



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: Monday, 2 October 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **TYNEDALE LOCAL AREA PLANNING COMMITTEE** to be held in **CEREMONY ROOM - HEXHAM HOUSE** on **TUESDAY, 10 OCTOBER 2023** at **4.00 PM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To Tynedale Local Area Planning Committee members as follows:-

T Cessford (Chair), H Waddell (Vice-Chair), S Fairless-Aitken (Vice-Chair (Planning)), A Dale, C Horncastle, JI Hutchinson, D Kennedy, N Morphet, N Oliver, J Riddle, A Scott, A Sharp and G Stewart



Dr Helen Paterson, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

PART I

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

1. **PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS**
2. **APOLOGIES FOR ABSENCE**
3. **DISCLOSURE OF MEMBERS' INTERESTS**

(Pages 1
- 2)

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. 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 3
- 6)

To request the committee to decide the planning applications attached to this report using the powers delegated to it.

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

5. 23/01947/FUL

(Pages 7
- 16)

Tweener fence lighting with mesh screening installed to north and south court fence
Tennis Court North of the Conifers, Millfield Road, Riding Mill,
Northumberland NE44 6DL

6. PLANNING APPEALS UPDATE

(Pages
17 - 30)

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

7. DATE OF NEXT MEETING

The next meeting will be held on 14 November 2023.

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.

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.

| | | | |
|---|--|--------------------------------|-------------------------------|
| Name: | | Date of meeting: | |
| Meeting: | | | |
| Item to which your interest relates: | | | |
| | | | |
| 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): | | | |
| | | | |
| Are you intending to withdraw from the meeting? | | 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](#).

| Subject | Description |
|--|---|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.] |
| Sponsorship | 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. |
| Contracts | 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. |
| Land and Property | 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. |
| Licenses | Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer |
| Corporate tenancies | Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (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. |
| Securities | Any beneficial interest in securities* of a body |

| | |
|--|--|
| | <p>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"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or 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. |
|--|--|

* ‘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)



Northumberland County Council

Appendix 1

PROCEDURE AT PLANNING COMMITTEE

A Welcome from the Chair

Welcome to also include reference to

- (i) All Mobile phones should be switched to silent and should not be used during the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking (if being used).

B Record remote attendance of members

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

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

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

Applicant/Supporter (up to 5 mins)

Committee members' questions to Planning Officers

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

Debate (Rules)

Proposal

Seconded

DEBATE

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

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

Vote (by majority or Chair's casting vote)

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



Northumberland County Council

TYNEDALE LOCAL AREA PLANNING COMMITTEE

10 OCTOBER 2023

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Housing and Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

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

Recommendations

The 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.

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Tynedale Local Area 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 Local Area 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 6 tests that are set down in paragraph 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
- Necessary
 - Relevant to planning
 - Relevant to the development permitted
 - Enforceable
 - Precise
 - Reasonable in all other respects
4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Committees.

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BACKGROUND PAPERS

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

IMPLICATIONS ARISING OUT OF THE REPORT

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

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

Report author Rob Murfin
 Report of the Director of Housing and Planning
 01670 622542
 Rob.Murfin@northumberland.gov.uk

APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce s application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/ refuse/ defer

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.

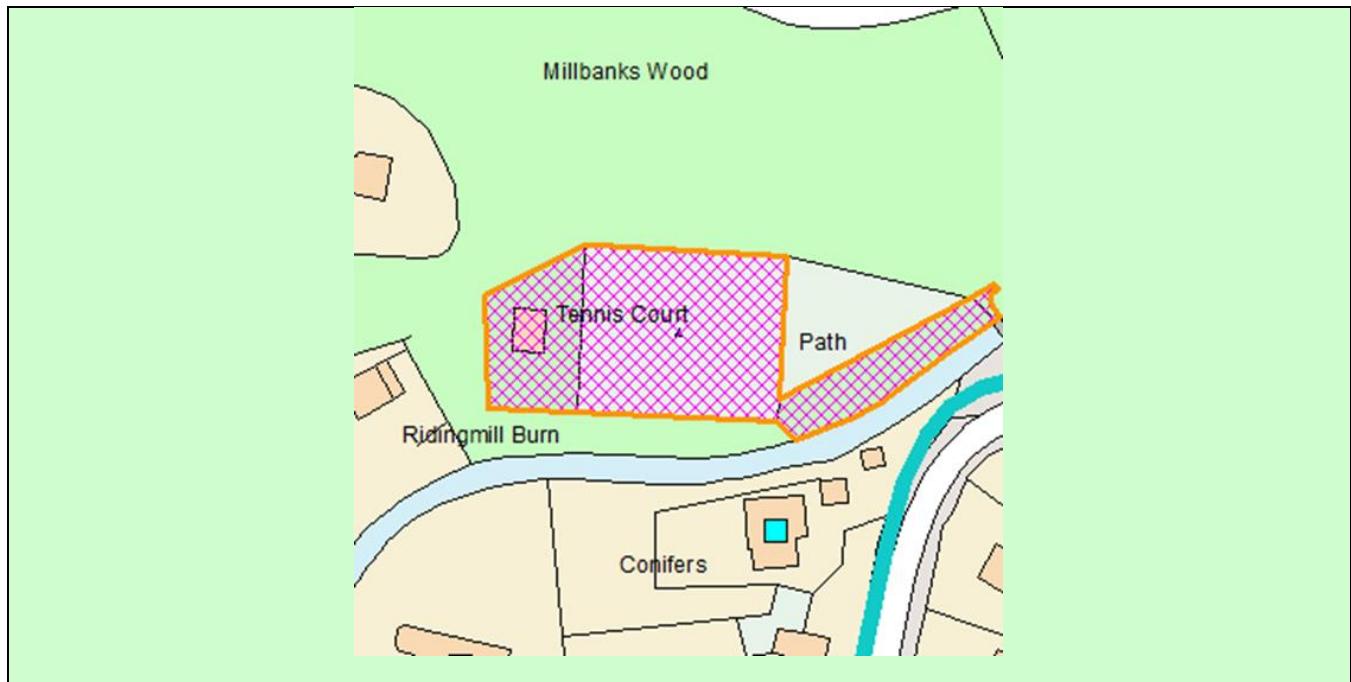


Northumberland
County Council

Tynedale Local Area Council Planning Committee
10 October 2023

| | | | |
|------------------------------|--|---------------------|---|
| Application No: | 23/01947/FUL | | |
| Proposal: | Resubmission - Tweener fence lighting with mesh screening installed to north and south court fence | | |
| Site Address | Tennis Court North Of The Conifers, Millfield Road, Riding Mill, Northumberland NE44 6DL | | |
| Applicant: | Riding Mill Tennis Club Millfield Road, Riding Mill , Northumberland, NE44 6DL | Agent: | Mr Ross Breen Marchburn View, Marchburn Lane, Riding Mill, Northumberland NE44 6DN |
| Ward | Stocksfield And Broomhaugh | Parish | Broomhaugh And Riding |
| Valid Date: | 24 May 2023 | Expiry Date: | 19 July 2023 |
| Case Officer Details: | Name: Miss Stephanie Milne Job Title: Senior Planning Officer Email: Stephanie.Milne@northumberland.gov.uk | | |

Recommendation: That this application be REFUSED permission



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1. Introduction

1.1 The application has been referred to the Director of Planning and Chair and Vice-Chair of the Tynedale Local Area Council under the Council's delegation scheme due to the significant level of representations in support and objection that has been received. It has subsequently been agreed that the application should be determined by Committee.

2. Description of the Proposals

2.1 Planning permission is sought for the installation of tweener fence lighting and mesh material light screens to the north and south fence of the Tennis courts as described above and as set out in the plans submitted to the local planning authority. The site is located next to the Riding Mill Burn and woodland.

3. Planning History

Reference Number: 20/01237/ADE

Description: Advertisement consent for 1 x entrance sign and 1 x banner sign

Status: PER

Reference Number: 22/01737/FUL

Description: Floodlights to be installed at the double courts

Status: WDN

4. Consultee Responses

| | |
|---|---|
| Environment Agency | No response received. |
| Highways | No Issues arise from the proposal |
| Lead Local Flood Authority (LLFA) | As the site is in flood zone 3 the Environment Agency should be consulted |
| Broomhaugh And Riding Mill Parish Council | <p>In coming to a view on any planning application, we are conscious that there is a need to balance benefits and harms. In the case of the tennis club lighting proposal, we can see several potential harms, including impact on wildlife, impact on residents' peace and quiet, impact on flooding and impact on parking. We also recognise that there could be advantages in encouraging more people to exercise and building a viable tennis club which is an asset to the village.</p> <p>Given that some of the specialist advice is not yet in the public domain, and given that we do not have expertise in these areas, we are not in a position to do any more than communicate the views of the village. We therefore wish to take a neutral stance and rely on the Planning Department to make a considered decision based on the relevant information and in the context of the planning and regulatory framework.</p> <p>The parish council has noted the considerable number of comments online, and has also been inundated with letters of support and objection. This is an emotive issue within the village, and the local view is of a divided village with strong feelings on</p> |

| | |
|--------------------|---|
| | <p>either side. We should state, for transparency, that the Parish Council is the landlord of the tennis court site (of which the tennis club is the tenant).</p> <p>Of the 420 households in Riding Mill (population 990), there have been 25 letters of support from 15 households and 97 letters of objection from 84 households, although in both cases only a small number of arguments were put forward. No doubt you will consider our emerging Neighbourhood Plan (soon to go to referendum) and objectives 2 and 5 are particularly relevant here.</p> |
| Public Protection | The Environmental Protection Team object to this proposal on a technical matter which may be resolved by the submission of additional information |
| County Ecologist | Objection – the application is not supported by detailed and accurate information on lighting impacts, and the resultant impacts on Habitat of Principal Importance Deciduous Woodland and associated protected species. As such, refusal is recommended in accordance with Policy ENV2 of the Northumberland Local Plan and paragraph 180a of the NPPF. |
| Natural England | No objection |
| Environment Agency | No response received |

5. Public Responses

Neighbour Notification

| | |
|-------------------------------|-----|
| Number of Neighbours Notified | 177 |
| Number of Objections | 133 |
| Number of Support | 54 |
| Number of General Comments | 2 |

Notices

General site notice, 27th June 2023
No Press Notice Required.

Summary of Responses:

133 Objections have been received.

The main issues raised are:

- Impact of lighting/light bloom on local wildlife/biodiversity
- Proposal would exacerbate an existing car parking issue along Millfield Road
- Impact of lighting/light bloom on the visual amenity of the surrounding area

- Impact of lighting/light bloom on the visual amenity of the wider landscape surrounding Riding Mill, and on the Dark Sky Park
- Impact of lighting/light bloom on the amenity of neighbouring residents

54 Letters of support have been received

The main issues raised are:

- The proposal would support the existing tennis club, which is a valued local community facility
- The proposal would increase footfall for nearby businesses/shops
- The proposal would not lead to any unacceptable impacts

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=RV9BCHQS0MK00>

6. Planning Policy

6.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)

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

STP 3 - Principles of sustainable development (Strategic Policy)

STP 5 - Health and wellbeing (Strategic Policy)

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

WAT 3 - Flooding

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2023)

6.3 Neighbourhood Planning Policy

Broomhaugh & Riding Neighbourhood Plan has passed independent examination and will be proceeding to referendum. The Referendum will be held on Thursday 5th October 2023. The Plan can be afforded significant weight in decision-making.

Policy BR2 – Design

Policy BR3 – Natural Environment

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 of the Northumberland Local Plan 2022 (NLP) The National Planning Policy Framework (NPPF) (2023) and Planning Practice Guidance (PPG) are material considerations in determining this application. The Broomhaugh & Riding Neighbourhood Plan is proceeding to referendum and is given significant weight in decision making.

- Principle of development;
- Design and visual character;
- Residential amenity;
- Ecological impacts;
- Highway safety;
- Flood risk

Principle of development

7.1 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located.

7.2 The application site is located within the defined settlement boundary of Riding Mill and would be small scale, limited to the existing tennis courts on site. The principle of development is therefore acceptable.

Design and Visual Character

7.3 The proposal is for the installation of lighting to the existing double tennis court which will allow for increased usage in winter months. The applicant has advised that they have assessed various options for lighting the courts and suggests the proposed fence mounted lighting would provide for adequate light while minimising impacts to the surrounding landscape from light pollution and glare and disturbance to biodiversity.

7.4 The lighting is proposed to be fitted to the north and south existing fence lines serving the courts. The 'tweener' track light system will be fitted to the upper most part

of the fencing to provide light across both courts. A mesh material light screen is also proposed to these fence lines to mitigate light spill.

7.5 In terms of design and visual impacts of the proposal, the design and positioning of the lights and mesh fencing would not be considered to result in any significant impacts to the character and appearance of the surrounding area. The courts are relatively well screened from the street scene by the existing tree cover and would be typical of what would be expected within a tennis court setting. As such the proposal would comply with the requirements of the QOP2 of the NLP and BR2 of the Broomhaugh and Riding Neighbourhood Plan.

Impact on Residential Amenity

7.6 The site is located adjacent to residential properties along Millfield Road. The closest property is Conifers which is positioned immediately south of the existing courts. There is some tree cover between the tennis courts and Conifers and the applicant has proposed a mesh material light screen to reduce light spillage. Consultation has been carried out with the Council's Public Protection Team who assess any potential harm to neighbouring occupiers from aspects such as light spillage. Public Protection have assessed the applicants submitted information and note that the Lighting Report referred to in the Planning Statement has not been submitted. Therefore they have requested that this report is made available so that they can assess any impacts from the proposed lighting. Public Protection therefore object to this application on a technical matter due to insufficient information. The applicant as therefore failed to demonstrate that the proposal would not lead to an unacceptable impact on amenity and the proposals therefore does not comply with the requirements of QOP2 of the NLP and BR2 of the Broomhaugh and Riding Neighbourhood Plan.

Ecological Impacts

7.7 Under a previous application for the same proposal (22/01737/FUL) the County Ecologist advised that nocturnal species would be present on site and it is highly likely that protected and nocturnal animals use the site based on the habitat types present and local records. The applicant was therefore requested to submit further information in relation to the proposed lighting. The application was subsequently withdrawn by the applicant on the 21 November 2022. This current application is a resubmission and seeks to address the previous objections raised by both Public Protection and Ecology.

7.8 The Environment Act 2021 has introduced a strengthened duty for public authorities to consider what they can do to conserve and enhance biodiversity. Under S.40 of the Natural Environment and Rural Communities (NERC) Act as amended, the local planning authority has a duty to take action to conserve and enhance biodiversity. S.40(3) states the action which may be taken by the authority to further the general biodiversity objective includes, in particular, action taken for the purpose of—

- (a) conserving, restoring or otherwise enhancing a population of a particular species, and
- (b) conserving, restoring or otherwise enhancing a particular type of habitat.

7.9 S.41 requires the Secretary of State (SoS) to publish a list of habitats and species to which this particularly applies, and these are referred to as habitats and species of

principal importance. This includes widespread but declining species and habitats such as hedgehog, common toad, house sparrow and intact native species hedgerows. The list of species and habitats is available online;

<https://www.gov.uk/government/publications/habitats-and-species-of-principalimportance-in-england>

7.10 Natural England's published 'standing advice', which is a material planning consideration for LPAs, states that they must have regard for the conservation of S.41 species as part of making a planning decision (https://www.gov.uk/guidance/protected-plants-fungi-and-lichens-advice-formaking-planning-decisions)

7.11 The Northumberland Local Plan Policy ENV2 Biodiversity and Geodiversity expects the ecosystem approach to be applied in development through the conservation, restoration, enhancement, creation and/or (where appropriate) the re-creation of priority habitats and the habitats of priority species. The approach taken by the LPA is detailed in Policy ENV1 of the Northumberland Local Plan and at Policy ENV2 where explicitly:

“Development proposals affecting biodiversity and geodiversity, including designated sites, protected species, and habitats and species of principal importance in England (also called priority habitats and species), will:

- a. Minimise their impact, avoiding significant harm through location and/or design. Where significant harm cannot be avoided, applicants will be required to demonstrate that adverse impacts will be adequately mitigated or, as a last resort compensated for;
- b. Secure a net gain for biodiversity as calculated, to reflect latest Government policy and advice, through planning conditions or planning obligations.”

7.12 The Local Plan policy is in accord with paragraph 180(a) of the NPPF which states that: “When determining planning applications, local planning authorities should apply the following principles:

- A) if significant harm to biodiversity resulting from a development cannot be avoided through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;”

7.13 Planning authorities are competent authorities under the Habitats and Species Regulations (2017, as amended) and therefore have legislative duties to fulfil with respect to these species, to ensure that they are protected and their conservation status is maintained. ODPM Circular 06/05: biodiversity and geological conservation provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. Paragraph 99 states “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances” development under the Conservation of Habitats and Species Regulations 2017 (as amended).

7.14 Following consultation with Ecology Officers, it is considered that despite previous responses detailing the information that would be required, basic requirements for information have not been met under this current application. The Ecology Officer also notes that Public Protection have objected to the application due to lack of information regarding the impacts from lighting to residents. The applicant's reports on lighting prepared by Bill Owen to support the previous application and this application (although those have not been provided for this application) lacks a sound evidence base and is largely comprised of assertion or comparisons of the proposed system to more traditional floodlighting. This is a flawed approach as the baseline at this site is no lighting, and no detailed modelling or assessment of the proposed scheme is provided. There is no adequate light modelling which assesses the light spill through vertical and horizontal planes or adequate evidence of the mitigation measures proposed. Additional measures such as screening or cowls have not been modelled at all, nor the use of different coloured lighting.

7.15 In order to meet the need identified, the courts would have to be lit enough to see to play, and at the times which are most sensitive for nocturnal species (i.e. the twilight/dusk period and immediately after, when nocturnal animals are feeding or commuting to foraging areas). The EclA is clear that the Ridingmill Burn and the woodland are functionally linked habitats to other watercourses and woodlands which are shown through local biodiversity centre records to be significant for biodiversity. Therefore, impacts are not just limited to the immediately adjacent habitat but to interconnected habitats. The information available presents a strong risk that flightlines and commuting corridors will be significantly impacted and potentially severed by the development.

7.16 The modelling provided by the manufacturer (as assessed in the EclA at section 8.3)) is not specific to this location, but does show that 1lux (the level at which impacts on nocturnal species are likely) is achieved at 30m from the court, which is an unacceptable level of light spill into sensitive ecological receptors before that lux level is achieved. This modelling shows that there will be unacceptable levels of light spill into the majority of the Habitat of Principal Importance woodland, even with mesh screening to the courts.

7.17 The Council's Ecologist concludes that there is a lack of robust evidence to suggest that nocturnal and protected species would not be harmed as a result of the proposed lighting. The application is not supported by detailed and accurate information on lighting impacts, and the resultant impacts on Habitat of Principal Importance Deciduous Woodland and associated protected species, therefore the proposal would be contrary to the requirements of Policy ENV2 of the Northumberland Local Plan and Policy BR3 of the Broomhaugh and Riding Neighbourhood Plan.

Highways

7.18 The application proposals would result in the potential intensification of the use of the tennis courts for a longer period of time, after sunset, and therefore consultation has been carried out with Highways Development Management (HDM). HDM have assessed the proposals and consider that there would be no issues arising to the local highway network. The application therefore complies with the requirements of TRA2 and TRA4 of the Northumberland Local Plan.

Flood risk

7.19 Consultation was carried out with the Lead Local Flood Authority due to the developments close proximity to the Riding Mill Burn and the sites designation in Flood Zone 3. The LLFA raised no concerns but advised contacting the Environment Agency due to the site being in Flood Zone 3. The EA have not responded to the consultation, however officers consider that the proposals would not result in an increase in flood risk to the site or surrounding properties. The proposed mesh would be permeable and therefore any water would be able to pass through and across the courts as currently is the situation. The proposals would therefore be considered to accord with NLP WAT3 and the NPPF.

Equality Duty

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

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

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

8. Conclusion

8.1 The principle of development is supported by Policy STP1 and there would be no significant harm to the visual amenity or character of the area due to the proposed lighting. However, the application fails to provide adequate information to demonstrate that there would be no harm to residential amenity or Habitat of Principal Importance Deciduous Woodland and associated protected species contrary to the requirements of QOP2, and ENV2 of the Northumberland Local Plan and BR2 and BR3 of the Broomhaugh and Riding Neighbourhood Plan. The proposal is therefore recommended for refusal.

9. Recommendation

That this application be REFUSED permission subject to the following:

Reason

1. Insufficient information has been submitted to allow officers to fully consider the ecological impact of the proposal in regard to detailed and accurate information on lighting impacts, and the resultant impacts on Habitat of Principal Importance Deciduous Woodland and associated protected species. The application has not clearly demonstrated that there would be no adverse impact on biodiversity, conflicting with Policy ENV2 of the Northumberland Local Plan, and paragraph 180a of the National Planning Policy Framework.
2. Insufficient information has been submitted to demonstrate that there would be no adverse impacts to residential amenity as a result of the proposed works contrary to the requirements of Policy QOP2 of the Northumberland Local Plan and the NPPF.

Background Papers: Planning application file(s) 23/01947/FUL



Northumberland County Council

Appeal Update Report

Date: October 2023

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

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

Recommendations

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

Key issues

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.

Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

| Reference No | Proposal and main planning considerations | Award of costs? |
|--------------|---|---------------------|
| 22/01992/OUT | <p>Outline permission (all matters reserved) for erection of 1 no. dwellinghouse with granny annex (C3 use class) - land north west and south east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 22/03217/FUL | <p>Erection of a forestry shelter and the location of a storage container (retrospective) - land east of Aydon Dipton Woods, Corbridge</p> <p>Main issues: development in the open countryside and inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 22/03876/FUL | <p>A storage shed and polytunnel to support existing woodland maintenance – land at south east of Pit Allotment Wood, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No – claim refused. |

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? |
|--------------|---|-----------------|
| None | | |

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 & 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 | Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 | 2 November 2022 |

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| | <p>& 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>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> |
| 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 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>25 January 2023</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>25 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>16 February 2023</p> <p>Delegated Decision - Officer</p> |

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| | 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. | Recommendation: Refuse |
| 22/01297/FUL | 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 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. | 21 February 2023 Delegated Decision - Officer Recommendation: Refuse |
| 22/02704/CLEXIS | Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling. | 27 February 2023 Delegated Decision - Officer Recommendation: Refuse |
| 22/03417/OUT | 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 Main issues: development within the open countryside; inappropriate development in the open countryside; fails to promote the 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. | 21 March 2023 Delegated Decision - Officer Recommendation: Refuse |
| 22/01012/FUL | 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 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. | 17 May 2023 Delegated Decision - Officer Recommendation: Refuse |
| 22/04060/FUL | Erection 2no 2-storey 4 bed detached dwellings (validated 06/01/23, notice served) - land south west of 21 Front Street, East | 26 May 2023 Delegated |

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| | <p>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>Decision - Officer Recommendation: Refuse</p> |
| 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 open site to the detriment of the rural, dispersed, open character of the site and its surroundings.</p> | <p>5 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 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>7 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 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</p> | <p>13 June 2023</p> <p>Delegated Decision - Officer Recommendation:</p> |

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| | the plot would have a harmful impact on the character and appearance of the area. | Refuse |
| 23/00732/FUL | 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 Main issues: harm to heritage asset and no public benefits have been demonstrated to outweigh the identified harm. | 15 June 2023 Delegated Decision - Officer Recommendation: Refuse |
| 23/01214/VARYCO | 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 Main issues: the proposed removal would not promote sustainable connectivity between the wider development and existing infrastructure. | 26 June 2023 Delegated Decision - Officer Recommendation: Refuse |
| 22/04676/LBC | 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 Main issues: less than substantial harm to the character and significance of the listed building that has not been justified. | 27 June 2023 Delegated Decision - Officer Recommendation: Refuse |
| 23/01138/ADE | Advertisement consent for 1 no. totem sign – Lidl, Hexham Gate Retail Park, Hexham Main issues: harm to the visual amenity of the site and wider area, including the setting of designated heritage assets and the townscape. | 5 July 2023 Delegated Decision - Officer Recommendation: Refuse |
| 22/04675/FUL | 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 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 | 17 July 2023 Delegated Decision - Officer Recommendation: Refuse |

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| | 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. | |
| 22/04104/FUL | 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 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. | 18 July 2023 Delegated Decision - Officer Recommendation: Refuse |
| 22/04526/FUL | Erection of single dwelling with associated access and residential garden – land south-east of The Courtyard, Matfen 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. | 16 August 2023 Delegated Decision - Officer Recommendation: Refuse |
| 23/00494/FUL | 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 Main issues: inappropriate design with detrimental impact on the character and visual appearance of the existing dwelling and street scene. | 17 August 2023 Delegated Decision - Officer Recommendation: Refuse |
| 20/00230/FUL | Full planning permission for 63 no. dwellings with associated infrastructure and landscaping (as amended) - land south of Broomhouse Lane, Station Road, Prudhoe 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. | 17 August 2023 Committee Decision – Officer Recommendation: Approve |
| 22/03923/FUL | Proposed first floor extension to dwelling house (as amended 25.05.2023) - 14 Castle Street, Norham Main issues: the development fails to conserve and enhance the Norham Conservation Area and results in harm to the | 18 August 2023 Delegated Decision - Officer Recommendation: Refuse |

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| | Conservation Area that is not outweighed by public benefits. | |
| 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 | <p>Proposed erection of holiday dwelling with associated access and residential garden – land south east of The Courtyard, Matten</p> <p>Main issues: development in the open countryside; and insufficient information to</p> | <p>15 September 2023</p> <p>Appeal against non-determination</p> |

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| | fully consider the ecological impacts of the proposal. | |
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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? |
|--------------|-------------------------|-----------------|
| None | | |

Enforcement Appeals Withdrawn

| Reference No | Description and address | Award of costs? |
|--------------|-------------------------|-----------------|
| None | | |

Enforcement Appeals Received

Appeals Received

| Reference No | Description and address | Appeal start date |
|-----------------|---|--|
| 22/00022/NOTICE | Unauthorised dwelling – Horsley Banks Farm, Horsley | 6 April 2022 Hearing date: 22 November 2022 |
| 22/00023/NOTICE | Unauthorised stable buildings – Horsley Banks Farm, Horsley | 6 April 2022 Hearing date: 22 November 2022 |

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| 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 |

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 |

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| | <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 Committee Decision - Officer Recommendation: Approve</p> |
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Implications

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| Policy | Decisions on appeals may affect future interpretation of policy and influence policy reviews |
| Finance and value for money | There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals |
| Legal | It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals |
| Procurement | None |
| Human resources | None |
| Property | None |
| Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a | Planning applications and appeals are considered having regard to the Equality Act 2010 |
| Risk assessment | None |
| Crime and disorder | As set out in individual reports and decisions |
| Customer consideration | None |
| Carbon reduction | Each application/appeal may have an impact on the local environment and have been assessed accordingly |
| Wards | All where relevant to application site relating to the appeal |

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

Elizabeth Sinnamon
 Development Service Manager
 Elizabeth.Sinnamon@northumberland.gov.uk

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