



Northumberland County Council

Appeal Update Report

Date: March 2022

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?
20/03777/FUL	<p>Change of use to dwelling with single storey extension and internal/external alterations – The Water House, Redesmouth, Hexham</p> <p>Main issues: no completed Section 106 Agreement to secure planning obligation of financial contribution for sport and play provision.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03059/FUL	<p>Erection of garage – The Red House, Fairmoor, Morpeth</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03062/FUL	<p>Proposed alterations and rear extension to dwelling house (retrospective) - 23 Shoresdean, Berwick-upon-Tweed</p> <p>Main issues: poor quality flat roof design with detrimental impact on the property and the character of the environment.</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?
21/01660/FUL	<p>Proposed erection of perimeter fencing and gates – site of former The Bungalow, High Pit Road,</p>	No – claim

	<p>Cramlington</p> <p>Main issues: by virtue of siting, height and design the proposal constitutes an incongruous feature that fails to respect or enhance the character of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	refused
20/03231/OUT	<p>Erection of 4no. dwellinghouses (C3 use class) with all matters reserved – land north-west and south-east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/01918/FUL	<p>Demolition of modern agricultural sheds and development of six new residential dwellings, including gardens, car parking, and all ancillary works – Longbank Farm, Longhoughton</p> <p>Main issues: principle of housing in an isolated location in the open countryside is unacceptable; significant urbanising effects in the open countryside eroding the local landscape and not enhancing the Northumberland Coast AONB; insufficient information to assess off-site highway works; and no Section 106 Agreement completed to secure affordable housing.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/04343/LBC	<p>Listed building consent for metal railings to balcony – 8 Prospect Place, Alnmouth</p> <p>Main issues: less than substantial harm caused to the listed building.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/02282/LBC	<p>Listed building consent for replacement of all single glazed windows with double glazed units matching the current design – West House, Chillingham Castle, Chillingham</p> <p>Main issues: insufficient information to demonstrate that the proposed works are necessary or justified and the existing windows are beyond reasonable repair.</p>	No

	Delegated Decision - Officer Recommendation: Refuse	
21/01085/FUL	Single storey front extension – 2 The Limes, Morpeth Main issues: the proposals would result in an incongruous and overbearing addition with visual harm to the property and wider street scene. Delegated Decision - Officer Recommendation: Refuse	No
21/01697/FUL	Single-storey dual pitched extension to rear – 11 Quatre Bras, Hexham Main issues: the extension would not be in keeping with the traditional character of the building or the Hexham Conservation Area; and detrimental impact on residential amenity of neighbouring properties. Delegated Decision - Officer Recommendation: Refuse	No
20/00705/FUL	Proposal for the erection of a dwelling and garage with associated landscaping – Plot 28, Grange Road, Berwick Main issues: scale and visual impact would be detrimental to and out of character with the immediate surroundings. Delegated Decision - Officer Recommendation: Refuse	No
20/02536/FUL	Retrospective - Installation of hard standing, electricity and water points, alterations to access and other ancillary works - land west of North Farm Cottages, Embleton Main issues: incursion into the open countryside and would erode the rural character of the site and its surroundings. Delegated Decision - Officer Recommendation: Refuse	No
20/04369/REM	Reserved Matters application in accordance with condition 1, 2 and 5 - seeking approval of layout, scale, appearance and landscaping, including details of materials/finishes (residential development of up to 6 dwellings) pursuant to planning permission 13/00802/OUT - land north of High Fair, Wooler Main issues: layout, scale and massing would be out	No

	<p>of character with surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
21/00656/FUL	<p>Retrospective: replacement of all windows and doors – 67 Main Street, North Sunderland, Seahouses</p> <p>Main issues: proposal does not preserve or enhance the character and appearance of the Conservation Area and results in less than substantial harm with no public benefits.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/02916/FUL	<p>Addition of a balcony to the first floor east facing gable elevation accessed by new door – 1 Elfin Way, South Shore, Blyth</p> <p>Main issues: incongruous feature on the property that fails to respect or enhance the character of the area; and harm to amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/04348/FUL	<p>Former Veterinary Clinic Converted to 4 x Residential Apartments – 37-39 Croft Road, Blyth</p> <p>Main issues: harmful impact on residential amenity; fails to address highway safety matters in relation to parking provision; and lack of completed planning obligation in respect of a contribution to the Coastal Mitigation Service.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/00667/FUL	<p>Conversion of agricultural buildings into 4no. residential units – High Baulk Farm, Great Whittington</p> <p>Main issues: retention and alteration of modern hay barn as part of conversion works is unacceptable in principle; and harmful design that would not be in keeping with the curtilage listed buildings.</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
20/03861/VARYCO	<p>Variation of condition 2 (approved plans) pursuant to planning permission 20/00297/FUL in order to allow new wall to be moved closer to boundary wall to underpin and give support. Also French doors have 3/4 height windows on either side and single window in extension will be replaced using existing 2no. sash windows and mullions – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: extension would be out of scale and character with the existing property and would have a harmful impact on the character and appearance of the site and surrounding area; and detrimental impact upon the residential amenity of the neighbouring property.</p>	<p>26 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04660/FUL	<p>New external plant – Asda, Main Street, Tweedmouth</p> <p>Main issues: insufficient information in relation to noise and potential impacts on residential amenity.</p>	<p>19 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03542/FUL	<p>Change of use of land to site shepherd's hut for tourism accommodation – land east of Kingshaw Green, Tyne Green, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; inadequate flood risk assessment; and insufficient information regarding foul water treatment.</p>	<p>13 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01008/FUL	<p>Construction of 58no. dwellings with associated landscaping, access and</p>	<p>16 September 2021</p>

	<p>infrastructure works – land to north of Fairmoor Centre, Morpeth</p> <p>Main issues: unacceptable in principle as the site is allocated in the development plan for employment use and it is considered that the site should be retained for such purposes; outstanding technical matters also remain to be resolved regarding surface water drainage and highways matters; and Section 106 contributions in respect of education, primary healthcare and affordable housing have not been secured.</p>	<p>Appeal against non-determination</p>
21/01578/OUT	<p>Outline permission with all matters reserved - demolition of existing garage, stable block and tennis court and erection of 1 dwelling with associated driveway and landscaping (Self Build) - land west of Roecliffe, Ladycutter Lane, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; and encroachment into the countryside and would not respond to the character of the area.</p>	<p>19 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01600/FUL	<p>Development of 9no. affordable houses, including access road, gardens, car parking and other ancillary works - land north of B6350, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; development in an unsustainable location in the open countryside; results in encroachment into the countryside, loss of mature trees and visually intrusive and harmful impact on rural and open character of the site and setting of Corbridge; and loss of Grade 2 agricultural land.</p>	<p>27 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03224/FUL	<p>Change of use of private dwelling into 4no. holiday lets and separate holiday home to rent and erection of 4no. holiday homes to rent with associated car parking – Bayview, Beachway, Blyth</p> <p>Main issues: inadequate off-road car parking provision and resultant off-site impacts; increased noise and light pollution to the shoreline of the Northumberland Shore SSSI and harmful to bird species in that area; inadequate provision to mitigate the impact of increased recreational disturbance to designated sites of ecological importance; insufficient information to demonstrate that the proposals are acceptable in terms of</p>	<p>27 October 2021</p> <p>Appeal against non-determination</p>

	coastal erosion vulnerability and surface water drainage; and insufficient information to demonstrate the proposals are acceptable in terms of impacts on the World War II pill box and setting of Blyth Battery.	
21/02878/FUL	Change of use of land for siting of shepherd's huts and associated development – land north of White House Farm, Slaley Main issues: inappropriate development in the Green Belt.	4 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/00465/FUL	Resubmission: alterations to existing window opening on front elevation and installation of replacement balcony – Riverview, Shepherds Hill, Alnmouth Main issues: unacceptable impact on amenity of neighbouring properties; and detrimental impact on the AONB.	1 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/02734/FUL	Demolish garage and erect two storey side extension and single storey flat roof rear extension – 23 The Beeches, Ponteland Main issues: disproportionate addition to the property resulting in negative impact to the character of the area and inappropriate design.	7 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01136/FUL	Construction of 1no detached dwelling (as amended) - land south of Embleton Hall and behind Front Street, Longframlington 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.	13 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01882/FUL	Change of use of agricultural buildings to residential use and incorporation into existing dwelling; creation of one new dwelling - Stublic Hill, Langley-on-Tyne, Hexham Main issues: the site is located in open countryside, the building is of no historic merit and the conversion proposes a large extension; inappropriate design resulting in harm to the building and the North Pennines AONB; and no contribution to sports and play provision has been provided.	4 January 2022 Delegated Decision - Officer Recommendation: Refuse
20/02979/DISCON	Discharge of conditions: 3 (materials - chimney), 4 (schedule of plaster work), 5 (installation services) and 6 roof/rainwater	19 January 2022 Delegated Decision - Officer

	<p>goods) pursuant to planning approval 17/02196/LBC - Felton Park Lodge, Felton Park, Felton</p> <p>Main issues: lack of information provided to approve and discharge the conditions.</p>	<p>Recommendation: Refuse</p>
21/01840/FUL	<p>Replacement of timber cladding with new natural cedar boarding. Change of balustrade to glazed and patio size as built. (retrospective) - The Signal Box, Farley Cottage, Ellingham</p> <p>Main issues: design would have a harmful effect on the character and appearance of the existing property and surrounding area.</p>	<p>21 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
21/02984/FUL	<p>Erection of 4 bedroom dormer bungalow - land south of The Old Farmhouse, Ulgham</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; fails to demonstrate that safe ingress and access can be achieved from the proposed access; and no completed legal agreement to secure a contribution to the coastal mitigation service.</p>	<p>24 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03160/LBC	<p>Listed Building Consent: Replace 3 existing sash windows and associated secondary glazing at front of property in original style with grade 1 Redwood sashes and duplicating original pattern. The work will include slim line double glazed units – The Manor House, 55 Northumberland Street, Alnmouth</p> <p>Main issues: less than substantial harm caused to the listed building and Conservation Area and no public benefits identified.</p>	<p>25 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02824/FUL	<p>Retrospective: Installation of raised decking to part of side garden – 7 East Burton Cottage, Bamburgh</p> <p>Main issues: detrimental impact on residential amenity.</p>	<p>2 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03892/FUL	<p>Demolition of outbuilding and rear bay window. Proposed rear single storey extension with roof terrace – 8 Woodlands, Warkworth</p> <p>Main issues: unacceptable impact on residential amenity.</p>	<p>3 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03042/FUL	<p>Change of use from landscape contractors yard to residential, removal of existing</p>	<p>14 February 2022</p>

	<p>buildings and erection of one no. dwellinghouse (C3 use) - Warkworth Landscaping Services, land north of Old Helsay, Warkworth</p> <p>Main issues: development in the open countryside; fails to support the conservation and enhancement of the countryside; fails to protect and enhance landscape character; and no suitable mitigation secured to address recreational disturbance to designated sites.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</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?
18/00223/ENDEVT	<p>Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB</p> <p>Main issues: material change of use of the land from agricultural for the siting of 4 caravans</p> <p>N.B. The Inspector directed that the enforcement notice be amended by: a) the deletion of all the text in the allegation and the substitution of it by the following text: 'Without planning permission; the material change of use of the land from agricultural to the stationing of caravans for storage purposes, as shown in the approximate position and outlined in blue on the plan attached to the enforcement notice.' b) the deletion of all the text from requirement (i) and the substitution of it by the following text: 'Cease the use of the land for storage purposes and remove all the caravans from the land.'</p>	No

18/00223/ENDEVT	<p>Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB</p> <p>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</p> <p>N.B. The Inspector directed that the enforcement notice be amended by the deletion of the text '(i) Remove the caravan (outlined in black on the plan attached to the enforcement notice) from the land' and the substitution of it by the text '(i) Cease the use of the land for residential purposes and remove the caravan (outlined in black on the plan attached to the enforcement notice) from the land'.</p>	No
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Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
None		

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
20/01932/FUL	<p>Construction of single dwelling with annex and ancillary accommodation, c.6.5 metre high wind turbine, associated landscaping and highway works (amended description) - land south of Church Lane, Riding Mill</p> <p>Main issues: isolated dwelling in the open countryside; inappropriate development in the Green Belt; insufficient information to fully assess ecological impacts; harmful impacts on the character of the site, wider area and countryside; lack of completed Section 106</p>	<p>Hearing date: 18 January 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>

	<p>Agreement to secure planning obligations for contributions to sport and play provision; and insufficient information to assess noise from wind turbine and impacts in residents and local area.</p>	
21/01584/FUL	<p>Demolition of agricultural buildings. Replace and build on footprint 4 workers cottages and install solar panels – South Dissington Farm, Eachwick</p> <p>Main issues: development in the open countryside and no demonstrated need for new rural worker’s dwellings; and inappropriate development in the Green Belt with no very special circumstances demonstrated.</p>	<p>Hearing date: 22 February 2022 (virtual hearing)</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
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: the proposal would appear as an incongruous and over-dominant addition to the street scene, would not be sympathetic to the built environment or local character, and would fail to add to the overall quality of the area and undermine community cohesion.</p>	<p>Hearing date: to be confirmed.</p> <p>Committee Decision - Officer Recommendation: Approve</p>

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?) <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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