

**TITLE OF REPORT:** Planning Appeals

**REPORT OF:** Anneliese Hutchinson, Service Director, Climate Change,  
Compliance, Planning and Transport

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### **Purpose of the Report**

1. To advise the Committee of new appeals received and to report the decisions of the Secretary of State received during the report period.

### **New Appeals**

2. There have been **one** new appeal lodged since the last committee:

DC/21/01150/HHA - 29 Hartside Crescent, Winlaton, Blaydon  
Two storey side extension.  
This was a delegated decision – non-determination

### **Appeal Decisions**

3. There have been **one** new appeal decision received since the last Committee:

DC/20/00752/FUL - York Road Fish Shop, 28 York Road, Birtley  
Erection of a single storey extension to the existing hot food unit and the formation of new vehicle access to the South of the site (amended description and plans received 16.09.2020).  
This was a delegated decision refused on 6 October 2021  
Appeal dismissed 16 May 2022

### **Appeal Costs**

4. There have been **no** appeal cost decisions.

### **Outstanding Appeals**

5. Details of outstanding appeals can be found in **Appendix 3**.

### **Recommendation**

6. It is recommended that the Committee note the report

**Contact: Emma Lucas Ext: 3747**

**FINANCIAL IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Nil

**HUMAN RESOURCES IMPLICATIONS**

Nil

**EQUALITY AND DIVERSITY IMPLICATIONS**

Nil

**CRIME AND DISORDER IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**HUMAN RIGHTS IMPLICATIONS**

The subject matter of the report touches upon two human rights issues:

The right of an individual to a fair trial; and  
The right to peaceful enjoyment of property

As far as the first issue is concerned the planning appeal regime is outside of the Council's control being administered by the First Secretary of State. The Committee will have addressed the second issue as part of the development control process.

**WARD IMPLICATIONS**

Various wards have decisions affecting them in Appendix 2.

**BACKGROUND INFORMATION**

Start letters and decision letters from the Planning Inspectorate



## APPENDIX 3

## OUTSTANDING APPEALS

Planning Application No	Appeal Site (Ward)	Subject	Appeal Type	Appeal Status
DC/20/00093/COU	Blaydon Butchers 15 Clavering Road Blaydon NE21 5HH	Change of use from cafe (Use Class A3) to a mixed use of cafe and hot food takeaway (mixed uses A3/A5)	Written	Appeal in Progress
<b>DC/20/00752/FUL</b>	<b>York Road Fish Shop 28 York Road Birtley DH3 2BD</b>	<b>Erection of a single storey extension to the existing hot food unit and the formation of new vehicle access to the South of the site (amended description and plans received 16.09.2020).</b>	<b>Written</b>	<b>Appeal Dismissed</b>
DC/21/00510/FUL	West Byermoor Farm Fellside Road Whickham NE16 6BE	New vehicular access including access road to farm.	Written	Appeal in Progress
DC/21/00525/CPL	Hillcrest Stannerford Road Ryton	CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OR DEVELOPMENT: Erection of two single-storey buildings within curtilage of existing dwelling to be used as games room and garden store.	Written	Appeal in progress
DC/21/00559/FUL	25 Cornmoor Road Newcastle upon Tyne	Erection of dwellinghouse with detached double garage in rear garden of existing dwellinghouse.	Written	Appeal in progress
DC/21/00879/FUL	Site West Of Worley Avenue / South Of Earls Drive Earls Drive (Opposite	Erection of two dwellinghouses (Use Class C3) with associated accesses, with surrounding gardens, and curtilage areas across remaining parts of site with felling of 5	Written	Appeal in progress

	Numbers 42-62) Low Fell	trees (description amended 05/01/22, amended plans received 05/01/22 and additional information received 06/01/22 and 12/01/2022).		
DC/21/00916/FUL	Jack And Jo's Nursery Garden Middle Hedgefield Farm Stella Road Ryton	Erection of timber building to provide cafe with associated raised deck and creation of additional parking (retrospective) (revised description 30.11.2021) (amended plans 21.02.2022)	Written	Appeal in Progress
<b>DC/21/01150/HHA</b>	<b>29 Hartside Crescent Winlaton Blaydon</b>	<b>Two storey side extension.</b>	<b>Written</b>	<b>Appeal in Progress</b>
DC/21/01173/HHA	47 Cedar Crescent Low Fell	Proposed flat roof rear dormer and 2 rooflights to front elevation	Written	Appeal in progress
DC/21/01363/ADV	Saji's Restaurant 569 Sunderland Road Gateshead NE10 0AR	Installation of new digital poster advertisement to side elevation of building (Description amended)	Written	Appeal in Progress