



Northumberland

County Council

Your ref:

Our ref:

Enquiries to: Rebecca Greally

Email:

Rebecca.Greally@northumberland.gov.uk

Tel direct: 01670 622616

Date: Tuesday, 6 February 2024

Dear Sir or Madam,

Your attendance is requested at a meeting of the **ASHINGTON AND BLYTH LOCAL AREA PLANNING COMMITTEE** to be held in **NEWBIGGIN SPORTS AND COMMUNITY HUB, WOODHORN ROAD, NEWBIGGIN-BY-THE-SEA, NE64 6HG** on **WEDNESDAY, 14 FEBRUARY 2024** at **4.00 PM**.

Yours faithfully

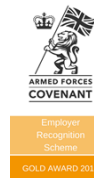
Dr Helen Paterson
Chief Executive

To Ashington and Blyth Local Area Planning Committee members as follows:-

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



Dr Helen Paterson, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
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AGENDA

PART I

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

1. APOLOGIES FOR ABSENCE

2. DISCLOSURE OF MEMBERS' INTERESTS

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

3. DETERMINATION OF PLANNING APPLICATIONS

(Pages 1
- 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 not circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>

4. 23/03335/FUL

(Pages 7
- 22)

Two storey shipping container development to form a restaurant/cafe.

Public Convenience, High Street, Newbiggin-By-The-Sea, Northumberland NE64 6DR

5. APPEALS UPDATE

(Pages
23 - 36)

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

6. 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

ASHINGTON & BLYTH LOCAL AREA PLANNING COMMITTEE

DATE: 14 FEBRUARY 2024

DETERMINATION OF PLANNING APPLICATIONS

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

Cabinet Member: Councillor C Horncastle

Purpose of report

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

Recommendations

The Ashington & Blyth 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

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Ashington & Blyth Local Area 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 Ashington & Blyth Local Area 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.

Important Copyright Notice

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BACKGROUND PAPERS

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

Implications

| | |
|---|---|
| Policy | Procedures and individual recommendations are in line with policy unless otherwise stated |
| Finance and value for money | None unless stated |
| Legal | None unless stated |
| Procurement | None |
| Human Resources | None |
| Property | None |
| Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Planning applications are considered having regard to the Equality Act 2010 |
| Risk Assessment | None |
| Crime & Disorder | As set out in the individual reports |
| Customer Consideration | None |
| Carbon reduction | Each application will have an impact on the local environment, and it has been assessed accordingly |
| Wards | All |

PROCEDURE AT PLANNING COMMITTEE

A. Chairman welcomes members and members of the public

Welcome to also include reference:

- (i) Members are asked to keep microphones on mute unless speaking
- (ii) To switch all mobile phones off.
- (iii) 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

Chair Introduces application
Site Visit Video (previously circulated)-invite members questions

Planning Officer Updates – Changes to recommendations – present report

Public Speaking Objector(s) (up to 5 mins)
Local member (up to 5 mins)/ parish councillor (up to 5 mins)
Applicant/Supporter (up to 5 mins)

NO QUESTIONS IN RELATION TO PUBLIC SPEAKING

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)

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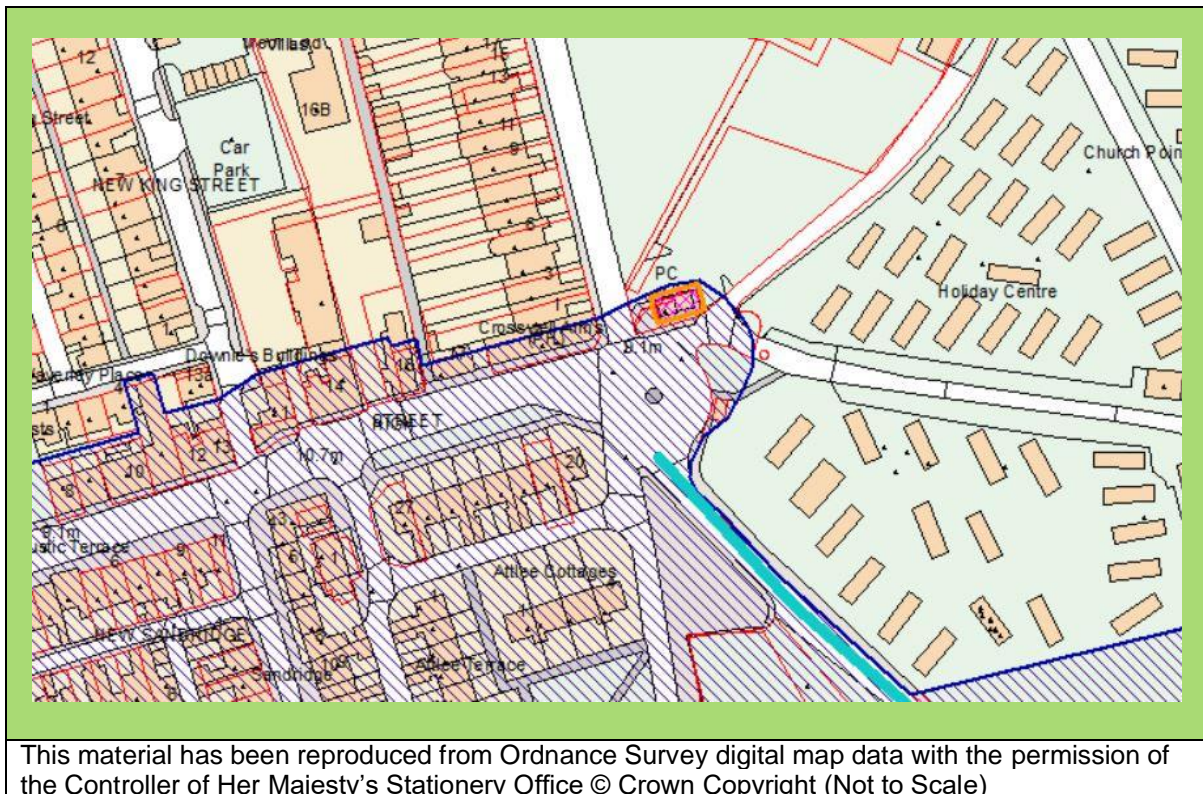


Northumberland County Council

Ashington/Blyth Planning Committee 14th February 2024

| | | | |
|-----------------------------|---|--------------------|----------------------|
| Application No: | 23/03335/FUL | | |
| Proposal: | Two storey shipping container development to form a restaurant/cafe. | | |
| Site Address | Public Convenience, High Street, Newbiggin-By-The-Sea, Northumberland NE64 6DR | | |
| Applicant/ Agent | Emilie Hakner 85 Bridge Street, Blyth, Northumberland, NE24 3AE | | |
| Ward | Newbiggin Central and East | Parish | Newbiggin By The Sea |
| Valid Date | 18 September 2023 | Expiry Date | 2 February 2024 |
| Case Officer Details | Name: Mr Ben Briggs Job Title: Planning Officer Email: Ben.Briggs@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 The application is situated on NCC land and has a high level of public interest; therefore, the application was referred to the Director of Planning and the Chairs of the Planning Committee. The chair referral response confirmed that the application shall be determined at Planning Committee.

2. Description of the Proposals

2.1 Planning permission is sought for the construction of a two storey shipping container development to form a restaurant/café at the former Public Convenience Site, High Street, Newbiggin-By-The-Sea, Northumberland NE64 6DR.

2.2 The proposed development would be located upon the existing vacant site which hosted the disused public toilet block (20/00930/DEMGDO) which was demolished in 2020. The proposal would comprise 3 x sea foam green shipping containers with timber cladding with various openings situated upon the elevations of the restaurant/café, the proposal would see indoor and outdoor seating sections. The outdoor section would be situated on the first floor with treated timber balustrade/fence to provide delineation between the application site and the local area.

2.3 The supporting information outlines that operating times would be 08:00-22:30. External lighting is proposed within the outdoor section as well as advertisements.

2.4 Amended plans and further information were provided by the applicant following comments from the local planning authority and relevant consultees. It is these amended details that will be taken into consideration as part of this application assessment.

3. Planning History

Reference Number: 20/00930/DEMGDO

Description: Demolition of disused public toilet block

Status: PANR

4. Planning Policy

4.1 Development Plan Policy

Northumberland Local Plan 2016 - 2036 (Adopted March 2022) (NLP)

Policy STP 1 - Spatial strategy (strategic policy)

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

Policy STP 3 - Sustainable development (strategic policy)

Policy STP 4 - Climate change mitigation and adaptation (strategic policy)

Policy STP 5 - Health and wellbeing (strategic policy)

Policy ECN 1 – Planning strategy for the economy (strategic policy)

Policy ECN 15 – Tourism and visitor development

Policy TCS 3 - Maintaining and enhancing the role of centres (strategic policy)

Policy TCS 4 – Proposals outside centres

Policy TCS 6 – Hot food takeaways

Policy QOP 1 - Design principles (strategic policy)

Policy QOP 2 - Good design and amenity
Policy QOP 3 – Public realm design principles
Policy QOP 6 - Delivering well designed places
Policy TRA 1 - Promoting sustainable connections (strategic policy)
Policy TRA 2 - The effects of development on the transport network
Policy TRA 4 - Parking provision in new development
Policy ENV 1 – Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
Policy ENV 2 - Biodiversity and geodiversity
Policy ENV 7 – Historic environment and heritage assets
Policy ENV 9 – Conservation areas
Policy WAT 3 - Flooding
Policy WAT 4 - Sustainable drainage systems
Policy WAT 5 – Coastal erosion and coastal change management

Neighbourhood Planning Policy

Newbiggin by the Sea Neighbourhood Plan (2023-2036)

Policy N1 – Design

4.2 National Planning Policy

National Planning Policy Framework (2023) (NPPF)
National Planning Practice Guidance (2022) (NPPG)

5. Consultee Responses

| | |
|--|---|
| <p>Newbiggin-By-The Sea Town Council</p> | <p>Newbiggin by the Sea Town Council welcomes new businesses that support the economy and sustainability of the town. However, some concerns are listed below:</p> <p>The proposal is to be located on the site of former public toilets which is at a very busy turning head with no formal pedestrian access. The site is adjacent to the main car park of the town which also means it is very busy with traffic including buses.</p> <p>Whilst it is not the responsibility of the developer, the pedestrian access around the turning head should be improved.</p> <p>Public toilets could be replaced.</p> <p>The appearance of the proposed development is not sympathetic of the conservation area with more sympathetic materials and colour scheme to be encouraged</p> <p>The upstairs outdoor seating will mean a loss of privacy and potential overlooking to the upstairs areas of the Cresswell Arms and No.n1 Prospect Place.</p> |
| <p>Highways</p> | <p>No Objection - Imposition and implementation of condition (s)</p> |
| <p>Public Protection 30.10.23</p> | <p>Objection</p> |

| | |
|-----------------------------------|-------------------------------------|
| Building Conservation | No objection subject to conditions. |
| County Ecologist | No objection subject to condition |
| Open Spaces South East Area | No response received. |
| Lead Local Flood Authority (LLFA) | No comment – Informative |
| Public Protection 06.12.23 | No objection subject to conditions. |

6. Public Responses

Neighbour Notification

| | |
|-------------------------------|----|
| Number of Neighbours Notified | 6 |
| Number of Objections | 23 |
| Number of Support | 25 |
| Number of General Comments | 0 |

Notices

Affecting Conservation – 10.10.23
News Post Leader 29th September 2023

Summary of Responses:

23no objections were received against the application from local residents. Concerns were raised regarding:

- Development looking 'out of place', not in keeping and not a suitable location for the proposal.
- Parking, road, traffic, delivery, noise, odour, refuse storage, infrastructure and safety issues.
- Footfall issues.
- Development not suitable for Conservation Area.
- Neighbouring amenity concerns – Privacy, overlooking, noise, natural light reduction,
- Land Ownership.
- Security of the building.
- Opening hours.
- Already facilities in Newbiggin.

25no support comments were received from members of the public recognising the benefits the proposed development would bring to the area including employment, economic gains and a new facility for Newbiggin and increased tourism.

Material consideration with regards to the objections will be addressed below.

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 (NLP). Newbiggin by the Sea Neighbourhood Plan (2023-2036). The National Planning Policy Framework (NPPF) (2023) and Planning Practice Guidance (PPG) are material considerations in determining this application.

- **Principle of development:**
- **Design and visual character;**
- **Residential amenity;**
- **Highway safety;**
- **Conservation Area;**
- **Ecological impacts;**
- **Water management.**

Principle of development

- 7.2 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. Newbiggin-by-the-Sea is recognised as a service centre and as such employment and services are uses that, subject to other policies are generally encouraged within the built-up area to a level that will maintain and strengthen the service centre role.
- 7.3 The application site is situated within the northeast area of the town within walking distance of the promenade. The surrounding built form is residential with a pub to the south and west of the application site and the golf club to the north east. The main retail area lies to the west. The NLP does not define a settlement boundary for Newbiggin-by-the-Sea therefore where no settlement boundary is defined, criterion 1e of policy STP 1 applies, which outlines potential support for sustainable development within or immediately adjacent to the current built-up form of the settlement if it is:
- i. Commensurate with the size of the settlement; and*
 - ii. Reflects the role and function of the settlement; and*
 - iii. Does not adversely impact upon the character and appearance of the settlement; and*
 - iv. Does not adversely impact upon the setting of the settlement or the surrounding countryside.*
- 7.4 Policy ECN 1, the planning strategy for the economy, seeks to deliver economic growth, while safeguarding the environment and community wellbeing, so helping to deliver the objectives of the Council's economic strategy. As such it aims, through planning decisions, to [inter alia] promote tourism and the visitor economy.
- 7.5 Policy ECN 15 states that the County as a whole should be developed as a destination for tourists and visitors, while recognising the need to sustain and conserve the environment and local communities. The County's potential as a destination for food and drink is among themes promoted through the Policy.

- 7.6 Policy TCS 3, part 3, states that, within Service Centres, new provision should be within a scale appropriate to meeting the shopping, leisure or other service requirements of residents living in those settlements and their catchments. The scale of the proposal would certainly be in proportion with the role of Newbiggin-by-the-Sea. Whist located within close distance from the centre of town, the application site is accessible via existing public footpaths and walkways and would not be considered isolated from existing services within Newbiggin-by-the-Sea, specifically recognising other facilities located along, and within the area of the proposal.
- 7.7 The application site itself is part of a public open space area. Therefore, it is appropriate to consider whether this proposal would, in any way, represent a loss of open space. Policy INF 5 of the NLP states that the loss of open space will not generally be supported unless certain criteria are met. Indeed, the wording of NLP Policy INF 5 does seek to prevent the unnecessary loss of open space. The criteria that normally need to be met are that the open space should either be surplus to requirements, or the loss should be replaced by equivalent or better provision, or the benefits of what replaces it should outweigh the loss.
- 7.8 The LPA considers that the small amount of land involved within the proposed development coupled with the fact that the facility could enhance the experience of those visiting Newbiggin as well as for locals, is sufficient to satisfy the policy that applies at present. It is also worth noting that the land has been occupied by a public building for many years up until its recent demolition. This proposal would, in effect, simply replace that.
- 7.9 The application recognises that the proposal would create employment opportunities by way of 4 full time roles and 2 part time roles, thus bringing jobs to the area upon completion and operation of the proposed development. The development would also provide enhanced tourism opportunities for the settlement of Newbiggin and introduce a facility towards the northern end of the town. The development would likely increase footfall, which has been taken into consideration. The balance of this is afforded to the provision of a greater experience for those visiting or living within the settlement by way of increased services. This is addressed further under "Residential Amenity" below.
- 7.11 The LPA also notes the Newbiggin-by-the-Sea Parish Council neither support nor object to the proposal but raise technical matter concerns relating to highway safety, conservation area and neighbouring amenity, that shall be assessed further into this appraisal.
- 7.12 Taking all of the points raised above into account, it is considered that the principle of development is acceptable, according with the provisions of policies STP 1, ECN 1, ECN 15 and TCS 3 of the NLP as well as the NPPF.

Design and visual character

- 7.13 Policy QOP 1 of the NLP states that development proposals should *"make a positive contribution to local character and distinctiveness and contribute to a*

positive relationship between built and natural features, including landform and topography". Paragraph 126 of the NPPF recognises good design as being a key aspect of sustainable development. Paragraph 130 goes on to note that development must "function well and add to the overall quality of the area" whilst also being "visually attractive as a result of good architecture, layout and appropriate and effective landscaping".

- 7.14 Policy N1 of the Newbiggin-by-the-Sea NP seeks for development to *"conserve local distinctiveness by demonstrating high quality design which both respects existing character and responds to the distinctive character of the area"*
- 7.15 As part of the application assessment, a site visit was undertaken by the planning officer to assess the application site and the wider area. The site consists of an existing area of hard standing from the demolished toilet block, behind is a grassed area and car park for the golf club. To the south of the application site is the caravan park entrance, residential properties and access to the beach, past the public highway to the west is set of terraced residential properties and the Creswell Arms (pub).
- 7.16 The proposed development would see the siting of a 2no 30ft and 1no 20ft shipping container for the café/restaurant, kitchen use and toilet facilities. The proposed containers would be fully clad in vertical timber cladding to negate the harsh impacts of an exposed shipping container and create an appropriate coastal external material. Openings would be created upon the elevations of the café/restaurant and kitchen area to form doorways and windows. A terrace would be created for the outdoor seating area on the first floor.
- 7.17 Amended details were submitted to the local planning authority for assessment following the raising of initial concerns. The north and east elevations have seen an alteration in the form of extra timber panels being added. The LPA considers the implementation would reflect the coastal character of the area more appropriately than the initial proposals.
- 7.18 Taken the above into consideration the LPA is satisfied that the proposed development would not result in a harmful impact upon the immediate or wider landscape and would also represent good design in accordance with policy QOP 1 of the NLP and the NPPF.

Residential amenity

- 7.19 Policy QOP 2 of the NLP states that *"Development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area"*. Paragraph 130, part f) of the NPPF details that developments should *"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users"*.
- 7.20 Policy N1, part g) of the Newbiggin-by-the-Sea NP outlines that developments should not prejudice the amenity of adjacent properties whilst part j) seeks for proposals not to result in unacceptable levels of noise, air or water pollution.

- 7.21 A number of objections were received from Prospect Place with regards to residential amenity, Prospect Place is located to the west of the application site beyond the public highway. A separation distance of approximately 15 metres would exist from the side elevation of the proposal to the closest wall of these residential properties. Cresswell Arms (pub) is also situated 15m away from the proposal upon this street, the height of the proposal (7.1m) is significantly smaller than the current Cresswell Arms. The site is readily visible within the public domain due to its location therefore consideration must be given to the amenity of residents in adjacent residential properties, as well as users of the existing area.
- 7.22 The closest residential dwellings (1 and 3 Prospect Place) have a separation distance of 15m due to their ground-floor extensions, with the closest wall not having windows it is considered that residential amenity in the form of overlooking and privacy will not be significantly decreased. Due to the stepped back profile of the rest of the properties on Prospect Place the separation distance will exceed 20+ meters, therefore overlooking and privacy will not be significantly decreased for these properties. However, The Cresswell Arms does have windows on the closest elevation to the proposal therefore a condition has been added for amended plans which will see the west elevation altered to ensure that any overlooking will not be created.
- 7.23 The application documents stipulate that operating times would consist of 08:00-22:30, for context the closest business (Creswell Arms) operating times consist of 11:00-23:00. External lighting is proposed as part of the application submission, but a condition has been added to ensure these are switched off outside of operation hours. Consultation was undertaken with the local authority's Environmental Protection team regarding the application proposals who raised no objection to the application on amenity grounds. Environmental Protection do not consider that the proposals would generate significant noise levels that would significantly impact upon the amenity of adjacent residents. Nevertheless, statutory nuisance can still be investigated despite the granting of a planning permission, and it would be appropriate of the LPA to include an informative reminding the applicant of this in the event of a planning approval.
- 7.24 The LPA therefore consider the proposal to accord with the provisions of policies QOP 1 of the NLP, policy N1 of the NP and the NPPF in relation to protecting residential amenity.

Highway safety

- 7.25 Policy TRA 2 of the NLP outlines that developments must *"Provide effective and safe access and egress to the existing transport network"* and *"Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts"*. Policy TRA 4 is also relevant within this assessment, stating that developments must also provide an appropriate amount of off-street vehicle parking in line with the intended use of the site.
- 7.26 The NPPF details that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway*

safety, or the residual cumulative impacts on the road network would be severe".

- 7.27 Consultation was undertaken with highways development management who, raised no objection to the application proposals subject to recommended conditions.
- 7.28 HDM have requested the condition to be added in respect to the submission of further information in relation to deliveries and the servicing of the site. This is to ensure that deliveries and servicing of the site do not adversely impact upon the amenity of neighbouring residents. Limited information has been provided regarding this element however, HDM are satisfied that precise details can be secured via planning condition with the information to be submitted prior to first use of the development. To address the requirements of the condition, the applicant will be required to provide further details to the LPA for review.
- 7.29 To retain a level of highway safety within the locality during the construction phase of the development, HDM have also requested a condition that secures the submission a construction method statement and plan prior to the commencement of development is attached. Informatives have also been r recommended to ensure the applicant does not store building material or equipment on the adjacent highway at any time.
- 7.30 One of the main objections from neighbouring residents was concerns in relation to car parking which may occur on surrounding streets, specifically Prospect Place. Highways Development Management states that similar to the existing public house and Indian Restaurant, the requirement for off-street parking would not be feasible due to surrounding space, and there is enough scope in the area to enable on-street parking and the use of public facilities.
- 7.31 Therefore, taken the above into consideration the proposal complies with Policy TRA 1, TRA 2, TRA 3 and TRA 4 of the Northumberland Local Plan and the NPPF.

Conservation Area

- 7.32 Due to the location of the proposal being suited within the Newbiggin Conservation Area the Council's Building Conservation team were consulted on the application. The proposal reflects the increasing popularity of Newbiggin as a leisure destination and significant investment that has been made to support this. Such shipping container based developments have become increasingly popular in the last decade. Key recent development in the conservation uses innovative modern design (see Maritime Centre). Conservation Area status is about managing change, not preventing it. The proposal is therefore considered to be acceptable and in accordance with policies ENV 1 and ENV 9 of the NLP and NPPF, subject to conditions.

Ecological impacts

- 7.33 Policy ENV 2 of the NLP states "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".*

- 7.34 Consultation was undertaken with the local authority's ecologist who raised no objection to the application proposals, subject to a recommended condition. The ecologists' comments note that *"The proposed development will not impact on protected or notable species, designated nature conservation sites or priority habitat. In accordance with planning policy the development should provide a net gain for biodiversity which can be achieved through the provision of an integrated bird boxes, secured through a planning condition"*.
- 7.35 The LPA is therefore satisfied that subject to a recommended condition, the proposal accords with policy ENV 2 of the NLP and the NPPF.

Water management

- 7.36 Policy WAT 3 of the NLP stipulates *"In assessing development proposals the potential for both on and off-site flood risk from all potential sources will be measured"*. Policy WAT 4 is also relevant within this assessment and seeks for sustainable drainage systems (SuDS) to be incorporated into developments wherever necessary.
- 7.37 The application site is not located within a floodzone area, but consultation was undertaken with the Lead Local Flood Authority (LLFA) team who offered no comment to the application proposals but recommended an informative. The LPA is therefore satisfied that subject accords with the provisions of policies WAT 3 and WAT 4 of the NLP.
- 7.38 The proposal will use the excising water supply to the site which will be provided via existing mains. This will be installed in accordance with Northumbrian Water regulations to ensure the site is supplied with running water.

Equality Duty

7.39 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

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

Human Rights Act Implications

7.41 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.

7.42 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.

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

8. Conclusion

8.1 The proposal represents an acceptable form of development in accordance with both local and national planning policy. The LPA are therefore satisfied that subject to conditions, the application can be recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions

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

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

02. The development hereby permitted shall be constructed in complete accordance with the approved document and plans.

The approved plans and documents for this development are: -

- 1) Proposed north elevation 15146-EDA-XX-XX-DR-A-1222-P01
- 2) Proposed south elevation 15146-EDA-XX-XX-DR-A-1220-P01
- 3) Proposed west elevation 15146-EDA-XX-XX-DR-A-1221
- 4) Proposed east elevation 15146-EDA-XX-XX-DR-A-1223-P01
- 5) Proposed first floor plan 15146-EDA-XX-XX-DR-A-1211-P01
- 6) Proposed site plan 15146-EDA-XX-XX-DR-A-1200
- 7) Proposed ground floor plan 15146-EDA-XX-XX-DR-A-1210
- 8) Proposed roof plan 15146-EDA-XX-XX-DR-A-1212
- 9) Proposed section AA 15146-EDA-XX-XX-DR-A-1230
- 10) Proposed section BB 15146-EDA-XX-XX-DR-A-1231
- 11) Location plan 15146-EDA-XX-XX-DR-A-1000
- 12) Updated design & access statement P02
- 13) Application Form
- 14) Noise report_REV 1
- 15) Habitant regulation assessment
- 16) Ecological impact assessment
- 17) Openspace assessment

Reason: To ensure that the approved development stays in complete accordance with the approved plans.

03. All illumination shall be switched off outside of the opening hours without exception.

Reason: To protect residential amenity.

04. The development shall not be brought into first use until a Deliveries and Servicing Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Deliveries and Servicing Management Strategy shall be adhered to in perpetuity. This Deliveries and Servicing Management Strategy must include:

- details of the access, routes and vehicles associated with the site;
- details of the timings for deliveries and servicing of the site;
- details of the annual numbers of HGV's associated with the deliveries/servicing of the site;
- a plan for monitoring and reviewing the effectiveness of the Deliveries and Servicing Management Strategy; and
- a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

05. The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

06. Development shall not commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

07. No external refuse or refuse containers shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

08. a) Prior to the development being brought into use, a scheme containing full details of arrangements for internal air extraction, odour control, and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to and approved in writing by the local planning authority.

b) The scheme shall include full details of the odour treatment system to be installed which shall provide a [Very High/High/Medium] level of odour control, as defined in the EMAQ document "Control of Odour and Noise from Commercial Kitchen Exhaust Systems". The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced.

The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless otherwise agreed beforehand in writing with the local planning authority.

Reason: To protect residential amenity and provide a commensurate level of protection against odour.

09. The proposed window frames shall be constructed from metal or timber. Details of such frames shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The window frames shall be installed as approved thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of ENV1 and ENV 9 of The Northumberland Local Plan.

10. The development shall not commence until samples of natural timber cladding and any staining have been submitted to and approved in writing by the Local Planning Authority. The cladding shall be installed as approved thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of ENV1 and ENV 9 of The Northumberland Local Plan.

11. The development shall not commence until the colour scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The colour shall be implemented as approved thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of ENV1 and ENV 9 of The Northumberland Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any subsequent Order amending, revoking or re-enacting that Order), no painting or re-painting of the development to a different colour will occur without the prior grant of planning permission from the Local Planning Authority.

Reason: In order that the impact on the appearance of the building may be properly assessed in the interests of the conservation area in accordance with the provisions of ENV1 and ENV 9 of The Northumberland Local Plan.

13. No works shall be undertaken other than in accordance with the measures for mitigation and enhancement detailed within Ecological Impact Assessment, Tapashack, Newbiggin, E3 Ecology, Sept 2023' including:

- Light spill into the areas surrounding the site will be minimised where possible. Warmlight LEDs with very low UV will be used where possible, with cowls designed to accurately target which areas are lit.
- Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
- Provision of two Schwegler 1SP sparrow terrace boxes (or similar concrete type box with similar longevity) in the new building on site, under the roof cover on the northern facade

Reason: To protect and enhance biodiversity in accordance with Local Plan policy ENV2 and the NPPF.

14. Prior to the commencement of development, a plan detailing the final design of the western elevation shall be submitted to and approved in writing by the Local Planning Authority. The elevation shall be of solid construction with no windows or gaps that would enable outward views. The development shall be completed in

accordance with this plan thereafter and remain as such for the longevity of the building.

Reason: To protect privacy to the first floor residents of the Cresswell Arms in accordance with the NPPF.

Informatives

- Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
- In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
- Bat and Bird Provision: Ready-made integrated bird and bat boxes built into new buildings provide long lasting roosting/nesting features. Most boxes consist of a self-contained concrete roost chamber; however, options are available which will allow bats access into the roof space or wall cavity of the building. Examples of boxes can be readily seen online (e.g., <https://www.nhbs.com/equipment>). Swift brick/boxes are a good option, being able to accommodate a range of smaller cavity nesting birds (house sparrows, blue tits, great tits). Bat boxes are best located on south or east elevations and bird boxes on north and east elevations of buildings.

Discharge location

- The surface water discharge location should follow the hierarchy of preference below:
 1. Infiltration
 2. to a surface water body
 3. to a surface water sewer, highway drain, or another drainage system
 4. to a combined sewer

Discharge rate

- Any discharge from the site should be restricted to equivalent greenfield runoff rates. If connecting to a Northumbrian Water asset, then we recommend a pre-planning enquiry is undertaken.

Any flows in excess of the greenfield runoff rate should be stored on site in an attenuation feature. This feature should have capacity to store runoff from rainfall events with return period of 100 years (including a 45% increase in peak rainfall intensity to account for climate change).

Inclusion of Sustainable Drainage Systems (SuDS)

- Open, green, vegetated SuDS features should be considered at the beginning of the design. Drainage features proposed should include multifunctional benefits such as swales, basins, green roofs, rain gardens and permeable paving.

Flood risk

- Flood risk from all sources (including, rivers, the sea, watercourses, surface water runoff, groundwater, sewers and infrastructure) should be considered to ensure the development will not be at risk of flooding and will not increase flood risk offsite.
- Further information on fluvial flood risk: <https://flood-map-for-planning.service.gov.uk/>
- Further information on surface water flood risk: <https://flood-warninginformation.service.gov.uk/long-term-flood-risk/map>

Legislation and guidance

- The scheme to discharge surface water will need to adhere to the requirements of the National Planning Policy Framework, Planning Practice Guidance, DEFRA's Sustainable drainage systems: non-statutory technical standards, North East LLFA Local Sustainable Drainage Standards and the Northumberland Local Plan.
- The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

Date of Report: 01 February 2024

Background Papers: Planning application file(s)



Northumberland County Council

Appeal Update Report

Date: February 2024

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? |
|--------------|---|--------------------|
| 22/04526/FUL | <p>Erection of single dwelling with associated access and residential garden – land south-east of The Courtyard, Matten</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>Delegated Decision - Officer Recommendation: Refuse</p> | No – claim refused |
| 23/01729/FUL | <p>Extension to garage forming gym and office above – Khalsa Manor, Tranwell Woods</p> <p>Main issues: inappropriate development in the Green Belt and no very special circumstances to outweigh the harm.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |

Planning Appeals Split Decision

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

Planning Appeals Dismissed (permission refused)

| Reference No | Proposal and main planning considerations | Award of costs? |
|--------------|---|-----------------|
| 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</p> | No |

| | | |
|--------------|--|----------------------|
| | <p>Site and the North Northumberland Dunes SAC.</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 conserve and enhance the Norham Conservation Area and results in harm to the Conservation Area that is not outweighed by public benefits.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 23/01232/OUT | <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>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 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 circumstances to outweigh the harm.</p> <p>Appeal against non-determination</p> | Yes – partial award. |
| 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>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 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> | No |

| | | |
|-----------------|---|----|
| | <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>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>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 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>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 & 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 & 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> |
| 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> |
| 22/01012/FUL | <p>Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at</p> | <p>17 May 2023</p> <p>Delegated</p> |

| | | |
|-----------------|--|---|
| | <p>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>Decision - Officer</p> <p>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 building that has not been justified.</p> | <p>27 June 2023</p> <p>Delegated Decision - Officer</p> <p>Recommendation: Refuse</p> |
| 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</p> <p>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</p> <p>Recommendation: Approve</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</p> <p>Recommendation: Refuse</p> |
| 23/02030/FUL | <p>Proposed erection of holiday dwelling with associated access and residential garden – land south east of The Courtyard, Matfen</p> | <p>15 September 2023</p> <p>Appeal against</p> |

| | | |
|--------------|--|--|
| | Main issues: development in the open countryside; and insufficient information to fully consider the ecological impacts of the proposal. | 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 |
| 23/01478/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 Conservation Area; and adverse impact on residential amenity due to loss of sunlight and visual outlook. | 21 September 2023 Delegated Decision - Officer Recommendation: Refuse |
| 22/03027/FUL | Retrospective Application for the Erection of Storage Sheds – Mickley Bank Farm, Stocksfield Main issues: inappropriate development in the open countryside and the Green Belt and no very special circumstances to outweigh the harm. | 26 October 2023 Delegated Decision - Officer Recommendation: Refuse |

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| 23/01742/FUL | <p>Proposed development of 1 no. dwelling with associated access and amenity space – land west of 20 Park Road, Swarland</p> <p>Main issues: development in the open countryside in an unsustainable location; size, scale, layout and subdivision of the plot would be out of character with the surrounding area and unacceptable impact on the street scene; and unacceptable impact on the landscape and character of the immediate and wider area;.</p> | <p>30 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 23/02794/FUL | <p>Erection of 1 no. dwelling (C3 Use) - Westfield, Cramlington</p> <p>Main issues: fails to positively contribute to and respect the character of the area and the Cramlington Village Conservation Area; and no planning obligation has been completed to secure contributions to the coastal mitigation service or any other satisfactory alternative mitigation.</p> | <p>31 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 23/02134/FUL | <p>Front 2 storey extension and side extension above garage – 6 Dunsdale Road, Holywell</p> <p>Main issues: design, height and visual appearance is out of character in the street scene with detrimental visual impact; and unacceptable impact on residential amenity.</p> | <p>8 November 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 23/02038/FUL | <p>Replacement of fence to south of driveway – Oakwood Hall, Wylam</p> <p>Main issues: less than substantial harm to the setting of the Grade II listed building; insufficient information to assess the ecological impacts of the development; and inappropriate development in the Green Belt.</p> | <p>22 November 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/03790/FUL | <p>External render removal from North wall. New double door with juliet balcony at street level. Refurbishment of basement level & external area to make secure & improve appearance. No change of use – Jacksons Hairdresser, 1 Wansbeck Street, Morpeth</p> <p>Main issues: harm to the setting of a listed building, the character of the property and its setting within the Conservation Area.</p> | <p>23 November 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 23/03037/FUL | <p>Proposed 2no. new dwellings along with new access and parking to serve proposed dwellings along with existing adjacent cottages – land west of 10 West Burton Cottages, West Burton Cottages, Bamburgh</p> <p>Main issues: development in the open countryside in an unsustainable location; harm to the landscape and character of the</p> | <p>24 November 2023</p> <p>Appeal against non-determination</p> |

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| | area; 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 lack of information to assess proposed outbuildings. | |
| 23/02500/FUL | Extension to home office – 1 Low Middle Moor House, Stannington, Morpeth Main issues: would extend beyond the residential curtilage and encroach into open countryside; and inappropriate development in the Green Belt. | 5 December 2023 Delegated Decision - Officer Recommendation: Refuse |
| 23/03700/FUL | Change of use from 11 bedroom supported living, care and short-term accommodation (use class C2) to 11 bedroom house in multiple occupation – 86 Regent Street, Blyth Main issues: inadequate size of bedrooms resulting in substandard living conditions and detrimental impact upon the amenity of future occupiers; and alterations would result in a high chance of a disproportionate increase in anti-social behaviour undermining quality of life and community cohesion. | 12 December 2023 Delegated Decision - Officer Recommendation: Refuse |
| 21/03426/FUL | Change of use of existing hotel to 12no. residential units with associated internal alterations – Northumberland Hospitality, Coquet Vale Hotel, Station Road, Rothbury Main issues: insufficient information in relation to highway safety, ecological impacts; and lack of financial contribution to education provision and open space provision. | 13 December 2023 Delegated Decision - Officer Recommendation: Refuse |
| 23/03755/FUL | Siting of timber bin store (retrospective) - Black Swan Inn, 2 Union Street, Seahouses Main issues: scale and appearance lead to less than substantial harm to the Seahouses Conservation Area. | 14 December 2023 Delegated Decision - Officer Recommendation: Refuse |
| 23/01175/FUL | Demolition of 2no semi detached bungalows and construction of three storey dwelling with garage and associated landscaping – 8-10 Runnymede Road, Darras Hall, Ponteland Main issues: design, siting and scale would create an incongruous, dominant and overbearing building out of character with its | 19 December 2023 Delegated Decision - Officer Recommendation: Refuse |

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| | surroundings; detrimental impact on the residential amenity of neighbouring occupants; and loss of protected trees. | |
| 21/03496/FUL | Proposed new detached dwelling – Westlea Bed and Breakfast, 29 Riverside Road, Alnmouth Main issues: design, scale, massing and loss of burgage plot would not preserve or enhance the character and appearance of the Alnmouth Conservation Area; and detrimental impact on residential amenity. | 3 January 2024 Committee Decision - Officer Recommendation: Approve |
| 21/03781/FUL | Change of use and re-development of Shadfen Park Farm agricultural barn, buildings and land to form new multi-purpose development – land west of Shadfen Park, Shadfen Main issues: unacceptable development in the open countryside; and inappropriate development in the Green Belt. | 8 January 2024 Delegated Decision - Officer Recommendation: Refuse |
| 23/02008/FUL | Change of use from staff and holiday accommodation to residential dwellinghouse – outbuilding west of Cragside Stables, Park Lane, Bardon Mill Main issues: creation of new dwelling within the open countryside with insufficient justification; and insufficient information has been provided in respect of car parking provision and vehicle movement to demonstrate adequate parking and safe access. | 9 January 2024 Delegated Decision - Officer Recommendation: Refuse |
| 23/02898/CLEXIS | Certificate of Lawful Development - Existing development: Commencement of planning permission 14/03746/FUL for the creation of 2no. dwellings – land at 23-25 Western Way, Darras Hall, Ponteland Main issues: insufficient evidence to demonstrate that development had commenced before the expiry of the planning permission. | 11 January 2024 Delegated Decision - Officer Recommendation: Refuse |
| 23/02636/FUL | 2 story rear extension with alterations to access and parking to the front – 3 Normandy Terrace, Longhorsley Main issues: design would be an incompatible addition and incongruous with | 16 January 2024 Delegated Decision - Officer Recommendation: |

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| | the existing dwelling and terrace; and lack of bat risk assessment to assess potential impacts on protected species. | Refuse |
| 23/03240/FUL | Change of use of stable building to 1no. residential dwelling, with associated access and parking – land east of Horsley Banks Farm, Horsley Main issues: inappropriate development in the Green Belt and open countryside; design is not in keeping with the traditional character of the area and results in a harmful impact on the Horsely Conservation Area and the rural landscape; and lack of useable outdoor amenity space. | 16 January 2024 Delegated Decision - Officer Recommendation: Refuse |
| 23/04122/FUL | Siting of 'Timber Living Trailer' - land south of Jubilee Cottages, West Woodburn Main issues: development in the open countryside in a location that is not sustainable or accessible. | 17 January 2024 Delegated Decision - Officer Recommendation: Refuse |

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

| Reference No | Description and address | Award of costs? |
|-----------------|--|--------------------|
| 20/01209/BRCOND | Construction of unauthorised rear extension – Ashleigh, 26 Cade Hill Road, Stocksfield (N.B. The appeal was made under ground (g) only; that the time given to comply with the notice is too short. The Enforcement Notice is upheld but the appeal succeeds in respect of varying the period of compliance from three months to eight months.) | No – claim refused |

Enforcement Appeals Dismissed

| Reference No | Description and address | Award of costs? |
|-----------------|---|-----------------|
| 21/00418/ENDEVT | Erection of decking within the car parking area - The Percy Arms, Chatton | No |

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| 20/00481/ENDEVT | Change of use of a forestry building for use as residential – English Wood, Corbridge | No |
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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 |
|-----------------|--|-------------------|
| 21/00080/ENDEVT | Installation of hardcore - land to north of Kiln Cottage, Newton-on-the-Moor | 13 June 2023 |
| 23/00315/ENFCOU | Material change of use of the land from agricultural use to a storage, distribution (B8) and manufacturing (B2) yard – land north of All Saints Church, Ryal | 11 December 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 | 18 December 2023 |

Inquiry and Hearing Dates

| Reference No | Description and address | Inquiry/hearing date and decision level |
|--------------|---|--|
| 19/01362/REM | Reserved matters application for appearance, landscaping, layout and scale for proposed 150 residential dwellings (use class C3) including 30% affordable housing, countryside park including car park, pursuant to approved outline planning application | Hearing – 30 August 2023 Committee Decision - Officer Recommendation: |

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| | <p>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>Approve</p> |
| <p>22/00566/OUT</p> | <p>Outline planning application with all matters reserved except for access, for construction of up to 30no. bungalows for over 55s (Use Class C3) - land west of Furrow Grove, Station Road, Stannington</p> <p>Main issues: residential development in the open countryside; fails to respect the rural, dispersed and open character of the site and surrounding area; inappropriate development in the Green Belt; lack of housing needs assessment or evidence to justify 100% specialist housing scheme for older persons in this location; unsustainable location with no services or facilities and access would be reliant on the private car; insufficient information to fully assess hydrology and flood risk; insufficient information to fully assess archaeological impact and mitigation; and lack of completed planning obligations securing specialist housing, affordable housing, open space contribution, healthcare contribution and Coastal Mitigation Service contribution.</p> | <p>Hearing – 5 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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

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