



# Northumberland County Council

## Appeal Update Report

Date: March 2024

### 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?
21/04346/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>Committee Decision - Officer Recommendation: Approve</p>	No
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>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
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>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
23/02030/FUL	<p>Proposed erection of holiday dwelling with associated access and residential garden – land south east of The Courtyard, Matfen</p> <p>Main issues: development in the open countryside; and insufficient information to fully consider the</p>	No – claim refused

	ecological impacts of the proposal. Appeal against non-determination	
22/03755/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.  Delegated Decision - Officer Recommendation: Refuse	No
23/02134/FUL	Front 2 storey extension and side extension above garage – 6 Dunsdale Road, Holywell  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.  Delegated Decision - Officer Recommendation: Refuse	No

## Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
22/04676/LBC	Listed Building Consent for alterations comprising inserting one window with shutter in South facing gable wall, and the replacement of existing window with fully glazed panel and shutter on West elevation (Amended Description) - The Cottage, Riding Home Farm, Acomb, Hexham  Main issues: less than substantial harm to the character and significance of the listed building that has not been justified.  (The appeal is dismissed in respect of the proposed window within the south facing gable wall and is allowed only with regard to the west elevation glazing panel.)	No

## Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
23/01478/FUL	<p>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</p> <p>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.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/04617/FUL	<p>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</p> <p>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.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03396/FUL	<p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 &amp; 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity</p>	No

	<p>net loss.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
21/03397/LBC	<p>Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 &amp; 5 Front Street with replacement extension(s), internal alterations and alterations to boundary walls – 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/03790/FUL	<p>External render removal from North wall. New double door with juliet balcony at street level. Refurbishment of basement level &amp; external area to make secure &amp; 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>Delegated Decision - Officer Recommendation: Refuse</p>	No
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>Delegated Decision - Officer Recommendation: Refuse</p>	No
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>	No

	Delegated Decision - Officer Recommendation: Refuse	
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.  Delegated Decision - Officer Recommendation: Refuse	No
23/02038/FUL	Replacement of fence to south of driveway - Oakwood Hall, Wylam  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.  Delegated Decision - Officer Recommendation: Refuse	No
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.  Appeal against non-determination	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
22/01012/FUL	<p>Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at Barley Hill House Barn, Kiln Pit Hill, Consett</p> <p>Main issues: design fails to reflect the character or appearance of the listed farm building and results in harm to the character and appearance of the listed building.</p>	<p>17 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03027/FUL	<p>Retrospective Application for the Erection of Storage Sheds – Mickley Bank Farm, Stocksfield</p> <p>Main issues: inappropriate development in the open countryside and the Green Belt and no very special circumstances to outweigh the harm.</p>	<p>26 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>
23/03037/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>

	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
23/01175/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 surroundings; detrimental impact on the residential amenity of neighbouring occupants; and loss of protected trees.	19 December 2023  Delegated Decision - Officer Recommendation: Refuse
21/03496/FUL	Proposed new detached dwelling – Westlea Bed and Breakfast, 29 Riverside Road,	3 January 2024  Committee



	<p>Alnmouth</p> <p>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.</p>	<p>Decision - Officer Recommendation: Approve</p>
21/03781/FUL	<p>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</p> <p>Main issues: unacceptable development in the open countryside; and inappropriate development in the Green Belt.</p>	<p>8 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02008/FUL	<p>Change of use from staff and holiday accommodation to residential dwellinghouse – outbuilding west of Cragside Stables, Park Lane, Bardon Mill</p> <p>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.</p>	<p>9 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02898/CLEXIS	<p>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</p> <p>Main issues: insufficient evidence to demonstrate that development had commenced before the expiry of the planning permission.</p>	<p>11 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02636/FUL	<p>2 story rear extension with alterations to access and parking to the front – 3 Normandy Terrace, Longhorsley</p> <p>Main issues: design would be an incompatible addition and incongruous with the existing dwelling and terrace; and lack of bat risk assessment to assess potential impacts on protected species.</p>	<p>16 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

23/03240/FUL	<p>Change of use of stable building to 1no. residential dwelling, with associated access and parking – land east of Horsley Banks Farm, Horsley</p> <p>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.</p>	<p>16 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/04122/FUL	<p>Siting of 'Timber Living Trailer' - land south of Jubilee Cottages, West Woodburn</p> <p>Main issues: development in the open countryside in a location that is not sustainable or accessible.</p>	<p>17 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02200/FUL	<p>Loft conversion of main house with first floor extension to rear and dormer windows to front and side elevations, construction of flat over existing detached garage that will be ancillary to the main residential dwelling and used for this purpose. Garage roof to be converted from flat to pitched. - 238 Western Way, Darras Hall, Ponteland</p> <p>Main issues: front dormer extension would be unduly prominent and poor design; loss of residential amenity; and lack of ecological impact assessment to assess potential risk to protected species.</p>	<p>22 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02140/MAST	<p>Notification of Prior Approval for the installation of 5m extension to existing lattice mast to accommodate 3 no replacement antenna, ancillary radio equipment at new support poles, the installation of 1 no GPS Module and x 2no new cabinets at ground level in compound along with ancillary development thereto – T-Mobile Communications Mast, Hebron Hill</p> <p>Main issues: harm to the visual amenity of the open countryside landscape, and negative impacts on protected trees and dwellings in the locality.</p>	<p>22 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/03360/FUL	<p>Change of use "Waste Land" to garden (C3) - land to rear of 90 Heather Lea, Bebside</p> <p>Main issues: negative visual impact and incongruous intrusion to green space; and adverse impact on the amenity of</p>	<p>23 January 2024</p> <p>Delegated Decision - Officer Recommendation:</p>

	neighbouring properties.	Refuse
23/02839/FUL	Proposed rural workers dwelling, consisting of retention and extension to dwelling located on site – land at east of La Luna Farm, Mill Lane, Heugh  Main issues: inappropriate development in the Green Belt.	30 January 2024  Committee Decision - Officer Recommendation: Approve
23/03485/FUL	Retrospective: Erection of holiday chalet within curtilage of East Salmon Wells Farm for holiday let use – land north east of East Salmons Well, Salmons Well, Acomb  Main issues: poorly accessible and unsustainable location in the open countryside; inappropriate development in the Green Belt; and harmful visual impact on the rural character and appearance of the site, landscape and openness of the Green Belt.	5 February 2024  Delegated Decision - Officer Recommendation: Refuse
22/02619/FUL	Retrospective Change of Use of White Cottage to Serviced Accommodation in Association with the Joiners Arms – White Cottage, The Inn Road, Newton-by-the-Sea  Main issues: overdevelopment of the village with consequent impacts upon the tranquillity of the village and the Northumberland Coast National Landscape.	5 February 2024  Committee Decision - Officer Recommendation: Approve
23/03944/FUL	Demolition of existing bungalow and construction of a new bungalow – Saugh House Farm, Belsay  Main issues: appeal against imposition of conditions 3 (construction method statement), 8 (materials), 9 (windows and door details), 10 (removal of permitted development rights) and 11 (sustainable design / construction measures).	6 February 2024  Delegated Decision - Officer Recommendation: Approve
23/02284/FUL	Extensions, alteration and subdivision of existing single dwellinghouse to create two dwellinghouses – Houghton Moor, Heddon-on-the-Wall  Main issues: additional dwelling in an isolated location in the open countryside; inappropriate development in the Green Belt; inappropriate design that fails to make a positive contribution to local character and distinctiveness; insufficient information to demonstrate the proposals will minimise their impact on great crested newts; fails to demonstrate how proposals will sustain, protect and enhance the setting of the	6 February 2024  Delegated Decision - Officer Recommendation: Refuse

	Hadrian's Wall World Heritage Site; and insufficient information to demonstrate the proposals will not result in adverse impacts on highway safety.	
23/03917/FUL	Timber shed on front garden of the property (retrospective) - 7 Beech Court, Widdrington Station  Main issues: obtrusive design and detrimental impact on the visual appearance of the area; and detrimental impact on the amenity of neighbouring residents.	7 February 2024  Delegated Decision - Officer Recommendation: Refuse
23/03362/FUL	Retention and change of use from agricultural workers chalet to holiday chalet – Hillfield, Allendale Road, Hexham  Main issues: inappropriate development in the Green Belt; and harmful visual impact on rural character and appearance of the site and surrounding landscape.	12 February 2024  Committee Decision - Officer Recommendation: Refuse
23/02041/FUL	(Retrospective) First floor extension over kitchen to create bathroom – 228 Plessey Road, Blyth  Main issues: detrimental impact upon the character and visual appearance of the existing dwelling and visual amenity of the wider local area; and detrimental impact upon the amenity of adjoining residents.	12 February 2024  Delegated Decision - Officer Recommendation: Refuse
23/01863/FUL	Construction of a two bedroom bungalow with associated parking and access – land south of The Shieling, Waynriggs Close, Humshaugh  Main issues: overdevelopment of the site and would be out of character with the pattern of development within the immediate surrounding local area; reduction in the amount of outdoor amenity space for the dwelling approved to the south to an unacceptable level; adverse impact on residential amenity; and fails to demonstrate that sufficient car parking can be provided, that a safe and suitable access can be achieved and that it would not adversely impact upon highway safety.	12 February 2024  Delegated Decision - Officer Recommendation: Refuse
23/00583/FUL	Change of use of existing public house (Sui Generis) to provide 3no. residential apartments (Use Class C3) and erection of 4no. dwellings (Use Class C3) to rear, utilising existing access off E Ord Road, with associated parking, hard and soft landscaping – The Salmon Inn, East Ord,	14 February 2024  Committee Decision - Officer Recommendation: Approve

	<p>Berwick-upon-Tweed</p> <p>Main issues: overdevelopment of the site and a density that would appear out of character with the surrounding area and would cause an unacceptable impact on the street scene; unacceptable loss of public amenity space; and insufficient information in respect to pedestrian crossing to demonstrate there would be no significant impact on the safety of the highway.</p>	
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## Recent Enforcement Appeal Decisions

### Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

### Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		

### Enforcement Appeals Withdrawn

Reference No	Description and address	Award of costs?
None		

# Enforcement Appeals Received

## Appeals Received

Reference No	Description and address	Appeal start date
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	<p>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 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>Hearing – 30 August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>
22/00566/OUT	Outline planning application with all matters reserved except for access, for construction	Hearing – 5 March 2024

	<p>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>Delegated Decision - Officer Recommendation: Refuse</p>
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# Implications

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

## Background papers

Planning applications and appeal decisions as identified within the report.

## Report author and contact details

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