

TITLE OF REPORT: Planning Appeals

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

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 has been **one** new appeal lodged since the last committee:

DC/21/00897/HHA – Gavna, Westfield Lane, Ryton NE40 3QE
Erection of 1.5 storey detached garage with office/gym in roof space (amended 21.03.22).

This was a delegated decision refused on 20 May 2022

Appeal Decisions

3. There have been **four** new appeal decisions received since the last Committee:

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)

This was a delegated decision refused on 20/03/20

Appeal dismissed 26 February 2021

DC/21/00510/FUL - West Byermoor Farm ,Fellside Road, Whickham NE16 6BE
New vehicular access including access road to farm.

This was a delegated decision refused on 17 November 2021

Appeal dismissed 30 June 2022

DC/21/00525/CPL – Hillcrest, Stannerford Road, Ryton NE40 3SN

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.

This was a delegated decision refused on 5 August 2021

Appeal dismissed 7 March 2022

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)

This was a delegated decision refused on 21 February 2022

Appeal dismissed 11 July 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 3.

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 dismissed
DC/21/00510/FUL	West Byermoor Farm Fellside Road Whickham NE16 6BE	New vehicular access including access road to farm.	Written	Appeal dismissed
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 dismissed
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 Numbers 42-62) Low Fell	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 trees (description amended 05/01/22, amended plans received 05/01/22 and additional information received 06/01/22 and 12/01/2022).	Written	Appeal in progress

DC/21/00897/HHA	Gavna Westfield Lane Ryton Central Ryton NE40 3QE	Erection of 1.5 storey detached garage with office/gym in roof space (amended 21.03.22).	Written	Appeal in progress
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
DC/21/01150/HHA	29 Hartside Crescent Winlaton Blaydon	Two storey side extension.	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 dismissed