BVCS)

SS1 – Regeneration and renaissance of Blyth Valley

SS3 - Sustainability Criteria

Policy C1 – Educational facilities

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - National Planning Practice Guidance (2019, as updated)

6.3 Emerging Policy

Northumberland Local Plan - Publication Draft (Regulation 19) (January 2019) as amended by proposed Main Modifications (June 2021):

Policy STP 2 - Presumption in favour of sustainable development

Policy STP 3 - Sustainable development

7. Appraisal

7.1 The main issues for consideration in the determination of this application are:

- **Principle of the development**
- **Design and visual impact**
- **Impact on amenity**
- **Highway Safety**

7.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Local Plan as identified above. The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.3 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.4 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

Principle of the Development

7.5 The NPPF, specifically paragraph 94, in part advises that Local Planning Authorities should give "great weight to the need to create, expand or alter schools". Moving on to local planning policies, policy DC1 of the Blyth Valley DPD, read in conjunction with the Local Plan proposals map, outlines that development should be situated within recognised settlements. The application site is situated within the designated settlement boundary for Blyth and proposes works upon an already developed site.

7.6 Taking the above into consideration, the principle of development on site is considered acceptable, in accordance with relevant national and local planning policies detailed above.

Design and Visual Character

7.7 Policy DC27 of the DPD notes that new development will be expected to achieve a high standard of design, whilst incorporating sustainable construction measures and reflecting local distinctiveness. The provisions of this policy are closely mirrored within the NPPF which at paragraph 124 recognises good design as a key aspect of sustainable development. Paragraph 127 of the NPPF goes on to note that developments should 'function well and add to the overall quality of the area' whilst being 'sympathetic to local character and history, including the surrounding built environment and landscape setting'.

7.8 Whilst acknowledging that only some weight can be afforded to Policy QOP 1 of the NLPPD, it is relevant in the assessment of this proposal which details that developments should 'create or contribute to a strong sense of place and integrate the built form of the development with the site overall, and the wider local area' whilst incorporating 'high quality aesthetics, materials and detailing'.

7.9 The works to the fencing will be visible from all angles surrounding the school and is the only change that is proposed within the development. The development is a welcomed upgrade for the current fencing and will match throughout the school grounds, thus forming a more uniformed aesthetic to the site, matching that of the school building. Additionally, the proposal will improve the overall security of the grounds, without detracting from the current character and design of the school.

7.10 It is therefore considered that the proposed works accord with policy DC27 of the Blyth Valley DPD, the NPPF and policy QOP 1 of the NLPPD in terms of high-quality visual appearance and design.

Impact on Amenity

7.11 Whilst recognising that the new fencing is visible within the public domain, the neighbouring residential properties are situated across the public highway that surrounds the school. The fencing is of an acceptable height and would not have any adverse impacts on neighbouring properties. As such, there would be no detrimental impact upon residential amenity caused by the proposal, in accordance with the NPPF and policy QOP 2 of the NLPPD.

Highway Safety

7.12 Paragraph 111 of the NPPF states '*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

7.13 Consultation was undertaken with Highways DM who raised no objections to the application proposals. The proposal therefore accords with relevant local and national planning policy in relation to highway safety.

Equality Duty

7.14 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees

and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.15 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.16 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.17 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.18 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The proposal represents an acceptable form of development in accordance with both local and national planning policy. The application is therefore recommended for approval subject to conditions.

9. Recommendation

That this application GRANTED permission subject to the following:

Conditions/Reason

- 0.1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. The development hereby permitted shall be carried out in complete accordance with the approved plans. The approved plans for this development are:-

1. Drawing number: CROFT/FEN/002, titled: Croftway Academy Fence Replacement Works Fence Type Locations (received 10th August 2021)
2. Drawing number: CROFT/FEN/003, titled: Croftway Academy Fence Replacement Works Proposed Fence Types (received 10th August 2021)
3. Drawing number: CROFT/FEN/0C1, titled: Croftway Academy Fence Replacement Works Site Location Plan (received 10th August 2021)

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans

Date of Report: 28th September 2021

Background Papers: Planning application file(s) 21/03198/CCD

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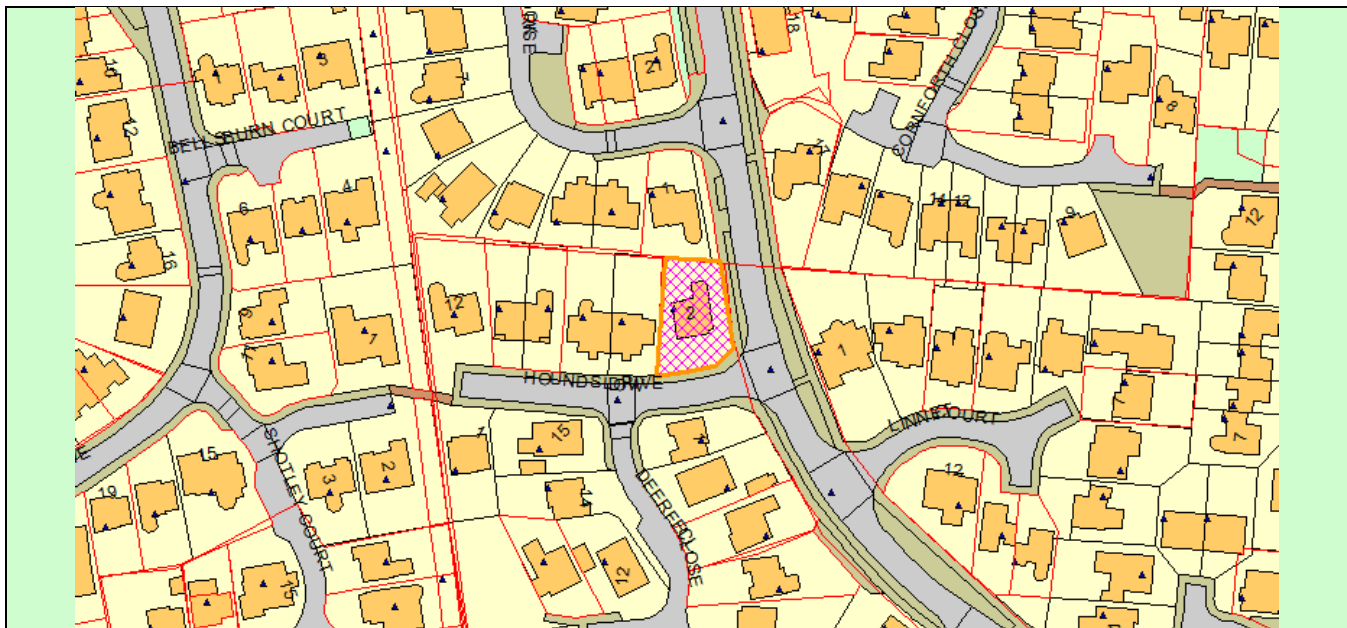


Northumberland County Council

Ashington and Blyth Local Area Council 13th October 2021

Application No:	20/03203/FUL		
Proposal:	Part Retrospective - Change of use from utility room to hair salon and erection of a fence to the side of property, adjacent to footpath		
Site Address	2 Houndslow Drive, Fallowfield, Ashington, NE63 8LZ		
Applicant:	Mr Mark Slattery 2 Houndslow Drive, Ashington, NE63 8LZ,	Agent:	None
Ward	Bothal	Parish	Ashington
Valid Date:	10 November 2020	Expiry Date:	5 January 2021
Case Officer Details:	Name: Mr Will Laing Job Title: Planning Officer Tel No: Email: will.laing@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 Objections have been received from the Parish Council and a number of local residents, and the local Ward Member has raised significant concerns with the proposed development. Following referral to the Director of Planning and Chair of the Local Area Planning Committee under the Council's current delegation scheme,

it was agreed that this application raises sufficient interest within the community to be considered by Members of the Local Area Planning Committee.

2. Description of the Proposal

2.1 The application site refers to a south-facing detached dwelling situated on the corner of Houndslow Drive and Blackthorn Way. The application site has no.4 Houndslow Drive to the west, with the rear boundary of the application site adjoining the rear boundary of no.1 Paddock Rise to the rear.

2.2 This application seeks full planning permission for the change of use of the existing utility room (approved as part of application 19/01250/FUL) to a hair salon and the retrospective erection of a fence and enclosure of open space to the west of the dwelling.

2.3 The proposed hair salon would not include any alteration to the internal or external fabric of the building. The applicant has advised that the proposed hair salon would have one member of staff, with a maximum of one client on site at any time (with no clients waiting), with one client per day.

2.4 The fence is 1.8m high, running flush with the front elevation and northwards following the footpath to the west of the application site.

3. Planning History

Reference Number: 87/F/0245

Description: ERECTION OF 123 DWELLINGS AND ANCILLARY WORKS AS PER AMENDED PLANS RECEIVED 24/07/87

Status: Approved

Reference Number: 19/01250/FUL

Description: Proposed single storey rear extension and two storey side extension

Status: Approved

Reference Number: 20/03440/FUL

Description: Retrospective planning approval - erection of a fence to rear and side of rear garden.

Status: Application returned

4. Consultee Responses

Ashington Parish Council	No response received.
Northumbrian Water Ltd	No comments on this application.
Highways	No objection subject to a condition ensuring the proposed parking is implemented prior first use and the imposition of informatives.
Forestry Commission	No response received.
Public Protection	No objections to this application.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	5
Number of Objections	19
Number of Support	2
Number of General Comments	0

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

Twenty letters of objection have been submitted from 17 addresses.

- Insufficient parking;
- Impact on traffic and highway safety;
- Impact on service/emergency vehicles;
- Removal of street sign;
- Noise;
- Pollution;
- Odour;
- Loss of privacy;
- Safety and privacy of residential dwellings;
- Residential area and inappropriate for business;
- Previous refusal of salon at nearby address (03/00290/FUL);
- Previous issues relating to parking during construction of extensions;
- Disingenuous not to include salon in previous application if it was intended as per applicants statement;
- Precedent would be set for commercial and business uses in the area;
- Potential impact of a future increase in scale of the development;
- Businesses should be located to the town centre;
- Loss of open space due to boundary fence;
- Boundary fences are restricted by covenants on the estate;
- Restricted covenants prevent business from dwellings within the estate;
- Loss of visual amenity with the removal of hedging;
- Impact on character and appearance (open plan front garden);
- Loss of environment (habitat and vegetation) during installation of fencing;
- Impact on property value;
- Contrary to the Human Rights Act with regardless to the peaceful enjoyment of property; and
- Lack of consultation for local residents.

Three letters of support from two addresses on the following grounds:

- Objections have provided misinformation on the parking situation of the area;
- The Government is encouraging more people to work from home;

- The property was used as bookshop by the previous owner without complaint;
- There are multiple homes businesses run from dwellings in the surrounding area without planning consent (cakes, flower arranging etc), several of these businesses advertise on social media resident groups;
- Alterations to the fencing where made at the neighbours request;
- Fence has been set in line with the path, as per the surrounding residents;
- The removed hedge contained litter (including a needle);
- No loss of ecology with the removal of the hedge; and
- Fence encloses an area of land not maintained by the Council.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QHF5J2QSJ3A00>

6. Planning Policy

6.1 Development Plan Policy

Wansbeck District Local Plan 2007

GP1 - In accordance with other relevant policies
 GP23 - Development causing pollution and nuisance;
 GP30 - Visual impact of development;
 GP31 - Urban design;
 GP32 - Landscaping and the Public Realm;
 GT6 - Traffic Implications of New Development; and
 T7 - Parking Provision in New Development

6.2 National Planning Policy

National Planning Policy Framework 2021 (NPPF)
 NPPG - National Planning Practice Guidance (2019)

6.3 Emerging Planning Policy

Northumberland Local Plan Publication Draft Plan (Regulation 19) (NLPPD)

Policy STP 2 - Presumption in favour of sustainable development;
 Policy STP 3 - Sustainable development;
 Policy HOU 9 - Residential development management;
 Policy ECN 11 - Employment uses in built up areas and home working;
 Policy QOP 1 - Design principles;
 Policy QOP 2 - Good design and amenity;
 Policy QOP 4 - Landscaping and trees;
 Policy TSC 4 - Proposals outside centres; and
 Policy TRA 4 - Parking provision and new development.

7. Appraisal

7.1 The main issues for consideration in the determination of this application are as follows:

- Principle of development;
- Residential amenity;
- Landscaping and design;
- Parking and highway safety; and
- Other Issues

7.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Wansbeck District (2007) as identified above. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.3 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.4 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

Principle of Development

7.5 The application seeks full planning permission for a limited hair salon business to be ran from the dwelling and retrospective permission for the enclosure of grassed amenity space to the front and side of the dwelling.

7.6 The applicant has stated that the proposed salon business would be ran by the occupier, with no employees and seeks to treat one customer per day, with no customers waiting. The proposed intensity of the development would not result in material change of use based on the limited operation. The applicant has agreed for conditions to be attached to any consent to be given to ensure the development operates in accordance with these details.

7.7 It is noted that application 03/00290/COU was refused permission for a hair salon use, which has been referred to in the submitted objections. The refused application 03/00290/FUL was for a much larger operation with multiple treatment chairs and a notably more intensive use. The proposed use in this application is for a significantly smaller, one-person operation, suitable for home working, whereas the previous refusal was more in line with the then A1 (now E1) use class.

7.8 Objections have been received on the grounds that it is not appropriate for a business to be located within a residential area. The scale of the development and the limitations to have no employees and see one customer per day, would ensure that the scale of the development remains suitable for a residential area.

7.9 The application includes the retrospective enclosure of soft landscaping into residential garden. While objections have been received to this, there are multiple properties throughout the estate where the boundary runs to the public highway. The Council's Estates team has confirmed that the land does not belong to the Council and the applicant has made due effort to locate and notify the owner, including the posting of a site notice.

7.10 The land that was enclosed by the fence does not belong to, and is not maintained by the Local Authority. The section of land did not provide formal or informal play space or sports provision and did not offer a significant contribution to local amenity or biodiversity.

7.11 The proposed home working hair salon use and the enclosure of the fence is considered to be acceptable, subject to the impacts on amenity, parking, landscaping and design, to be discussed below.

7.12 Having regard to the above, with any permission appropriately conditioned, it is considered that the proposed hair salon use would be appropriate home working operation within a residential area and would be in line with policies GP1 of the Wansbeck District Local Plan 2007 and policies STP 2, STP 3, TSC 4 and ECN 11 of the emerging Northumberland Local Plan 2017.

Residential Amenity

7.13 As explained, the proposed use would have one client per day, with no employees and no customers waiting. The proposal would be a low intensity use and would not require any ventilation or extraction. The low intensity of the use would not result in any undue noise, odours or pollution that would have a significant impact on the neighbouring amenities of the neighbouring properties.

7.14 It is noted that a complaint has been made on the grounds of privacy due to customers using a door in the flank elevation to access the treatment room. This is an existing door, that would have no further impact on the privacy amenities of the proposal than the existing dwelling.

7.15 The fencing enclosing the land to the side of the dwelling is set away from the neighbouring property and there would be no further extension to the dwelling to accommodate the proposed hair salon use. As such, the proposal would not impact on the light or outlook of the neighbouring dwellings.

7.16 Having regard to the above, it is the view of officers that the application is in compliance with policies GP23 of the Wansbeck District Local Plan (2007) and ECN 11, TSC 4, STP 3, HOU 9 and QOP 2 of the Emerging Northumberland Local Plan 2017.

Landscaping and Design

7.17 The proposed home working hair salon would not include any external alterations to the premises, and there are no proposed advertisements as part of the proposed business. As such, the proposed working from home use would not impact on the design or visual amenity of the surrounding area. It is officer recommendation that a condition is imposed to ensure that no advertisements for the proposed home hair salon are installed or posted at the premises.

7.18 The retrospective fencing has cleared an area of soft landscaping and installed a timber fence. The fence is 1.8m high to the flank of the dwelling before dropping in height to the enclosed part of the front garden. The fence is a timber open board fence, characteristic of many open fences in the surrounding area. As such, the timber fence is considered to be acceptable in terms of design, character and appearance.

7.19 As detailed earlier in the report, the land that was enclosed by the fence does not belong to and is not maintained by the Local Authority. The section of land did not provide formal or informal play space or sports provision and did not offer a significant contribution to local amenity or biodiversity. The enclosing of the land is relatively small in scale and reflects several surrounding properties where the garden boundary abuts the existing highway. As such, the loss of open space and the installation of the fence have not had a significant detrimental impact on the character, appearance visual amenity of the surrounding area.

7.20 Objections have been received on the grounds of visual amenity due to the loss of hedging and the loss of an open plan front garden. The visual impact of loss of hedging and the enclosure of the front garden with a low fence would not be as significant as to warrant refusal of the application. There are front gardens enclosed with various means of enclosure at Linnet Court, Otterburn Drive and Magpie Court, within the surrounding area. While there is hedging in the surrounding area, it is not a uniform or ubiquitous means of enclosure for the surrounding area.

7.21 Having regard to the above, it is the view of the case officer that the proposal complies with policies GP30 and GP31 of the Wansbeck Local Plan 2007 and HOU 9, QOP 1, QOP 2 and QOP 4 of the Emerging Northumberland Local Plan 2017.

Parking and Highway Safety

7.22 The application currently has 3no off-street parking spaces, which the applicant proposes to use 2no for the dwelling and 1no for customers. Given that there would be no employees other than the applicant and that the proposed use would see 1no client per day, the proposal is considered to provide an acceptable level of parking.

7.23 It is noted that objections have been received on the grounds of parking and highway safety to both the proposed hair salon use and the retrospective fencing, with many stating parking and disturbance issues throughout the sites previous construction works.

7.24 The Highways Authority has raised no issues with the fencing and the parking spaces on site are considered to be acceptable.

7.25 Though previous construction parking issues were raised it should be noted that there is no further construction proposed as part of this application, and each

application must be determined on its own merits. Previous issues with construction cannot be considered reasonable grounds for refusal.

7.26 In light of the above, the proposal is considered to be acceptable in terms parking and highway safety. As such, the proposal is deemed to comply with policies T7 of the Wansbeck District Local Plan 2007 and TRA 4 of the Emerging Northumberland Local Plan 2019.

Other Issues

7.27 The following further issues were raised in the submitted objections:

7.28 Lack of consultation for local residents.

The planning application has carried out the correct statutory neighbour requirements as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.29 A precedent would be set for commercial and business uses in the area. Each planning application is assessed on its own merits, and the approval or refusal of this application would not prevent the submission of future applications.

7.30 The potential impact of a future increase in scale of the development. It is officer recommendation that condition are imposed to limit the operation of the proposed hair salon. With these conditions imposed, the proposal could not increase in intensity without a further application to be submitted to the Local Planning Authority.

7.31 The estate has covenants restricting boundary fences and preventing business from dwellings within the estate.

Covenants are a legal matter and not a matter for the planning system. Any covenants restricting the use/fencing would need to be resolved under the relevant civil/legal process. They are not reasonable grounds for the refusal in terms of planning.

7.32 Loss of environment (habitat and vegetation) during installation of fencing. The vegetation was an ornamental section of soft landscaping and did not offer any significant habitat. No protected trees were removed.

7.33 Impact on property value.

Impact on property value is not a material consideration.

7.34 Contrary to the Human Rights Act with regards to the peaceful enjoyment of property.

The impact on residential amenity has been assessed earlier within this report.

Equality Duty

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact

on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above stating accordance with the relevant Development Plan Policy. The application has also been considered against the relevant sections within the NPPF and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

8.2 The proposal has addressed the main considerations and would accord with relevant policy and is considered acceptable. The proposal is therefore recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall remain in complete accordance with the approved document and plans.

The approved document for this development is:-

- Application Form (dated 29.09.2020)

The approved plans for this development are:-

- Proposed Side Elevations (received 06.11.2020)
- Proposed Site Plan (received 06.11.2020)
- Parking Plan (received 20.11.2020)
- Internal Floor Plan (received 25.11.2020)

Reason: To ensure that the approved development is carried out in complete accordance with the approved document and plans.

02. The hereby approved home salon shall have a maximum of one client per day with no customers waiting or queuing.

Reason: In the interest of residential amenity, parking and highway safety.

03. The hereby approved salon shall have no employees other than the applicant. There shall be no additional employees at any time.

Reason: In the interest of residential amenity, parking and highway safety.

04. The car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

Date of Report: 30th September 2021

Background Papers: Planning application file(s) 20/03203/FUL



Northumberland County Council

Appeal Update Report

Date: October 2021

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

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.



Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
21/00928/FUL	<p>Part first floor extension to existing bungalow - 16 Lynwood Close, Darras Hall, Ponteland</p> <p>Main issues: proportion, form, massing, siting, height, size, scale and design fails to be subordinate and respectful of the character and appearance of the property and its surroundings.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
20/03089/FUL	<p>Retrospective application to raise the level of rear lower patio by 385mm above the former timber deck level – Harbour Cottage, 5 Haven Hill, Craster</p> <p>Main issues: inappropriate design and materials and adverse impact on the AONB; and adverse impact on residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/00069/CLEXIS	<p>Certificate of Lawful Development of an Existing Use of land as residential - land south of 4 Station Cottages, Longhirst</p> <p>Main issues: insufficient evidence to conclude that the land has been used as stated for a period in excess of 10 years.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Casework Unit Referrals

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
18/02239/FUL	<p>Redevelopment of the former Marley Tiles Factory to provide a residential development of 105 houses (Use Class C3) with associated access, parking, landscaping and infrastructure (AMENDED description and site layout) - Marley Tile Factory, Lead Lane, Newlands</p> <p>Main issues: isolated development in the open countryside; inappropriate development in the Green Belt by virtue of causing substantial harm to the openness of the Green Belt and very special circumstances have not been demonstrated to outweigh harm; and the design of the development would be out of keeping with the character and appearance of the locality and does not deliver an appropriate form of sustainable design or development for the site.</p>	<p>27 January 2021</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/02548/FUL	<p>Construction of dwelling – land and building east of Ovington House, Ovington</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; harm to the setting of a non-designated heritage asset and the Ovington Conservation Area; and a Section 106 agreement has not been completed in respect of a contribution to sport and play.</p>	<p>19 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03861/VARYCO	Variation of condition 2 (approved plans) pursuant to planning permission	26 May 2021

	<p>20/00297/FUL in order to allow new wall to be moved closer to boundary wall to underpin and give support. Also French doors have 3/4 height windows on either side and single window in extension will be replaced using existing 2no. sash windows and mullions – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: extension would be out of scale and character with the existing property and would have a harmful impact on the character and appearance of the site and surrounding area; and detrimental impact upon the residential amenity of the neighbouring property.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04883/FUL	<p>Proposed demolition of existing garage to be replaced with two-storey dwellinghouse - 2 Sandridge, Newbiggin-by-the-Sea</p> <p>Main issues: harm to non-designated and designated heritage assets and the identified harm would not be outweighed by public benefits.</p>	<p>27 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/00574/ADE	<p>Retrospective: Advertisement consent for installation of 3no. signs that have been in place for over 2 years - ADS Caravan Storage, Remscheid Way, Jubilee Industrial Estate, Ashington</p> <p>Main issues: Sign 1 has an unacceptable impact on the visual amenity of the site and surrounding area due to its siting and scale.</p>	<p>1 June 2021</p> <p>Delegated Decision - Officer Recommendation: Split Decision</p>
20/04234/FUL	<p>Proposed two storey side extension and demolition of existing garage – 23 Ladbrooke Street, Amble</p> <p>Main issues: adverse impact on the street scene and the character and appearance of the conservation area due to scale, height and mass forward of the building line.</p>	<p>1 June 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/04134/FUL	<p>New sunroom – Outwood, Riding Mill</p> <p>Main issues: alongside existing extensions the proposal would result in a disproportionate addition over and above the scale of the original building and would be inappropriate development in the Green Belt.</p>	<p>1 June 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/00925/FUL	<p>Outline permission for the construction of up to 9no dwellings including access, appearance, layout and scale – land north-west of Blue House Farm, Blue House Farm Road, Nethererton Colliery</p> <p>Main issues: harm to setting of a designated</p>	<p>30 June 2021</p> <p>Delegated Decision - Officer Recommendation:</p>

	heritage asset; insufficient information in respect of potential risk from ground gas; and a section 106 agreement has not been completed in respect of a contribution to the ecology coastal mitigation scheme or off-site sport and play provision.	Refuse
21/01205/AGTRES	<p>Prior notification for change of use of an existing agricultural building and conversion to 1no. Dwelling - land to east of Edgewell House Farm House, Edgewell House Road, Prudhoe</p> <p>Main issues: insufficient information to establish if the proposal complies with relevant requirements regarding the last use of the building.</p>	<p>16 July 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/00543/ADE	<p>Display of 1no. 'Development Opportunity For Sale' board for 6 months (Retrospective) - land north of Shaw House Farm, Newton</p> <p>Main issues: the signage would cause harm to public and highway safety.</p>	<p>4 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/00496/FUL	<p>Construction of a bungalow – land east of Dukewilley, Lowgate</p> <p>Main issues: inappropriate development in the Green Belt; unsustainable development in open countryside; unacceptable impacts on residential amenity; and no Section 106 agreement has been completed in relation to sport and play provision.</p>	<p>18 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03541/FUL	<p>Erection of five camping pods and associated clubhouse – land south-west of Catton Pumping Station, Catton</p> <p>Main issues: isolated from and not well related to existing development as well as being visually intrusive in the countryside; detrimental impact on residential amenity; adverse impact on the North Pennines AONB; and inadequate information regarding ecology of the site and surrounding area and inadequate mitigation.</p>	<p>19 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04660/FUL	<p>New external plant – Asda, Main Street, Tweedmouth</p> <p>Main issues: insufficient information in relation to noise and potential impacts on residential amenity.</p>	<p>19 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/00128/FUL	<p>Change of use from public house at ground floor (Sui Generis) to 1no. self contained two</p>	<p>20 August 2021</p> <p>Delegated</p>

	<p>bedroom apartment at ground floor (C3 Use). Retention of existing 7no. existing holiday let rooms at first floor (C1 use); 1no. existing self contained apartment at first floor (C3 Use); and 1no. existing self contained apartment at second floor (C3 use) (Amended description 06/04/2021).</p> <p>Main issues: proposal is unable to provide sufficient on-site car parking with unacceptable adverse impact on highway safety; and no completed Section 106 Agreement to secure sport and play contributions.</p>	<p>Decision - Officer Recommendation: Refuse</p>
21/00834/FUL	<p>Stone clad side extension with pitched roof to form new open plan kitchen, dining and master with part mezzanine above kitchen – The Gin Gan, Whalton</p> <p>Main issues: poor design that would have a significant detrimental impact on the character of the property and inappropriate development in the Green Belt.</p>	<p>23 August 2021 Appeal against non-determination</p>
21/00844/FUL	<p>Adjustment to front boundary, replace lawn with permeable surface to allow parking for 2 cars, addition of electric vehicle charging point, remove pedestrian access, create central 10 foot wide vehicle/pedestrian access, installation of wrought iron gates and dropped kerbs to highway - 51 Ravensdowne, Berwick-upon-Tweed</p> <p>Main issues: the proposal would result in less than substantial harm to the Conservation Area and listed buildings and there are no public benefits to outweigh the harm.</p>	<p>25 August 2021 Appeal against non-determination</p>
21/00845/LBC	<p>Listed Building Consent for adjustment to front boundary, replace lawn with permeable surface to allow parking for 2 cars, addition of electric vehicle charging point, remove pedestrian access, create central 10 foot wide vehicle/pedestrian access, installation of wrought iron gates and dropped kerbs to highway - 51 Ravensdowne, Berwick-upon-Tweed</p> <p>Main issues: the proposal would result in less than substantial harm to the Conservation Area and listed buildings and there are no public benefits to outweigh the harm.</p>	<p>25 August 2021 Appeal against non-determination</p>
20/02536/FUL	<p>Retrospective - Installation of hard standing, electricity and water points, alterations to access and other ancillary works - land west</p>	<p>26 August 2021 Delegated Decision - Officer</p>

	<p>of North Farm Cottages, Embleton</p> <p>Main issues: incursion into the open countryside and would erode the rural character of the site and its surroundings.</p>	<p>Recommendation: Refuse</p>
21/02693/FUL	<p>Two-storey side extension – 2 Bromley Gardens, South Beach, Blyth</p> <p>Main issues: siting, scale and design of the extension would result in harm to the street scene and visual amenity of the area.</p>	<p>10 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03231/OUT	<p>Erection of 4no. dwellinghouses (C3 use class) with all matters reserved – land north-west and south-east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p>	<p>10 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03542/FUL	<p>Change of use of land to site shepherd's hut for tourism accommodation – land east of Kingshaw Green, Tyne Green, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; inadequate flood risk assessment; and insufficient information regarding foul water treatment.</p>	<p>13 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01008/FUL	<p>Construction of 58no. dwellings with associated landscaping, access and infrastructure works – land to north of Fairmoor Centre, Morpeth</p> <p>Main issues: unacceptable in principle as the site is allocated in the development plan for employment use and it is considered that the site should be retained for such purposes; outstanding technical matters also remain to be resolved regarding surface water drainage and highways matters; and Section 106 contributions in respect of education, primary healthcare and affordable housing have not been secured.</p>	<p>16 September 2021</p> <p>Appeal against non-determination</p>

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the land from agricultural for the siting of 4 caravans	1 February 2021
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the land for the siting of one caravan and the erection of fencing in excess of 2 metres in height	1 February 2021

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
19/00247/FUL	<p>Construction of a publicly accessible landmark, commissioned to commemorate Queen Elizabeth II and the Commonwealth - land at Cold Law, Kirkwhelpington</p> <p>Main issues: development in the open countryside which fails to recognise the intrinsic character and nature of the countryside.</p>	<p>Inquiry date: 9 March 2021</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/02247/FUL	<p>Erection of a rural worker's dwelling – land south of Middle Coldcoats Equestrian Centre, Milbourne</p> <p>Main issues: fails to demonstrate the need for a rural worker's dwelling in the open countryside; inappropriate development in the Green Belt and there are no very special circumstances to outweigh harm; and fails to address pollution concerns with potential to affect protected species and failure to demonstrate ecological enhancement.</p>	<p>Virtual hearing date: 28 July 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02488/FUL	<p>Siting of upcycled shipping containers to provide retail and leisure facilities (use class A1, A3, and A4) and tented permanent roof covering as supplemented by note from agent received 07/09/20, additional details received 23/09/20, acoustic report received 25/09/20, and supplementary information received 20/10/20 - JH Laidler Storage Yard, Double Row, Seaton Delaval</p> <p>Main issues: loss of employment land; not demonstrated that the proposal satisfies the sequential test for main town centre uses in an out of centre location; and lack of information to be able to assess impacts on highway safety.</p>	<p>Hearing date: 27 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

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?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Planning applications and appeals are considered having regard to the Equality Act 2010
Risk assessment	None
Crime and 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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