



# Northumberland County Council

## Appeal Update Report

Date: August 2022

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### Planning Appeals

**Report of the Director of Planning**

**Cabinet Member:** Councillor CW Horncastle

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#### **Purpose of report**

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

#### **Recommendations**

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

#### **Link to Corporate Plan**

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

#### **Key issues**

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

# Recent Planning Appeal Decisions

## Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
21/04803/FUL	<p>Resubmission: Second storey extension above garage and extension to front to increase garage. Internal alterations. - 9 Crofts Close, Corbridge</p> <p>Main issues: fails to demonstrate that required parking can be provided with resultant impacts on amenity of neighbouring properties.</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?
21/04877/FUL	<p>Proposed garden summerhouse to rear garden – 62 Swansfield Park Road, Alnwick</p> <p>Main issues: significantly detracts from the character and appearance of the dwelling and immediate area; and significant harm to residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/02853/FUL	<p>Retrospective: first floor balcony to rear elevation – 28 Arkle Court, Alnwick</p> <p>Main issues: significant loss of privacy to neighbouring residents; and design and size of balcony is an overly dominant feature on the rear elevation.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

21/01136/FUL	<p>Construction of 1no detached dwelling (as amended) - land south of Embleton Hall and behind Front Street, Longframlington</p> <p>Main issues: fails to protect and enhance the landscape character of the village; and forms an incursion into the open countryside, is not essential and fails to support the conservation and enhancement of the countryside.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03167/FUL	<p>Utility, store, bedroom, studio and playroom extension – 1 Cottingvale, Morpeth</p> <p>Main issues: significant detrimental impact on the character, appearance and visual amenity of the dwelling and surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/04062/FUL	<p>Two storey extension protruding from Western side to provide 2no. additional bedrooms, dining area and gym – Heighley Wood, Morpeth</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/02183/FUL	<p>Proposed conversion of self contained house to create an additional 2 bedroom dwelling – 1-2 South Road, Longhorsley</p> <p>Main issues: intensification of use of a sub-standard access and fails to demonstrate appropriate car parking provision.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

## Planning Casework Unit Referrals

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

# Planning Appeals Received

## Appeals Received

Reference No	Description and address	Appeal start date and decision level
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: development would appear as an incongruous and over dominant addition to the street scene resulting in significant harm to the visual amenity of the locality.</p>	<p>4 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/01457/CLEXIS	<p>As amended: Use of land to the west of School House Farm, Kiln Pit Hill (as outlined in red on amended location plan received 16/9/21) as a Motocross Track with associated visitor parking, catering van, portable toilet, security gates and sign in shed. Operating times throughout the year (excluding every Tuesday together with Christmas Day, Boxing Day and New Years Day when it is closed) are 8am-5pm (bikes allowed on tracks from 10am-4pm only) with additional opening hours of 4pm-7pm on Monday, Wednesday and Friday during the months of May, June, July, August and September (amended 29/9/21) - Motorcycle track west of School House Farm, Kiln Pit Hill</p> <p>Main issues: the submitted evidence fails to demonstrate that the lawful use is as described in the application.</p>	<p>9 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04982/FUL	<p>Resubmission: Erection of 5no. custom self build homes, with associated garages, car parking and landscaping – land north of 30 Longhirst Village, Longhirst</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; detrimental impact on the rural character of the site and wider landscape; harm to the setting and significance of the Conservation Area; insufficient information to assess archaeological impacts; insufficient information to assess impacts on protected species; and fails to address disposal of surface water.</p>	<p>7 April 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/01668/LBC	Listed Building Consent for replacement of	20 April 2022

	<p>sash windows throughout and replacement of front door – Brockburn, Monkshouse, Seahouses</p> <p>Main issues: harm to the listed building with no public benefits to outweigh the harm</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03400/OUT	<p>Outline with all matters reserved for the construction of eight dwellings consisting of 8 x Dormer Bungalows – land east of Ashcroft Guest House, Lantys Lonnen, Haltwhistle</p> <p>Main issues: development on protected open space, harm to designated and non-designated heritage assets and currently objections and insufficient information to assess noise, highway safety, flood risk and drainage and ecological impacts.</p>	<p>21 April 2022</p> <p>Appeal against non-determination</p>
21/04426/CLEXIS	<p>Certificate of lawful development of existing vehicular access from the B6318 – land on Hadrian's Wall remains south of Black Pasture Cottage, Brunton Bank, Wall</p> <p>Main issues: lack of information and evidence as submitted to grant certificate.</p>	<p>28 April 2022</p> <p>Appeal against non-determination</p>
21//02591/FUL	<p>Installation of a glass pane to former door entrance and installation of artwork panels – Town Hall Office, Fenkle Street, Alnwick</p> <p>Main issues: harm to the Grade I listed building with no justifiable public benefits to outweigh the harm.</p>	<p>10 May 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02592/LBC	<p>Listed building consent for installation of a glass pane to former door entrance and installation of artwork panels – Town Hall Office, Fenkle Street, Alnwick</p> <p>Main issues: harm to the Grade I listed building with no public benefits to outweigh the harm.</p>	<p>10 May 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01687/FUL	<p>Change of use of land for the siting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping. Archaeological report received 09.2.2021 and amended site location plan received 26.02.21 - land north west of Springwood, Coast View, Swarland</p> <p>Main issues: obtrusive development in the rural landscape that would adversely affect the rural setting and visual relationship between Swarland and wider countryside setting.</p>	<p>1 June 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
21/03297/FUL	<p>Change of use: Retail to holiday accommodation on first floor with associated</p>	<p>14 June 2022</p>

	<p>internal and external alterations to the building – Amberley House, Stocksfield Post Office, Main Road, Stocksfield</p> <p>Main issues: lack of information to assess noise from air conditioning units and impacts on residential amenity; lack of information to assess impacts on bats or nesting birds; and lack of information to demonstrate adequate car parking provision can be achieved.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01188/FUL	<p>Two-storey extension at the front of the house – 13 Church Avenue, West Sleekburn</p> <p>Main issues: unduly prominent and incongruous addition to the property.</p>	<p>17 June 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04527/FUL	<p>Construction of 3 bungalows – land south of Leylen House, Main Street, Red Row</p> <p>Main issues: unacceptable in principle due to development in the open countryside beyond the settlement boundary and affecting protected open space.</p>	<p>22 June 2022</p> <p>Appeal against non-determination</p>
21/04587/FUL	<p>Proposed construction of a first floor dormer extension to the rear elevation and installation of rooflights to the front and rear elevations – 29 Leazes Street, Amble</p> <p>Main issues: incongruous and inappropriate form of development that would be out of scale and character with the existing property and would have a harmful impact upon the character and appearance of the site and surrounding Conservation Area.</p>	<p>24 June 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00078/FUL	<p>Construction of a single storey detached garage – Shield Law, Bellingham</p> <p>Main issues: appeal against imposition of condition 6 on the grant of permission that removes permitted development rights for further outbuildings.</p>	<p>29 June 2022</p> <p>Delegated Decision - Officer Recommendation: Approve</p>
21/04673/FUL	<p>Resubmission: Single-storey, flat-roofed, garage to rear of back garden (revised to now be 3 metres high) - 7 First Avenue, Blyth</p> <p>Main issues: incongruous addition to the rear garden of the property, represent an addition that is neither subordinate nor well related to the subject property and would have a negative impact on visual amenity.</p>	<p>7 July 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

# Recent Enforcement Appeal Decisions

## Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
19/00170/ENDEVT	Construction of an access track – School House Farm, Kiln Pit Hill, Consett	No

## Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		

# Enforcement Appeals Received

## Appeals Received

Reference No	Description and address	Appeal start date
20/01383/ENDEVT	Material change of use of the land from use for agriculture to a vehicle parking area – School House Farm, Kiln Pit Hill, Consett  Appeal against Enforcement Notice and linked with appeal submitted against refusal of 20/01457/CLEXIS (see above).	9 February 2022
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	6 April 2022  Hearing date to be confirmed.
22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	6 April 2022  Hearing date to be confirmed.
18/01525/ENDEVT	Change of use of the land for the stationing of 2 caravans including a linking structure for residential purposes - School House Farm,	29 April 2022

	Kiln Pit Hill, Consett	
18/01525/ENDEVT	Erection of a building used to house parrots and other animals; the erection of a corrugated steel barn; the erection of 2 timber structures to accommodate birds; and the construction of a hardstanding area - School House Farm, Kiln Pit Hill, Consett	29 April 2022
19/01230/ENDEVT	Material change of use of the land from agricultural use for the siting of a shepherd's hut for use as holiday let accommodation - land south east of Closehead, Otterburn	29 June 2022

## Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
20/04423/OUT	<p>Outline application seeking approval for access for construction of two storey 58 bed care home and associated but physically separate single storey 12 bedroom specialist unit with associated parking and hard and soft landscaping – Essendene, Kenilworth Road, Ashington</p> <p>Main issues: would prevent the reintroduction of facilities in connection to the passenger rail services on the Ashington Northumberland Line; and lack of information concerning off-site highway works, manoeuvrability within the site, parking provision and conflict between all modes of transport and pedestrians.</p>	<p>Hearing: 28 July 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>



# Implications

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

## Background papers

Planning applications and appeal decisions as identified within the report.

## Report author and contact details

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