



# Northumberland County Council

# Appeal Update Report

Date: May 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?
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>Committee Decision - Officer Recommendation: Approve</p>	No – claim refused

## Planning Appeals Split Decision

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

## Planning Appeals Dismissed (permission refused)

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

	<p>SAC; and lack of information to assess proposed outbuildings.</p> <p>Appeal against non-determination</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>Delegated Decision - Officer Recommendation: Refuse</p>	No
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>Delegated Decision - Officer Recommendation: Refuse</p>	No
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>Delegated Decision - Officer Recommendation: Refuse</p>	No
23/01175/FUL	<p>Demolition of 2no semi detached bungalows and construction of three storey dwelling with garage and associated landscaping – 8-10 Runnymede Road, Darras Hall, Ponteland</p> <p>Main issues: design, siting and scale would create an incongruous, dominant and overbearing building</p>	No

	<p>out of character with its surroundings; detrimental impact on the residential amenity of neighbouring occupants; and loss of protected trees.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
23/02500/FUL	<p>Extension to home office – 1 Low Middle Moor House, Stannington, Morpeth</p> <p>Main issues: would extend beyond the residential curtilage and encroach into open countryside; and inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
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 neighbouring properties.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03426/FUL	<p>Change of use of existing hotel to 12no. residential units with associated internal alterations – Northumberland Hospitality, Coquet Vale Hotel, Station Road, Rothbury</p> <p>Main issues: insufficient information in relation to highway safety, ecological impacts; and lack of financial contribution to education provision and open space provision.</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
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>
23/03700/FUL	<p>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</p> <p>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.</p>	<p>12 December 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03496/FUL	<p>Proposed new detached dwelling – Westlea Bed and Breakfast, 29 Riverside Road, 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>3 January 2024</p> <p>Committee 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</p>	<p>8 January 2024</p> <p>Delegated</p>

	<p>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>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</p>	<p>16 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	amenity space.	
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>
23/02140/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>
23/02839/FUL	<p>Proposed rural workers dwelling, consisting of retention and extension to dwelling located on site – land at east of La Luna Farm, Mill Lane, Heugh</p> <p>Main issues: inappropriate development in the Green Belt.</p>	<p>30 January 2024</p> <p>Committee Decision - Officer Recommendation: Approve</p>
23/03485/FUL	<p>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</p> <p>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.</p>	<p>5 February 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02619/FUL	<p>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</p> <p>Main issues: overdevelopment of the village with consequent impacts upon the tranquillity of the village and the Northumberland Coast National Landscape.</p>	<p>5 February 2024</p> <p>Committee Decision - Officer Recommendation: Approve</p>
23/03944/FUL	<p>Demolition of existing bungalow and construction of a new bungalow – Saugh House Farm, Belsay</p>	<p>6 February 2024</p> <p>Delegated</p>



	<p>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).</p>	<p>Decision - Officer Recommendation: Approve</p>
23/02284/FUL	<p>Extensions, alteration and subdivision of existing single dwellinghouse to create two dwellinghouses – Houghton Moor, Heddon-on-the-Wall</p> <p>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 Hadrian's Wall World Heritage Site; and insufficient information to demonstrate the proposals will not result in adverse impacts on highway safety.</p>	<p>6 February 2024  Delegated Decision - Officer Recommendation: Refuse</p>
23/03917/FUL	<p>Timber shed on front garden of the property (retrospective) - 7 Beech Court, Widdrington Station</p> <p>Main issues: obtrusive design and detrimental impact on the visual appearance of the area; and detrimental impact on the amenity of neighbouring residents.</p>	<p>7 February 2024  Delegated Decision - Officer Recommendation: Refuse</p>
23/03362/FUL	<p>Retention and change of use from agricultural workers chalet to holiday chalet – Hillfield, Allendale Road, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; and harmful visual impact on rural character and appearance of the site and surrounding landscape.</p>	<p>12 February 2024  Committee Decision - Officer Recommendation: Refuse</p>
23/02041/FUL	<p>(Retrospective) First floor extension over kitchen to create bathroom – 228 Plessey Road, Blyth</p> <p>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.</p>	<p>12 February 2024  Delegated Decision - Officer Recommendation: Refuse</p>
23/01863/FUL	<p>Construction of a two bedroom bungalow with associated parking and access – land south of The Shieling, Waynriggs Close,</p>	<p>12 February 2024  Delegated Decision - Officer</p>



	<p>Humshaugh</p> <p>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.</p>	<p>Recommendation: Refuse</p>
23/00583/FUL	<p>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, 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>	<p>14 February 2024</p> <p>Committee Decision - Officer Recommendation: Approve</p>
23/02325/FUL	<p>Erection of a single new self build holiday let including hardstanding and landscaping – land east of Wintrick Farm, Felton</p> <p>Main issues: unacceptable form of development in the open countryside.</p>	<p>20 February 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02845/FUL	<p>Demolition of existing redundant buildings and construction of four residential dwellings, gardens, access road, open space and other ancillary works – land north of 18-24 Acklington Village and former Acklington School, Acklington</p> <p>Main issues: harm to the setting of listed buildings; insufficient information on surface water drainage; and fails to incorporate coastal mitigation measures or financial contribution to such measures.</p>	<p>20 February 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/04295/FUL	<p>Removal of existing roof and attic floor area, rear conservatory, ground floor side and rear elevation extensions. Reconstruction of</p>	<p>23 February 2024</p> <p>Delegated</p>

	<p>single storey house to create two storey house with rear two storey rear and side extension, three dormer windows to rear elevation, and rear balcony at first floor level. Addition of central two storey extension with entrance porch at ground level and addition of five skylights to new roof area in front elevation. A small excavated area to the rear to improve vehicle access to the basement garage area – Cottingburn House, 40 Bullers Green, Morpeth</p> <p>Main issues: loss of outlook and amenity for neighbouring property.</p>	<p>Decision - Officer Recommendation: Refuse</p>
23/04096/FUL	<p>Construction of two bedroom detached eco-home (self-build) with free standing solar panels – Hartbank, Hartburn, Morpeth</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; unacceptable design; insufficient information to demonstrate the proposals are acceptable in respect of highway safety; harmful impact in respect of ecology and biodiversity; and harm to setting of listed building.</p>	<p>29 February 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/03790/AGTRES	<p>Notification of Prior Approval to convert an existing but now redundant agricultural building for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: change of use would be undesirable due to impacts upon ancient semi-natural woodland and nearby SSSI therefore proposal is not permitted development; and absence of suitable mitigation to address recreational disturbance to designated sites.</p>	<p>4 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/04157/FUL	<p>Extension of existing property including replacement of existing two storey extension to the side and rear with new pitched roof and part flat roofed two storey extension to the side and rear, including new solar panels to the south and roof lights to the east and west. Replacement of existing single storey flat roof extension to the front with new single storey pitched roof extension with roof light to the west. Replacement of existing windows and doors and formation of new window opening, reroofing, part rendering and general repairs to existing stonework. Replacement of existing garden shed with new garden shed and reconfiguration of existing internal garden wall, landscaping</p>	<p>6 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	<p>and resurfacing of driveway – 22 Cockshaw, Hexham</p> <p>Main issues: scale, design and materials would not be sympathetic to the character of the existing dwelling, street scene and Conservation Area; and harmful impact on the amenity of the neighbouring property due to overbearing impact and loss of light.</p>	
23/03761/FUL	<p>Proposed self build detached dwellinghouse – land south of Border View, Norham</p> <p>Main issues: design, siting and scale would be of poor quality and out of character with its surroundings; and insufficient information to ensure there would be acceptable pedestrian access and for refuse collection.</p>	<p>11 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02821/FUL	<p>Proposed garden room (retrospective) - 8 Broomhouse Steading, Chatton,</p> <p>Main issues: incongruous development out of scale and character with the property and that causes harm to the setting of the Grade II listed farmhouse and farm buildings.</p>	<p>19 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01317/FUL	<p>Proposed 4 bedroom bungalow – land north of 1 and 2 Front Street, Lyneburn Grange, Ellington</p> <p>Main issues: harm to heritage assets; and no contribution secured for the Coastal Mitigation Service.</p>	<p>20 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/04359/FUL	<p>Erection of 1 no. self-build dwellinghouse (C3 Use) - 2 Garden Cottage, Cresswell</p> <p>Main issues: poor design with harm to the non-designated heritage asset of Cresswell; insufficient information to fully assess the scale of development; and absence of completed planning obligation to secure a financial contribution to the Coastal Mitigation Service.</p>	<p>3 April 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/03804/VARYCO	<p>Variation of Condition 14 (Occupancy) pursuant to planning permission 12/01313/COU to amend the wording as follows:-</p> <p>'The occupation of the caravan pitches shall be restricted to genuine holiday makers. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times. Details of the alternative occupation of any caravan(s) that may be</p>	<p>11 April 2024</p> <p>Committee Decision - Officer Recommendation: Refuse</p>

	<p>required shall be submitted to and approved in writing by the Local Planning Authority, prior to their first occupation, and shall thereafter be occupied in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.'</p> <p>Morpeth Caravan Park, Longhirst, Morpeth</p> <p>Main issues: the proposal would allow unrestricted residential development within the open countryside and reduce the tourism provision within the locality.</p>	
23/01243/FUL	<p>Develop existing paddock area south of the existing holiday let, to form 4no. plots to contain 4no. two bedroomed lodges/cabins for holiday lets, including on site parking. Residential use for existing holiday let to allow management of the new holiday lets – Hadrians Garden Villa, Bardon Mill, Hexham</p> <p>Main issues: development in the open countryside and not in a sustainable location; insufficient justification for change of use of holiday cottage to permanent residential dwelling; harmful visual impact upon the rural character and appearance of the site and surrounding landscape; and insufficient information to demonstrate safe and adequate parking provision can be achieved.</p>	<p>17 April 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

## 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?
21/00080/ENDEVT	Installation of hardcore - land to north of Kiln Cottage, Newton-on-the-Moor	No

## 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
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
20/00679/ENDEVT	Erection of brick building – Horsley Banks Farm, Horsley	18 January 2024

## Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
22/00566/OUT	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  Main issues: residential development in the open countryside; fails to respect the rural,	Hearing – 5 March 2024  Delegated Decision - Officer Recommendation:

	<p>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>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</b> <b>(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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