



# Northumberland

## County Council

**Your ref:**

**Our ref:**

**Enquiries to:** Rebecca Little

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**Tel direct:** 01670 622611

**Date:** Wednesday, 15 November 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE** to be held in **Meeting Room 1, Berwick Leisure Centre, Tweedmouth, TD15 2AS** on **THURSDAY, 23 NOVEMBER 2023** at **2.00 PM**.

Yours faithfully

Dr Helen Paterson  
Chief Executive

**To North Northumberland Local Area Planning Committee members as follows:-**

**G Castle (Chair), S Bridgett, T Thorne, T Clark, G Hill (Vice-Chair), W Pattison, G Renner-Thompson, C Seymour, J Watson, C Hardy (Vice-Chair (Planning)), I Hunter, M Mather and M Swinbank**



**Dr Helen Paterson, Chief Executive**  
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## AGENDA

### 1. APOLOGIES FOR ABSENCE

### 2. MINUTES

(Pages 1  
- 8)

Minutes of the meeting of the North Northumberland Local Area Committee held on Thursday, 19 October 2023 as circulated, to be confirmed as a true record and signed by the Chair.

### 3. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b. Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.
- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact [monitoringofficer@northumberland.gov.uk](mailto:monitoringofficer@northumberland.gov.uk). Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

**4. DETERMINATION OF PLANNING APPLICATIONS**

(Pages 9  
- 14)

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. 22/02619/FUL**

(Pages  
15 - 28)

**Retrospective Change of Use of White Cottage to Services Accommodation in Association with the Joiners Arms White Cottage, The Inn Road, Newton-by-the-Sea, Northumberland, NE66 3EA**

**6. APPEAL UPDATE NOVEMBER 2023**

(Pages  
29 - 44)

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

**7. S106 UPDATE REPORT SEPTEMBER 2023**

(Pages  
45 - 48)

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous 2 months.

**8. 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.

**9. DATE OF NEXT MEETING**

The next meeting of the North Northumberland Local Area Planning Committee is scheduled for Thursday, 21 December 2023.

**IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:**

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

<b>Name:</b>		<b>Date of meeting:</b>	
<b>Meeting:</b>			
<b>Item to which your interest relates:</b>			
<b>Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):</b>			
<b>Are you intending to withdraw from the meeting?</b>		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

## Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the councillor’s knowledge)—

	<p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<b>Securities</b>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> <li>i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</li> </ul>

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.



## Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
  - i. exercising functions of a public nature
  - ii. any body directed to charitable purposes or
  - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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# Agenda Item 2

## NORTHUMBERLAND COUNTY COUNCIL

### NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE

At the meeting of the **North Northumberland Local Area Planning Committee** held at Main Hall - St James's URC, Pottergate, Alnwick, NE66 1JW on Thursday, 19 October 2023 at 2.00 pm.

#### PRESENT

C Hardy  
(Vice-Chair) (in the Chair)

#### MEMBERS

T Clark  
M Mather  
G Renner-Thompson  
M Swinbank

I Hunter  
W Pattison  
C Seymour  
T Thorne

#### OFFICERS

M Bulman  
V Cartmell  
J Hudson  
R Little  
D Love  
R Murfin  
M Patrick  
J Sharp

Solicitor  
Planning Area Manager  
Senior Planning Officer  
Assistant Democratic Services Officer  
Senior Planning Officer  
Director of Housing & Planning  
Highways Development Manager  
Senior Planning Officer

Around 15 members of the press and public were present.

37 **ELECTION OF CHAIR**

In the absence of Councillors Castle (Chair) and Hill (Vice-Chair), the legal officer asked the committee for their nomination of the chair. Councillor Thorne nominated Councillor Hardy to Chair the meeting, this was seconded by Councillor Pattison and agreed by all members.

*Councillor Hardy (Vice-Chair Planning), in the Chair.*

38 **PROCEDURE TO BE FOLLOWED AT A PLANNING COMMITTEE**

**RESOLVED** that this was noted.

39 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bridgett, Castle, Hill, and Watson.

40 **MINUTES**

**RESOLVED** that the minutes of the meeting of the North Northumberland Local Area Committee held on Thursday 21 September 2023, as circulated, were confirmed as a true record, and were signed by the Chair.

41 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Hunter advised that she was Parish Clerk to East Ord Parish Council and had a personal but non-prejudicial interest in item 8 of the agenda.

Councillor Pattison advised that she had registered to speak in item 7 of the agenda and would not take part in any debate or vote in the application.

Councillor Swinbank noted that he had a personal and prejudicial interest in item 6 of the agenda and would leave the room while the application was discussed and voted upon.

**RESOLVED** that this was noted.

42 **DETERMINATION OF PLANNING APPLICATIONS**

The report requested the Committee to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

**RESOLVED** that this was noted.

*Councillor Swinbank left the room at this point.*

43 **22/04503/FUL**

**Residential development – 9no. affordable homes  
Land South West of St Cuthbert Close, Main Street, North Sunderland,  
Northumberland**

J Sharp – Senior Planning Officer, introduced the application with the aid of a presentation and gave the committee the following updates:

- An additional representation had been submitted in objection to the application claiming that the application did not meet the criteria for an exception site.
- Condition 4 was to be removed as the information had been provided in the report.

J Copeland spoke in objection to the application and gave the committee members the following information:

- The application was a reduced version of 22/00801/FUL for 20 houses.
- There was a need for affordable houses in the village however the site was not in the village.
- The site did not integrate well and was up to a mile from the primary school, shops, and surgery.
- There was no bus route passing the site.
- The proposed development was out of style and would clash within the area of North Sunderland.
- There was no pressing need for houses on the edge of the settlement site.
- 20 houses were not needed previously so therefore 9 was not needed now.
- The site was not an exceptional site and did not conserve or enhance the AONB.
- Concerns whether the application was a trojan horse with more applications to follow.

S Shepherdson also spoke in objection to the application and gave the following information:

- Concerns with the entrance road as it was between two sharp bends.
- The layout of the road was an issue.
- There was major safety concerns.

A Trotter spoke on behalf of North Sunderland Parish Council and gave the committee the following information:

- The Parish Council had lobbied for affordable housing in the Neighbourhood Plan.
- Affordable housing was needed for homes of young families.
- The North Northumberland Coastal Area Housing Needs Survey 2023 showed that there was a net shortfall of 89 affordable houses in the area.
- Holiday lets and 2<sup>nd</sup> homes were an issue in North Sunderland.

- Young families were not able to afford the rent or house prices without the affordable homes.
- The Parish Council fully supported the application.

S Linnell spoke in support of the application and gave members the following information:

- The site was for 9 affordable homes.
- The principal of the development was policy compliant.
- 90 affordable homes were needed in the area according to the North Northumberland Coastal Area Housing Needs Survey 2023.
- The development was a low density site.
- The application site was in the least sensitive part of the area.
- Amendments had been made with the development in regards to type of unit, boundary treatments and roofing.
- There had been no objections from statutory consultees.
- The site would deliver needed affordable homes.

Committee members were then invited to ask the planning officers questions on the application at hand. The following information was then provided:

- Following initial concerns from planning officers, the applicant introduced a footpath into the application.
- The S106 agreement had been negotiated with the applicant.
- 70% of the development was for affordable rent, 30% was for affordable home ownership.
- An exception site would be up to 9 houses and was under a different planning test, policies would not support 9 units in open countryside.
- Maintenance of the site would fall on the land owner.
- Primary occupancy of the affordable homes had been secured by the S106 agreement.
- The LLFA did initially object to the proposals but withdrew their objections following further consultation.
- A Construction Method Statement had to be submitted and approved by the Planning Authority before development of the site started.

Councillor Renner-Thompson proposed to accept the officer's recommendation to approve the application with the conditions outlined in the report with the removal of Condition 4, and a S106 legal agreement securing Affordable Housing, Primary Occupancy, and a financial contribution of £5,535 towards Coastal Mitigation. This was seconded by Councillor Thorne.

A vote was taken, and it was FOR; 7, AGAINST; 1, ABSTAIN; 0.

**RESOLVED** that the application be **GRANTED** subject to the conditions outlined in the report with the removal of Condition 4, and a S106 legal agreement securing Affordable Housing, Primary Occupancy, and a financial contribution of £5,535 towards Coastal Mitigation.

*Councillor Swinbank returned to the meeting at this point.*

**Removal of condition 18 (street lighting) on approved application 20/03446/VARYCO to allow streetlights to be turned off or removed. Farm Buildings East of North Farm, Rennington Village, Rennington, Northumberland**

D Love – Senior Planning Officer, introduced the application with the aid of a presentation and gave committee members the following update:

- An additional representation had been received supporting the application.

Councillor Pattison spoke as the Local Member and gave the committee the following information:

- The site was a peaceful, quiet, rural area and there had been several harsh and bright streetlights installed.
- Concerns with light pollution.
- The residents cherished the dark sky environment.
- LED lights reduced insect population by 50%.
- The streetlights should be removed or turned off.

S Baggot spoke in support of the application and provided members with the following information:

- Rennington was a small village.
- There was originally two streetlights however after the development had completed there was seven.
- Streetlights were not appropriate for a rural village.
- The Parish Council were informed that streetlights were required for highways safety however the main road was a 30mph limit with no records of any incidents.
- There had been no road safety audit completed.
- Ballard lighting would be more appropriate.
- There had been 19 comments on the application and 18 of those comments were in support of the application.
- Dark skies were a special quality and had a positive impact.
- The Parish Council supports biodiversity and wished to promote the ecosystem.

Following public speaking, committee members were invited to ask questions of the planning officers. The following information was then provided:

- The village was adjacent to the Dark Skies area.
- The street lighting team would normally request street lighting.
- The route from the newer houses to the former bus stop was lit, however it was not clear if there was a footpath all the way.
- The Planning Authority could not compel the developer to remove the streetlights and the site had not been adopted by the Local Authority.
- The lighting was considered “not damaging” in terms of ecology.

Councillor Renner-Thompson proposed to grant the application, against officer recommendation with all conditions to be delegated to Planning Officers, which was seconded by Councillor Thorne.

Councillor Mather and Swinbank voiced concerns regarding the safety of residents if the streetlights were to be removed, they encouraged members to

vote against the motion and press for continued dialogue between the Parish Council and Highways Officers to reach an agreement on alternative lighting provisions.

A vote was taken, and it was FOR; 3, AGAINST; 5, ABSTAIN; 0.

The motion failed and Councillor Mather proposed to accept the officer's recommendation to refuse the application, which was seconded by Councillor Thorne.

A vote was taken, and it was FOR; 6, AGAINST; 1, ABSTAIN; 1.

**RESOLVED** that the application was **REFUSED** in accordance with the officer's reason of "The proposal seeks to remove the streetlights from the residential development at North Farm, Rennington. The lights are required because of highways adoption approach, separate from planning policy, and safety. The proposal to remove the lights would result in a potential highway safety concern and thus is not consistent with TRA 1 as it would not result in an effective and safe access to the existing transport network."

*A short comfort break was announced.*

45

**23/00583/FUL**

**Change of use of existing public house (Sui Generis) to provide 3no. residential apartments (Use Class C3) and erection of 4no. dwellings (Use Class C3) to rear, utilising existing access off E Ord Road, with associated parking, hard and soft landscaping.  
The Salmon Inn, East Ord, Berwick Upon Tweed, Northumberland, TD15 2NS**

J Hudson – Senior Planning Officer, introduced the application with the aid of a presentation, there were no updates since the report was published.

J Boshier spoke in support of the application and gave committee members the following information:

- The application would retain the Salmon Inn building and convert the inside into flats.
- The proposed new dwellings followed the local characteristics and urban grain of East Ord.
- The applicant had worked with NCC Planners to resolve all outstanding material considerations including all concerns with flooding and Highways.
- The application plans complied with Nationally Described Space Standards and were designed to a high quality, with appropriate outdoor amenity space, and suitable distances to existing neighbours to protect privacy.
- The proposal provided two car parking spaces for every proposed dwelling of two bedrooms or more, and one car parking space per one-bedroom apartment, plus two visitors spaces, in line with Policy TRA 4.
- The Salmon Inn was nominated as an Asset of Community Value, but after further consideration, it did not qualify as a community asset and the listing was withdrawn.



- A full Marketing and Viability report had been produced.
- The Salmon Inn had been marketed since 23 May 2022 without a significant offer to retain the property as a public house, the majority of interest was for residential conversion.

Following public speaking, members of the committee were invited to ask questions of the planning officer, which the following information was then provided:

- There was a typo in the report in paragraph 7.23 and Glensdale Park should have read Glenside Park.
- The application site met separation distance in accordance with the NPPF.
- The informal crossing on the site would be, dropped curbs in an appropriate location, to be determined.
- The application would not be out of character for the area.
- There was sufficient amenity space.
- East Ord was a village in character but is in the settlement boundary of Berwick Upon Tweed.
- The application was below the threshold for a S106 agreement.
- The Salmon Inn was incorrectly listed as an asset of community value however it did not meet the criteria to be listed.
- The Salmon Inn was marketed for 8 months before the application was submitted, which was policy compliant.

Councillor Hunter proposed to refuse the application based on overdevelopment of a site, loss of public amenity and detrimental impact on Highways. This was seconded by Councillor Seymour.

A vote was taken, and it was FOR; 6, AGAINST; 3, ABSTAIN; 0.

**RESOLVED** that the application was **REFUSED** on overdevelopment of the site, loss of impact of amenity and detrimental impact on Highways.

46 **TREE PRESERVATION ORDER  
TOWN AND COUNTRY PLANNING ACT 1990  
Northumberland County Council  
Land at St Peters Close, Glanton, Northumberland  
Tree Preservation Order 2023  
No. 3 of 2023**

V. Cartmell – Planning Area Manager, introduced the Tree Preservation Order with the aid of a presentation and gave the following updates:

- Paragraph 3.1 starting “This application was reported to the Virtual Strategic Committee on August 2020” and paragraphs 3.2 and 3.3 were to be omitted and replaced with “The Parish Council made the request for the TPO on the basis that the trees were an integral part of the street scene and were at risk of removal because of the approved development. Also, several trees had been lost either through works or storm damage since the application was first submitted and the Parish Council were keen to see the remained protected.”
- The reason for making the TPO as modified was “In accordance with the Town and County Planning (Tree Preservation) Regulations 2012 and

Ch.’s Initials.....

Section 198 (1) of the Town and County Planning Act 1990, the 7 trees (T1-T7) are deemed suitable for protection through a TPO by virtue of their appearance, condition, and position within the street scene. The trees are open to clear public view and make a positive contribution to the visual amenity of the street scene and are integral to the street scape.

Councillor Swinbank proposed to confirm the modified Tree Prevention Order, which was seconded by Councillor Pattison.

A vote was taken and was unanimous.

**RESOLVED** that the modified Tree Preservation Order was **CONFIRMED**.

47 **APPEALS UPDATE**

**RESOLVED** that this was noted.

48 **S106 UPDATE**

**RESOLVED** that this was noted.

49 **DATE OF NEXT MEETING**

The next meeting of the North Northumberland Local Area Planning Committee was scheduled for Thursday, 23 November 2023.

**RESOLVED** that this was noted.

**CHAIR**.....

**DATE**.....



Northumberland  
County Council



Northumberland  
County Council

## NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE

DATE: 23.11.23

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### DETERMINATION OF PLANNING APPLICATIONS

**Report of the Director of Housing & Planning (Chief Planning Officer)**

**Cabinet Member:** Councillor C Horncastle

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#### **Purpose of report**

To request the North Northumberland Local Area Planning Committee to decide the planning applications attached to this report using the powers delegated to it.

#### **Recommendations**

The North Northumberland Local Area Planning Committee 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.

#### **Author and Contact Details**

Report author: Rob Murfin  
Director of Housing & Planning  
[Rob.Murfin@northumberland.gov.uk](mailto:Rob.Murfin@northumberland.gov.uk)



## **DETERMINATION OF PLANNING APPLICATIONS**

### **Introduction**

1. The following section of the agenda consists of planning applications to be determined by the North Northumberland Local Area Planning Committee 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 Strategic Planning Committee 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 the tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. Conditions must be:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

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 constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

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## BACKGROUND PAPERS

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

### Implications

<b>Policy</b>	Procedures and individual recommendations are in line with policy unless otherwise stated
<b>Finance and value for money</b>	None unless stated
<b>Legal</b>	None unless stated
<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 are considered having regard to the Equality Act 2010
<b>Risk Assessment</b>	None
<b>Crime &amp; Disorder</b>	As set out in the individual reports
<b>Customer Consideration</b>	None
<b>Carbon reduction</b>	Each application will have an impact on the local environment, and it has been assessed accordingly
<b>Wards</b>	All

## PROCEDURE AT PLANNING COMMITTEE

**A. Chairman welcomes members and those members of the public watching on the livestream**

Welcome to also include reference:

- (i) Fact that the meeting can be viewed on a live stream through You Tube Northumberland TV and a recording will be available after the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking
- (iii) To switch all mobile phones off.
- (iv) Reminder that if a member leaves the Chamber whilst an application is being considered then they may take no further part in that application.

**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 Management: -**

**Application**

<u>Chair</u>	Introduces application  Site Visit Video (previously circulated)-invite members questions
<u>Planning Officer</u>	Updates – Changes to recommendations – present report
<u>Public Speaking</u>	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)**

Planning Officer confirms and reads out wording of resolution

Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all the consideration of the application)



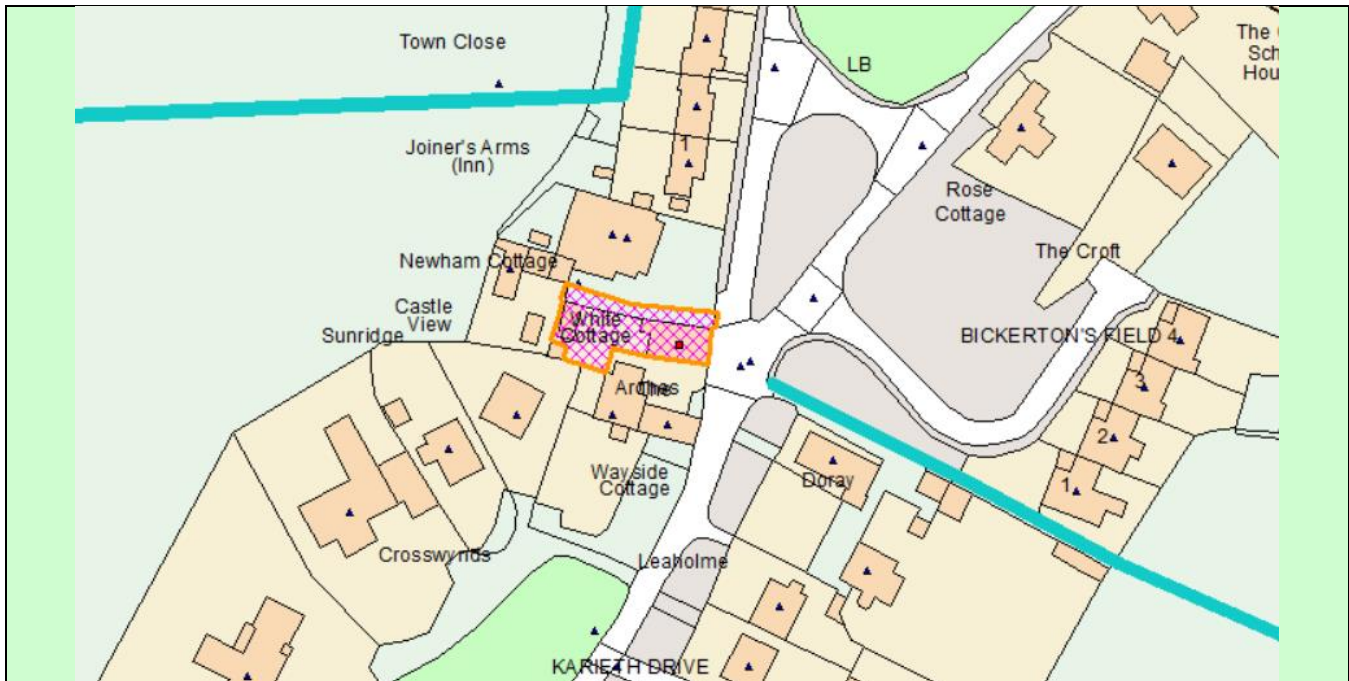


**Northumberland**  
County Council

**North Northumberland Local Area Committee**  
**23rd November 2023**

<b>Application No:</b>	22/02619/FUL		
<b>Proposal:</b>	Retrospective Change of Use of White Cottage to Serviced Accommodation in Association with the Joiners Arms		
<b>Site Address</b>	White Cottage, The Inn Road, Newton-By-The-Sea, Northumberland NE66 3EA		
<b>Applicant:</b>	Mr Duncan Fisher First Floor, Two Jesmond Three Sixty, Jesmond, Newcastle upon Tyne NE2 1DB	<b>Agent:</b>	Mr Guy Whitehead Clavering House, Clavering Place, Newcastle Upon Tyne, NE1 3NG
<b>Ward</b>	Longhoughton	<b>Parish</b>	Newton-by-the-Sea
<b>Valid Date:</b>	18 April 2023	<b>Expiry Date:</b>	13 June 2023
<b>Case Officer Details:</b>	Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 07966331971 Email: Jon.Sharp@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission subject to conditions.



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## 1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to concerns raised regarding the impact of the proposals upon the local community and neighbouring amenity.

1.2 The application has been reviewed by the Committee Chairs and the Director of Planning who requested a committee decision for the reason that it does raise issues of strategic, wider community or significant County Council Interest.

1.3 The application was previously presented to committee in June 2023 when it was deferred pending the receipt of additional information in respect of parking and foul drainage. This information has now been received and has been reviewed by the relevant consultees as set out below.

## 2. Description of the Proposals

2.1 The application proposes the change of use of a detached residential property to use as serviced accommodation associated with the adjacent public house (The Joiners Arms). This work has already been carried out with the property being converted from a three bed residential house to serviced accommodation providing four bedrooms in total. The former lounge, kitchen and dining areas having been converted to bedrooms, whilst at first floor level the internal layout has been amended to create two large rooms where there were previously three.

2.2 The application site is located within the settlement of High Newton adjacent to the Joiners Arms public house. The site is bound to the south and west by residential development with the pub across an access lane (in separate ownership) to the north. To the east is the public highway with further residential development beyond. On street parking within the village is restricted, with permit parking to the front of the site. There is a free public car park approximately 150 metres to the south at the entrance to the village.

## 3. Planning History

**Reference Number:** 20/00569/FUL

**Description:** Proposed change of use for new shepherd hut in rear garden for holiday letting

**Status:** Permitted

**Reference Number:** 20/04267/FUL

**Description:** Retrospective: Change of use of White Cottage to serviced accommodation in association with Joiners Arms

**Status:** Withdrawn

**Reference Number:** A/2004/0217

**Description:** Rear two storey extension and single storey extension

**Status:** Refused

## 4. Consultee Responses

Northumberland Coast AONB	<p>The AONB Partnership does not support this application. The application does not differ in principle from that submitted under 20/04267/FUL and our stance remains the same.</p> <p>The summary of the AONB Partnership's response to 20/04267/FUL stated "the change of use from dwelling house to serviced holiday accommodation is not supported and the scale of the conversion is considered overdevelopment, particularly in relation to lack of in curtilage parking."</p>
Highways	<p>Amended plans and/or additional information required: Insufficient information has been provided at this time to make a suitable and substantive response within the defined consultation period.</p> <p>The following information will be required to inform a response within a statutory reconsultation period:</p> <p>Fully detailed arrangements with regards to the provision of off-street car parking in accordance with Appendix E of the Local Plan (2022). Refuse storage and strategy details for the units.</p> <p>*Update Feb 2023*</p> <p>Following receipt of updated information, no objections are raised subject to conditions and informatives.</p> <p>*Update Nov 2023*</p> <p>Following receipt of a Parking Statement setting out justification as to why the proposed parking does not meet the requirements of NLP Policy TRA 4, HDM raise no objections subject to an amended condition requiring the submission of a Car Parking Strategy prior to continued use of the site.</p>
Tourism, Leisure & Culture	No response received.
County Ecologist	<p>No objection.</p> <p>The application concerns a change of use and does not appear to include significant external alterations and therefore impacts on protected species are unlikely. The site is within the buffer zone for recreational impacts on coastal sites but as there is no net increase in units of accommodation there is no requirement to contribute to the Coastal Mitigation Service.</p>
Natural England	No objection subject to appropriate mitigation
Architectural Liaison Officer - Police	No response received.
Public Protection	No comment

<p>Newton-by-the-Sea Parish Council</p>	<p>The PC asks that this application be refused on the grounds of the unacceptable cumulative impact of development, access and parking issues, erosion of housing stock and adverse impact on the qualities of the AONB, including the loss of tranquillity.</p> <p>The PC is of the view that shortfalls, errors and omissions render this application incomplete with, for example the location and provision for parking not being answered on the application.</p>
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## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	3
Number of Support	0
Number of General Comments	0

### Notices

No Site Notice Required.

No Press Notice Required.

### Summary of Responses:

3no letters of objection have been received including submissions from/on behalf of The Newton Trust, summarised as follows,

Inadequate information submitted with application

Amenity issues

Access issues

Inadequate parking provision

The applicant continues to carry out developments and then seeks the necessary permissions retrospectively

Intensification of use

Foul drainage/hot tubs

Loss of tranquillity within AONB

Impacts upon the character of the locality

Continued commercial development will irreversibly change the intrinsic character of the village

Change of Use does not meet the social or environmental aspects of sustainable development

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=RFFGHCQSIC000>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Northumberland Local Plan (2022)

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

ECN 12 - A strategy for rural economic growth (Strategic Policy)

ECN 13 - Meeting rural employment needs (Strategic Policy)

ECN 15 - Tourism and visitor development

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 2 - The effects of development on the transport network

TRA 4 - Parking provision in new development

ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)

ENV 2 - Biodiversity and geodiversity

ENV 4 - Tranquillity, dark skies and a sense of rurality

POL 2 - Pollution and air, soil and water quality

### 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2023)

### 6.3 Neighbourhood Planning Policy

N/A

### 6.4 Other Documents/Strategies

PPG - Planning Practice Guidance (2021, as updated)

Northumberland Coast AONB Management Plan (2020)

## **7. Appraisal**

7.1 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 plan comprises the Northumberland Local Plan (NLP) (2022). The National Planning Policy Framework (NPPF) (2023) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. The main considerations in assessing this proposal are:

Principle of Development,  
Design & Impact on Character,

Amenity,  
Highways,  
AONB,  
Ecology,  
Other Matters, and  
Procedural Matters.

### Principle

7.3 Policy STP 1 of the NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth and which conserves and enhances the County's unique environmental assets. The policy sets out a settlement hierarchy which identifies High Newton (together with Low Newton) as a "Small Village" which will support a proportionate level of development.

7.4 Policy ECN 12 seeks to foster the growth of the rural economy within the county by facilitating, within constraints, the formation, growth and up-scaling of businesses in rural locations, whilst safeguarding the rural environment, rural communities and traditional rural businesses upon which the rural economy depends.

7.5 Policy ECN 13 goes on to support development that will generate employment opportunities, proportionate to the rural location, where all of the following apply:

- a. Existing buildings are reused or, where this is not possible, extensions or new buildings that contribute positively to local landscape character and, where applicable, local building traditions;
- b. The proposal is related as closely as possible to the existing settlement pattern, existing services and accessible places;
- c. It will not have an adverse impact on the operational aspects of local farming or forestry.

7.6 Policy ECN 15 relates to tourism and visitor development and states that Northumberland will be promoted and developed as a destination for tourists and visitors, while recognising the need to sustain and conserve the environment and local communities. It goes on to say that this will be achieved through the development of new visitor attractions and facilities, accommodation and the expansion of existing tourism businesses.

7.7 Paragraph 83 of the NPPF supports the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

7.8 The proposal represents the expansion of a thriving business which, as identified above, is supported through both national and local planning policies. However, it is noted by some that the business interests of the applicant in the area are potentially on the cusp of tipping (or having tipped) the balance in this respect. The retrospective nature of the application must not be a factor in determining this one way or the other.

7.9 The impact of the proposal upon neighbouring amenity, highways and the AONB are discussed further below, but the desire to maintain the tranquillity of the village, as seen through the lens of both amenity and the AONB Management Plan, must be

balanced against the need to recognise the AONB as a living, working area in which small scale development, which does not impact on the AONB's special qualities, should be allowed. How to maintain and increase the economic value of tourism to the local communities that depend on it, whilst ensuring that it doesn't further degrade the special qualities that draw people to the area in the first place is a key consideration here.

7.10 It is the opinion of the case officer that the conversion of the cottage to serviced accommodation, whilst potentially adding to existing parking and noise problems, would not have a significant impact over and above existing concerns. Furthermore, if permission were granted, these issues could be effectively managed through planning conditions, which would help to reduce the cumulative impacts currently being experienced, thereby ensuring the development does not have a significant impact upon the surrounding environment and neighbouring land users.

### Design & Impact on Character

7.11 Policy QOP 1 of the NLP seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy states that development proposals should make a positive contribution to local character and distinctiveness. Policy QOP 2 also sets out an expectation that the physical presence and design of development should preserve the character of an area.

7.12 Paragraph 126 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.13 The proposed change of use does not include any physical changes to the exterior of the building and as such would not have a detrimental effect upon the character or appearance of the property or the surrounding area. Equally the addition of hot tubs and decking to the rear of the property would not have a visual impact upon the character of the area. It is acknowledged however that these may enable behaviours which impact upon the characteristic tranquillity of the village and this is discussed further below. It should be noted however that the siting of the hot tubs does not require planning permission, whilst any disturbance caused through the use of the external areas can be controlled via Environmental Health legislation. In terms of the physical impacts of the proposal, it is in accordance with Policies QOP 1 and QOP 2 of the NLP and the NPPF in this respect.

### Amenity

7.14 Policy QOP 2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. Meanwhile Policy POL 2 provides protection from unacceptable risk of harm to or the adverse effects of pollution from emissions of, amongst other things, effluent, smell, heat, light, or noise.

7.15 Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.16 The Council's Environmental Protection team has responded to consultation offering no comment on the proposals. When this was queried it became clear that the conversion from residential to holiday accommodation was not a matter of concern to the EP team, who confirmed that whilst investigations have been ongoing regarding noise complaints associated with the pub, this is a separate matter that is not linked to the conversion of the cottage.

7.17 Whilst it may be true to say that some holiday makers can be less considerate of their surroundings than others, the scale of the development is such that the potential for significant issues in this respect is small and would not have a significant detrimental impact upon neighbouring uses. As noted above the Council has powers under separate Environmental Health legislation should the proposals lead to any substantiated concerns in this respect. On this basis the proposal is acceptable in accordance with Policies QOP 2 and POL 2 and the NPPF.

### Highways

7.18 Policy TRA 1 of the NLP promotes sustainable connections and states that the transport implications of development must be addressed as part of any planning application. Policy TRA 2 seeks to ensure that all development will minimise any adverse impacts upon the highway network. Policy TRA 4 sets out requirements for parking provision in new development.

7.19 Paragraph 111 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.20 Paragraph 112 goes on to say that within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.21 Concerns raised regarding access and the inadequacy of car parking are noted. The Local Highway Authority responded to initial consultation requesting additional information in this respect, however, following receipt of further information no objections were raised subject to a condition securing the implementation of the proposed car parking.

7.22 Following the request from members for further investigation into car parking issues, particularly in respect of the in-curtilage spaces, further discussions have



taken place with HDM and the applicant. This has resulted in the submission of a Parking Statement which sets out justification for the inability of the proposals to provide sufficient parking space to accord with NLP Policy TRA 4. For developments such as this the expectation would be for one space per bedroom to be provided, (plus one per 3no staff), which amounts to a requirement for 4+no spaces. When the shepherd's hut annex is factored in the requirement becomes 5no spaces, with 3no spaces available (plus 1no VP permit).

7.23 With specific reference to the proposal at hand, the applicant is able to demonstrate 3no spaces (inclusive of the VP permit), (though it is noted that the availability of the in-curtilage space for this development is disputed), thereby leaving a potential shortfall of 2no spaces. When considering para 111 of the Framework, it is unlikely that a shortfall of 2no spaces would lead to an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe.

7.24 The submitted Statement sets out that there would be no changes in the number of staff, as this is undertaken by existing staff members from the Joiners Arms. This would leave 5no spaces required for the 4no bedrooms and 1no annexe and 3no spaces have been provided. HDM have confirmed that the shortfall of 2no spaces against minimum standards could be accommodated through a management plan, with the applicant controlling sufficient parking spaces at the Joiners Arms and nearby at Newton Hall, thereby reducing the likelihood of indiscriminate parking on the highway to the front of the site.

7.25 On this basis the proposals are acceptable and in accordance with highways policy.

### AONB

7.26 The application site lies within the Northumberland Coast AONB and due consideration must be given to the impacts of the proposed development upon this designated area.

7.27 Policy ENV 5 of the NLP seeks to ensure that the special qualities of the AONB will be conserved and enhanced, having regard to the current AONB Management Plan and locally specific design guidance.

7.28 This echoes Paragraph 176 of the NPPF, which states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

7.29 The AONB Partnership responded to consultation raising concerns about the overdevelopment of the site, particularly in relation to in curtilage parking. It has been shown however that parking is capable of being provided to accord with the Local Plan and the lack of external changes to the cottage mean there is no visual impact upon this part of the AONB.

7.30 Of more concern perhaps is the impact of the proposal upon tranquillity. The Council recognises tranquillity as a distinctive characteristic of Northumberland's countryside and through Policy ENV 4 of the LP, requires proposals to minimise the level of noise, traffic and light generated by development.

7.31 The AONB Management Plan informs us that the AONB has areas that are experienced as being highly tranquil and which should be highly valued as such. It is equally clear that this tranquillity is under constant pressure, especially from new development and from growing levels of tourism. Indeed, this issue epitomises the main challenge facing everyone involved in tourism in the AONB of how to maintain and increase its economic value to the local communities that depend on it whilst ensuring that it doesn't further degrade the special qualities that draw tourists to the area in the first place.

7.32 It is noted above that the Council's Environmental Health team do not consider the conversion of the cottage to be problematic in terms of noise creation. However, if the character of the village (and of this part of the AONB more generally) is considered to be tranquil, it may be that the addition of more holiday accommodation could have an impact upon that character. This must be balanced, however, against support, within both adopted planning policy and the AONB Management Plan, for rural business. It is officer opinion that, given the scale of the proposals, they are unlikely to have a significant impact upon the existing situation and if this application were to be approved, the LPA would be better able to retain control of the development via appropriate and enforceable planning conditions. On this basis therefore, the proposal would conserve the special qualities for which the Northumberland Coast AONB is designated.

### Ecology

7.33 Policy ENV 2 of the Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity.

7.34 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.35 The County Ecologist has responded to consultation raising no objections, as the proposal does not include significant external alterations and therefore impacts on protected species are unlikely. Whilst the site is within the buffer zone for recreational impacts on coastal sites there is no net increase in units therefore a contribution to the Council's Coastal Mitigation Service will not be required. On this basis the proposals are acceptable in accordance with Policy ENV 2 or the NPPF in this respect.

### Other Matters

7.36 The comments received from the Parish Council and objectors are noted and have been taken into account in the assessment of the application as appropriate. Concerns regarding the validity of the application have been addressed with the applicant, whilst matters relating to highways, amenity, environmental and social implications and impact on designated landscapes have been addressed in the preceding paragraphs.

7.37 Concerns regarding the loss of housing stock are noted, however the change of use of the property does not rule out the potential for its conversion back to a dwelling in the future. Related to this are concerns about the intensification of the use of the property, particularly in conjunction with the previously approved

shepherd's hut in the rear garden. It is noted above that the proposal at hand only increases the number of bedrooms by one and it is feasible that this could have been achieved whilst retaining the property as a dwelling, so it has limited bearing on whether the change of use to serviced accommodation is acceptable. Furthermore, the presence of the additional accommodation in the rear garden, which already has consent, does not form part of the assessment of this application.

7.38 Concerns raised regarding the retrospective nature of the application are noted, however this is a legitimate method of dealing with development which has been carried out without the appropriate permissions. The assertion that the applicant habitually carries out development before seeking permission is not relevant to the outcome of this application.

7.39 Concerns raised by members about the impact of the proposals on foul drainage have been raised with the applicant. Following discussions with Northumbrian Water, it is understood that they were called to reports of a sewer collapse in March 2018. This subsequently proved to be a manhole collapse under the shared access between the cottage and the pub and repairs were carried out accordingly. These works predate the installation of the hot tub(s). It is also noted that NWL would not ordinarily have an interest in hot tubs, as there is normally no way of knowing who has one. NWL has clearly responded to reports of flooding caused by the need for infrastructure repairs previously and there is no reason to doubt they would do so again if necessary. The siting of the hot tubs within the application site has no bearing on this and no objections have been raised in this respect.

### Procedural Matters

#### *Equality Duty*

7.40 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*

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

#### *Human Rights Act Implications*

7.42 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.

7.43 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.

7.44 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 application has been considered against local development plan policies and the relevant sections of the NPPF. The proposal includes the efficient use of land in order to provide high quality rental accommodation for the tourist industry. Tourism in Northumberland has developed into a year round activity and the proposals would tap into this growing market by establishing new serviced holiday accommodation of a type which is not commonly available in the area.

8.2 Whilst noting the concerns raised by neighbours, the principle of the proposal is acceptable and the use of the cottage as serviced accommodation would not negate the potential future use of the building as a domestic dwelling. Concerns raised regarding parking and access are noted and have been addressed above with the Local Highway Authority raising no objections subject to conditions.

8.3 Third party comments around increased noise levels arising from the use of the accommodation (in particular the rear terrace and hot tubs) are noted, however the council's Environmental Protection team have offered no comment in respect of noise impacts relating to this particular development (it is understood that there are ongoing but separate investigations relating to the pub however).

8.4 The proposal has addressed the main considerations, accords with relevant planning policies and legislation and is considered to be acceptable on balance.

## **9. Recommendation**

9.1 That this application be GRANTED permission subject to the following:

### Conditions/Reason

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

Drawing No 22035.OS01.B - Location Plan  
Drawing No 22035.P02\_ - Proposed Plans  
Drawing No 22035.P03.B - Proposed Site Plan

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

## 02. Car Parking Management Strategy

Prior to the development continuing in use, a Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Car Parking Management Strategy shall be adhered to in perpetuity. The Car Parking Management Strategy shall include:

- Details of management and mitigation measures to ensure no overspill car parking associated with the development occurs, and
- A plan for monitoring and reviewing the effectiveness of the Car Parking Management Strategy to be submitted for review within 12 months from initial submission.

Reason: In the interest of highway safety, in accordance with the National Planning Policy Framework and Policy TRA 4 of the Northumberland Local Plan.

## 03. Holiday Use Only

The accommodation subject to this permission shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up to date register of all lettings that should be made available for inspection by an authorised officer of the Council at all reasonable times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is retained for holiday use and in accordance with Policy ECN 15 of the Northumberland Local Plan

## **Informatives**

### 1. Statutory Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.

Failure to address issues of noise, dust and light at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.

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# Northumberland County Council

# Appeal Update Report

Date: November 2023

## Planning Appeals

**Report of the Director of Planning**

**Cabinet Member:** Councillor CW Horncastle

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### **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?
20/00230/FUL	<p>Full planning permission for 63 no. dwellings with associated infrastructure and landscaping (as amended) - land south of Broomhouse Lane, Station Road, Prudhoe</p> <p>Main issues: insufficient information to demonstrate that the development would deliver an appropriate mix of housing to meet local housing need; new access with associated disturbance and visual impacts would have a harmful impact on the character and visual amenity of the area and the amenity and living conditions of residents; and insufficient information in respect of energy efficiency measures.</p> <p>Committee Decision – Officer Recommendation: Approve</p>	No – claim refused
22/03128/FUL	<p>Proposed construction of 3 bedroom dormer bungalow – land south east of 4 Studley Drive, Swarland</p> <p>Main issues: loss of landscaping and detrimental impact on the character and appearance of the area; and subdivision of the plot would have a harmful impact on the character and appearance of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	Yes – claim allowed
23/01214/VARYCO	<p>Removal of condition 3 (Footpath 1 (HDM)) and 4 (Footpath 2 (HDM)) on approved application 21/04875/FUL - land north of Southcroft Stables, The Croft, Ulgham</p> <p>Main issues: the proposed removal would not promote sustainable connectivity between the wider development and existing infrastructure.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	Yes – claim allowed
20/04096/OUT	<p>Outline planning permission for residential development for up to four dwellings (All Matters Reserved) with demolition of existing structures - resubmission of application 19/01511/OUT - land at Moor Farm Estate, Station Road, Stannington</p> <p>Main issues: proposal would permanently urbanise an</p>	No



	<p>open site to the detriment of the rural, dispersed, open character of the site and its surroundings.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
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## 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?
22/02870/FUL	<p>Construction of 8no. bungalows with associated access, parking and landscaping – land north of Hartford Court, East West Link Road, Cramlington</p> <p>Main issues: loss of open space; design, density, siting and layout does not respect the character of the area or contribute to a strong sense of place; impacts on residential amenity; fails to demonstrate how surface water and flood risk will be mitigated on site; fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to promote the use of sustainable travel within the development; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
21/02287/FUL	<p>Convert and extend redundant cow byre to residential use (C3) for holiday let – Waterside Cottage, Acklington</p> <p>Main issues: development in an unsustainable location within the open countryside; insufficient information to justify non-mains foul drainage; insufficient information to demonstrate the proposal would not sterilise and identified sand and gravel</p>	No – claim refused

	<p>resource; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC; and loss of ancient woodland with no exceptional circumstances or suitable compensation strategy.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
22/03609/AGTRES	<p>Notification of Prior Approval to convert an existing but now redundant agricultural building on the Guyzance Estate for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
23/00494/FUL	<p>Removal of conservatory to west elevation and construction of two storey side and rear extensions and raising of ridge height – 32 Linden Way, Darras Hall, Ponteland</p> <p>Main issues: inappropriate design with detrimental impact on the character and visual appearance of the existing dwelling and street scene.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

### Planning Appeals Withdrawn

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

## 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
21/03396/FUL	<p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 &amp; 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03397/LBC	<p>Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 &amp; 5 Front Street with replacement extension(s), internal alterations and alterations to boundary walls – 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

21/01833/FUL	<p>Development of 60 no. Pitches for holiday accommodation comprising touring caravan/campervan pitches and tents – land at Elwick Farm, Belford</p> <p>Main issues: unsustainable major tourism in the open countryside; lack of information in relation to impacts on wildlife; lack of information in respect of a nutrient calculation relating to the Lindisfarne SPA; and lack of information relating to surface water drainage and highways.</p>	<p>10 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04634/FUL	<p>Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst</p> <p>Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its setting.</p>	<p>16 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01297/FUL	<p>Development of 4 no. residential dwellings including associated access, landscaping and all other ancillary works – land north of junction of Station Road, South End, Longhoughton</p> <p>Main issues: would fail to preserve the setting of the Grade I listed Church of St Peter and St Paul; harmful impact on the character and appearance of the area; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p>	<p>21 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02704/CLEXIS	<p>Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley</p> <p>Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.</p>	<p>27 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03417/OUT	<p>Outline application with some matters reserved for development of one residential dwelling (Self Build); all matters reserved other than access – land north of Hill Top Cottage, Morpeth</p> <p>Main issues: development within the open countryside; inappropriate development in the open countryside; fails to promote the</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	use of sustainable travel; fails to demonstrate that safe access can be achieved; and fails to demonstrate potential impacts on protected species and how these can be mitigated.	
22/01012/FUL	<p>Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at Barley Hill House Barn, Kiln Pit Hill, Consett</p> <p>Main issues: design fails to reflect the character or appearance of the listed farm building and results in harm to the character and appearance of the listed building.</p>	<p>17 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04060/FUL	<p>Erection 2no 2-storey 4 bed detached dwellings (validated 06/01/23, notice served) - land south west of 21 Front Street, East Bedlington</p> <p>Main issues: fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to demonstrate appropriate off-street car parking provision; fails to demonstrate that appropriate ground gas protection has been incorporated into the development; fails to demonstrate how surface water and flood risk will be mitigated on site; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.</p>	<p>26 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/00732/FUL	<p>Retrospective - Proposed full timber decking outdoor seating area with timber frame outbuilding / shed for outdoor store and service area – The Schooner Hotel, 8 Northumberland Street, Alnmouth</p> <p>Main issues: harm to heritage asset and no public benefits have been demonstrated to outweigh the identified harm.</p>	<p>15 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04676/LBC	<p>Listed Building Consent for alterations comprising inserting one window with shutter in South facing gable wall, and the replacement of existing window with fully glazed panel and shutter on West elevation (Amended Description) - The Cottage, Riding Home Farm, Acomb, Hexham</p> <p>Main issues: less than substantial harm to the character and significance of the listed</p>	<p>27 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	building that has not been justified.	
23/01138/ADE	<p>Advertisement consent for 1no. totem sign – Lidl, Hexham Gate Retail Park, Hexham</p> <p>Main issues: harm to the visual amenity of the site and wider area, including the setting of designated heritage assets and the townscape.</p>	<p>5 July 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04675/FUL	<p>Proposed 1.5 storey extension to the rear will provide a new staircase; two extensions onto the west gable will provide two storeys of additional living accommodation, plus a single storey link to the updated outbuilding to be clad in timber; the two storey and 1.5 storey extensions to have roof pitches; double garage with timber clad; the landscape and ground levels will be updated to provide access to the garage and accommodate the extensions - The Hott, Thorngrafton, Hexham</p> <p>Main issues: design would not be in keeping with the traditional character and appearance of the dwelling, existing buildings and surrounding area and would be detrimental to visual amenity and fails to preserve the significance of non-designated heritage assets; and insufficient information to consider the archaeological impacts of the development.</p>	<p>17 July 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04104/FUL	<p>Change of use, conversion and alteration of the existing buildings to create 6 holiday let units, including landscaping and boundary treatments – 58-60 Middle Street, Spittal</p> <p>Main issues: lack of detail in respect of parking and ecology; and design has not been informed by a structural survey and results in harm to heritage assets.</p>	<p>18 July 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04526/FUL	<p>Erection of single dwelling with associated access and residential garden – land south-east of The Courtyard, Matfen</p> <p>Main issues: unsustainable and isolated location within the open countryside; insufficient information to fully consider the ecological impacts of the proposal; and insufficient information to fully consider the impact on existing trees.</p>	<p>16 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03923/FUL	<p>Proposed first floor extension to dwelling house (as amended 25.05.2023) - 14 Castle Street, Norham</p> <p>Main issues: the development fails to</p>	<p>18 August 2023</p> <p>Delegated Decision - Officer</p>

	conserve and enhance the Norham Conservation Area and results in harm to the Conservation Area that is not outweighed by public benefits.	Recommendation: Refuse
22/04546/CLEXIS	<p>Certificate of existing lawful development for the siting of a twin unit caravan for ancillary residential use as an annexe within the existing residential curtilage – Old Field, Catton, Hexham</p> <p>Main issues: the caravan is not within the residential curtilage so would require planning permission and would have a significant degree of permanency constituting development – the caravan would not be lawful.</p>	<p>24 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04346/FUL	<p>Replace existing building (3no flats/14 no bed sit spaces) with 3no detached houses with 18 bed spaces to be used as holiday accommodation (as amended 20th April 2023) - On the Beach, Harbour Road, Beadnell</p> <p>Main issues: the proposed units would not enhance and reinforce the local distinctiveness of the conservation area and would not integrate with the surrounding built environment; and identified harm is less than substantial but it has not been demonstrated the public benefit outweighs the harm.</p>	<p>29 August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>
22/04752/FUL	<p>Change of use and siting of 2no. chalets to be used as holiday accommodation – Rookwood House, Widdrington Village</p> <p>Main issues: development within the open countryside; harm to the setting of the adjacent Grade I listed church; incongruous additions in the open countryside resulting in an urbanising effect of a rural environment; and a unilateral undertaking has not been completed to secure contributions to the coastal mitigation service.</p>	<p>30 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01093/FUL	<p>Proposed single storey rear extension, extend above roof above and rear dormer addition – Pethfoot Lodge, Cragside</p> <p>Main issues: incongruous and inappropriate form of development that would be out of character with the existing property and have a harmful impact upon the character and appearance of the site and surrounding area.</p>	<p>5 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02030/FUL	Proposed erection of holiday dwelling with associated access and residential garden –	15 September 2023

	land south east of The Courtyard, Matfen Main issues: development in the open countryside; and insufficient information to fully consider the ecological impacts of the proposal.	Appeal against non-determination
23/01801/FUL	Proposed two storey front extension and roof alterations – Close House, Whalton Main issues: scale, massing and design would result in disproportionate and unsympathetic additions that would adversely affect the existing dwelling, the character of the Conservation Area and the setting of listed buildings; and insufficient information to assess the ecological impact of the proposals.	19 September 2023 Appeal against non-determination
23/00673/FUL	Retrospective: construction of single storey garden room and steps to rear – Newton Post Office, Newton, Stocksfield Main issues: harm to the character and appearance of the dwelling, site and the Newton Conservation Area.	19 September 2023 Delegated Decision - Officer Recommendation: Refuse
22/04617/FUL	The erection of 3no. cyclist accommodation units, associated extension to West House Farm Cottage, installation of solar panels, and associated landscaping and infrastructure – West House Farm Cottage, Shilvington Main issues: poorly accessible and unsustainable location in the open countryside; and inappropriate development in the Green Belt with no very special circumstances to outweigh the harm.	20 September 2023 Delegated Decision - Officer Recommendation: Refuse
23/01729/FUL	Extension to garage forming gym and office above – Khalsa Manor, Tranwell Woods Main issues: inappropriate development in the Green Belt and no very special circumstances to outweigh the harm.	21 September 2023 Delegated Decision - Officer Recommendation: Refuse
23/01478/FUL	Construction of second story rear extension, single storey rear extension with glass roof, proposed dormer extension to rear and dormer window to front – 10 Front Street, Newbiggin-by-the-Sea Main issues: scale, design and positioning would result in an incongruous addition and detract from the character of the	21 September 2023 Delegated Decision - Officer Recommendation: Refuse



	Conservation Area; and adverse impact on residential amenity due to loss of sunlight and visual outlook.	
23/01363/CLPROP	<p>Certificate of Lawful Development for proposed extension to the rear of existing residential property – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: the proposed extension would not be permitted development.</p>	<p>2 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03065/LBC	<p>Listed Building Consent for replacement windows – Garden House Cottage, Chollerford</p> <p>Main issues: proposal fails to preserve the special interest of the listed building resulting in harm that has not been justified.</p>	<p>3 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01232/FUL	<p>Outline Application - all matters reserved for a new dwelling in garden of existing dwelling (Self-Build) - West Grange Bungalow, Scots Gap, Morpeth</p> <p>Main issues: unacceptable and unjustified form of housing development in the open countryside and will not support sustainable modes of transportation.</p>	<p>9 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01847/FUL	<p>Demolish existing rear conservatory and proposed rear two storey extension – 50 The Demesne, North Seaton</p> <p>Main issues: siting, scale and design would result in a disproportionate addition to the dwelling and be incongruous to the character of the dwelling and surrounding area; and harmful impact on residential amenity with regard to outlook, loss of light, privacy and overbearing impact.</p>	<p>10 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01881/FUL	<p>Proposed rear single storey extension with roof terrace – 29 Front Street, Newbiggin-by-the-Sea</p> <p>Main issues: scale, design, materials and positioning would detract from the character of the Conservation Area and the visual amenity of the property and surrounding area; and adverse impact on residential amenity due to loss of privacy.</p>	<p>16 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01444/FUL	<p>Change of use: agricultural land to residential car parking facilities associated with residential dwellings – land north of Shaws House Cottages, Newton (Bywell)</p> <p>Main issues: inappropriate development in the Green Belt and no very special</p>	<p>19 October 2023</p> <p>Appeal against non-determination</p>

	circumstances to outweigh the harm.	
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## 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?
22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	No

### Enforcement Appeals Withdrawn

Reference No	Description and address	Award of costs?
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	No

## Enforcement Appeals Received

### Appeals Received

Reference No	Description and address	Appeal start date
20/00481/ENDEVT	Change of use of a forestry building for use as residential - English/Wheelings Wood, Corbridge	2 March 2023
21/00865/BRCOND	Construction of retaining wall – Woodlands Rise, Corbridge Road, Hexham	23 March 2023

22/01092/COU	Construction of a multi use arena, erection of an animal shelter and provision of gravelled parking area	25 April 2023
21/00080/ENDEVT	Installation of hardcore - land to north of Kiln Cottage, Newton-on-the-Moor	13 June 2023
20/00504/ENDEVT	Installation of hardstanding for access and 6no. pitches, installation of electricity and water points, installation of a septic tank and erection of building – land north-east of Fieldholme, Embleton	16 October 2023

## Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
21/02077/FUL	<p>Proposed construction of 13no dwellings (including 2no affordable dwellings), creation of new access, car parking and soakaways (amended description) - land south east of The Manor House, Riding Mill</p> <p>Main issues: harm to the character and appearance of the site and surrounding area and curtilage listed boundary wall; harm to residential amenity; does not make sufficient provision for affordable housing on the site; insufficient information to fully assess the impacts of the proposed development on ecology and biodiversity and net gain for biodiversity; does not secure necessary planning obligations in respect of affordable housing, open space and education.</p>	<p>Hearing – 12-13 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03915/LBC	<p>Listed Building Consent for demolition of a section of existing curtilage listed boundary wall to create access for residential development – land south east of The Manor House, Riding Mill</p> <p>Main issues: loss of historic fabric and unacceptable alteration of the historic curtilage listed boundary wall.</p>	<p>Hearing 12-13 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01362/REM	Reserved matters application for appearance, landscaping, layout and scale	Hearing – 30

	<p>for proposed 150 residential dwellings (use class C3) including 30% affordable housing, countryside park including car park, pursuant to approved outline planning application 16/00078/OUT (revised description 8th August 2022) - land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: by virtue of the layout, scale and appearance, the design fails to preserve or make a positive contribution to local character and distinctiveness and the site's surroundings and does not demonstrate high quality sustainable design; and there is no effective and safe access and egress to the existing transport network.</p>	<p>August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>
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## 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 (Impact Assessment attached?)</b> <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
<b>Risk assessment</b>	None
<b>Crime and 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.

### Report author and contact details

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# Northumberland

## County Council

# S106 Agreements Update Report

## September 2023

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**Report of the Executive Director of Regeneration, Commercial and Economy**

**Cabinet Member:** Councillor Colin Horncastle

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### **Purpose of report**

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous month

### **Recommendations**

To note the contents of the report in respect of new agreements completed.

### **Link to Corporate Plan**

This report is relevant to all the priorities included in the NCC (Northumberland County Council) Corporate Plan 2021-2024.

### **Key issues**

This month's report provides details on new S106 agreements and unilateral undertakings completed during the month of September 2023

<b>September</b>	<b>New Agreements completed during month</b>
22/04259/OUT	Land at Beech Cottage, Ellingham Hall Lane, Ellingham,
22/04258/OUT	Land at Beech Cottage, Ellingham Hall Lane, Ellingham,
23/02037/FUL	10 Hermitage Drive, Warkworth, Morpeth,
22/03355/FUL	Mill House, Fenwicks Close Farm, Earsdon
22/03571/FUL	land west of Links Quarry, Newbiggin-By-The-Sea,
21/02077/FUL	Land South East of the Manor House, Riding Mill Appeal Ref: APP/P2935/W/23/3320677
21/04453/FUL	Seton Hall Tweedmouth
23/00617/Ful	Land South of The Willows, Institute Road, Ashington
20/00230/FUL	South of Broomhouse Lane, Station Road, Prudhoe, Appeal APP/P2935/W/23/3327798
22/03701/FUL	Beacon Farm Centre, Cramlington
22/00477/FUL	Border Transit Passenger, Old Ferneybeds Road, Widdrington Station

**106 team - Any queries please email: [s106@northumberland.gov.uk](mailto:s106@northumberland.gov.uk)**



# Implications

<b>Policy</b>	Section 106 obligations are in line with policy unless other stated in individual applications.
<b>Finance and value for money</b>	As stated on individual applications
<b>Legal</b>	Legal Services will be instructed to assist with the preparation and monitoring of the obligations
<b>Procurement</b>	None
<b>Human resources</b>	None
<b>Property</b>	None
<b>Equalities (Impact Assessment attached?)</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Each application will have regard to the Equality Act 2010
<b>Risk assessment</b>	None
<b>Crime and disorder</b>	As set out in individual reports and decisions
<b>Customer consideration</b>	None
<b>Carbon reduction</b>	As set out in individual reports and decisions
<b>Wards</b>	All

## Background papers

Planning applications and 106 Agreements

## Report author and contact details

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