Northumberland
County Council

Appeal Update Report

Date: March 2021

Planning Appeals

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor JR Riddle

Purpose of report

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

Recommendations

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

Link to Corporate Plan

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

Key issues

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

Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
20/01188/OUT	Outline application for erection of single dwelling house, all matters except access are reserved – land to south-west of Kirkheaton Farm, Kirkheaton Main issues: development in the open countryside; would not be sympathetic to the local character of the village; and the proposal would have a harmful impact upon the setting of heritage assets. Delegated Decision - Officer Recommendation: Refuse	Yes
20/00450/FUL	Retrospective: External display area for temporary timber summer house including local landscaping (amended description) - In-House Inspired Room Design Ltd, Global House, Bridge End Industrial Estate, Hexham Main issues: harmful impact upon the character and appearance of the area and detrimental to visual amenity. Delegated Decision - Officer Recommendation: Refuse	No
20/02052/FUL	Rear ground floor extension – Beulah House, 123 Bondicar Terrace, Blyth Main issues: harm to the Conservation Area that is not outweighed by public benefits. Delegated Decision - Officer Recommendation: Refuse	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?
20/01756/CLPROP	Certificate of Lawful Proposed Development: Proposed change of use from agricultural building to dwellinghouse (Class C3) – land west of Hague Cottage, Wylam Wood Road, Wylam Main issues: the proposal is not permitted development. Delegated Decision - Officer Recommendation: Refuse	No – claim refused

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
19/05017/OUT	Outline permission for change of use of agricultural land and construction of 9 no. residential dwellings (including 22% affordable housing) - land east of Greycroft, West Thirston Main issues: development in the open countryside; adverse impact upon the historic character of the village; and would fail to preserve the West Thirston Conservation Area.	27 August 2020 Delegated Decision - Officer Recommendation: Refuse
19/04938/FUL	Resubmission of approved planning application 17/02932/FUL Erection of new building comprising of 12 self-contained 1 bedroom apartments (use class C3) for specialised independent supported living with associated external works and car parking –	29 September 2020 Appeal against non-determination

	land between 86-90, Front Street East, Bedlington Main issues: appeal against non-determination due to invalid application (no fee paid).	
20/01814/FUL	Proposed alterations to site layout with parking changes, secure tool (and nursery materials) store position, hardstanding and size amended, new security gates and polytunnel amended – The Coop, Eachwick Main issues: inappropriate development in the Green Belt; store building is harmful to the rural character of the area; and fails to address concerns raised in respect of land contamination.	2 November 2020 Delegated Decision - Officer Recommendation: Refuse
20/01233/VARYCO	Removal of Condition 3 (holiday use) pursuant to planning permission 16/03879/COU in order to allow use as principal dwellinghouse – The Coach House, Fenwicks Close Farm, Earsdon Main issues: would result in an isolated home in the countryside and would not be sustainable development.	3 November 2020 Delegated Decision - Officer Recommendation: Refuse
20/01940/FUL	Construction of single-storey dining room within courtyard – The Hemmel, Beal Bank, Warkworth Main issues: harm to the character and appearance of the existing building.	11 November 2020 Delegated Decision - Officer Recommendation: Refuse
20/00581/VARYCO	Variation of conditions 2 (approved plans) and 4 (materials) pursuant to planning permission 17/03658/FUL in order to amend the flue position (to the front) and window materials (to be UPVC) and to remove the shutters. Removal of conditions 5 (landscape planting), 8 (boundary treatments) and 9 (refuse strategy) - land south east of Lifeboat House, Haven Hill, Craster Main issues: design and materials are out of character with the street scene; and harm to the character and appearance of historic buildings and the Northumberland Coast AONB.	10 December 2020 Delegated Decision - Officer Recommendation: Refuse

20/00395/FUL	Change of use from former garden nursery to 2 detached residential houses and associated access road – Fir Trees Nursery, Widdrington Station Main issues: harmful encroachment into the open countryside and rural character of the woodland plantation; lack of completed planning obligation to secure financial contribution to the Council's Coastal Mitigation Service or other alternative mitigation; and insufficient information to assess risk from ground contamination and ground gas.	23 December 2020 Delegated Decision - Officer Recommendation: Refuse
20/00716/FUL	Change of use of application site to equestrian use with erection of 10no stables, paddock area and gates/fencing to site frontage – land to south of Hartford Drive, Hartford Bridge Main issues: harm to heritage assets that is not outweighed by public benefits; drainage; and highway safety.	18 January 2021 Delegated Decision - Officer Recommendation: Refuse
18/02239/FUL	Redevelopment of the former Marley Tiles Factory to provide a residential development of 105 houses (Use Class C3) with associated access, parking, landscaping and infrastructure (AMENDED description and site layout) - Marley Tile Factory, Lead Lane, Newlands Main issues: isolated development in the open countryside; inappropriate development in the Green Belt by virtue of causing substantial harm to the openness of the Green Belt and very special circumstances have not been demonstrated to outweigh harm; and the design of the development would be out of keeping with the character and appearance of the locality and does not deliver an appropriate form of sustainable design or development for the site.	27 January 2021 Committee Decision - Officer Recommendation: Approve
20/02355/LBC	Listed Building Consent for replacement of ground floor window with timber glazed 6 over 6 door in west elevation – 1 Prudhoe Street, Alnwick Main issues: proposal would cause harm to	9 February 2021 Delegated Decision - Officer Recommendation:

	the significance of the listed building that is not outweighed by public benefits.	Refuse
19/04023/FUL	Listed Building Consent for proposed demolition of flat roofed single storey extension and various internal alterations, formation of new external fire escape stair and doorways, extractor chimney to kitchen and flue pipe to roof, change of use of part of building to Cafe A3 (remainder to remain office accommodation). Replacement windows and new rooflights – 1-5 Bridge Street, Berwick-upon-Tweed Main issues: harm to listed building that has not been demonstrated as necessary or justified. Delegated Decision - Officer Recommendation: Refuse	9 February 2021 Delegated Decision - Officer Recommendation: Refuse
19/04024/LBC	Listed Building Consent for proposed demolition of flat roofed single storey extension and various internal alterations, formation of new external fire escape stair and doorways, extractor chimney to kitchen and flue pipe to roof, change of use of part of building to Cafe A3 (remainder to remain office accommodation). Replacement windows and new rooflights – 1-5 Bridge Street, Berwick-upon-Tweed Main issues: harm to listed building that has not been demonstrated as necessary or justified. Delegated Decision - Officer Recommendation: Refuse	9 February 2021 Delegated Decision - Officer Recommendation: Refuse
19/02291/FUL	Retention of 4no open gazebos (retrospective) - 1 Thornbrae, Alnmouth Road, Alnwick Main issues: the proposal would have a significant adverse impact on residential amenity as a result of antisocial behaviour and the impacts of noise arising from the use of the proposed gazebos.	9 February 2021 Delegated Decision - Officer Recommendation: Refuse

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
18/01344/ENDEVT	Bridgend Caravan Park, Wooler Main issues: one Enforcement Notice appealed by three parties in respect of operational development to provide extra bases for residential static caravans with associated services	No
18/00489/ENDEVT	Land at Moor Farm Estate, Station Road, Stannington Main issues: unauthorised waste reclamation yard and siting of multiple shipping containers	Yes

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
18/01524/LISTED	Church View, Slaley Main issues: solar panels installed in 2006 without planning permission - requests for removal have been unsuccessful.	No
18/00033/NOAPL	98 Millerfield, Acomb Main issues: development has been undertaken based on plans refused under planning application 17/00072/FUL	No

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the	1 February 2021

	land from agricultural for the siting of 4 caravans	
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the land for the siting of one caravan and the erection of fencing in excess of 2 metres in height	1 February 2021

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
19/00247/FUL	Construction of a publicly accessible landmark, commissioned to commemorate Queen Elizabeth II and the Commonwealth - land at Cold Law, Kirkwhelpington Main issues: development in the open countryside which fails to recognise the intrinsic character and nature of the countryside.	Inquiry date: 9 March 2021 Committee Decision - Officer Recommendation: Approve

Implications

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?)** ❑ **Yes** ✓ **No** ❑ **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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