

**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 **three** new appeals lodged since the last committee:

DC/22/01226/FUL - Land To The Rear Of 2 Ashfield Road, Newcastle Upon Tyne NE16 4PL

Erection of Dutch Bungalow on land to the rear of 2 Ashfield Road with access from Whaggs Lane.

This was a delegated decision refused on 27 April 2023

DC/23/00157/FUL – Site West Of Worley Avenue / South Of Earls Drive, Earls Drive (Opposite Numbers 50-60), Low Fell, Gateshead NE9 6AA

Use as residential amenity and garden land with construction of a driveway and a single residential outbuilding / garage for the storage of vehicles and residential paraphernalia, with the felling of 8 trees, the replacement planting of 8 trees and new boundary hedgerow.

This was a committee decision refused on 19 May 2023

DC/23/00331/HHA - 12 Long Bank, Gateshead NE9 7HE

Retrospective planning permission to Remove and replace rear garden boundary 15-metre-long, 1.5-metre-high timber fence with an incorporated double gate and posts with a 15-metre-long timber fence, at 1.8 metre high, with an incorporated single gate and posts.

This is an appeal against non-determination

### **Appeal Decisions**

3. There have been **no** new appeal decisions received since the last Committee.

### **Appeal Costs**

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

### **Outstanding Appeals**

5. Details of outstanding appeals can be found in **Appendix 2**.

### **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 2

## OUTSTANDING APPEALS

Planning Application No	Appeal Site (Ward)	Subject	Appeal Type	Appeal Status
DC/22/00635/CPE	Allotment Gardens West Of Pelaw Youth Centre Shields Road Felling Gateshead NE10 0YH	CERTIFICATE OF LAWFULNESS FOR EXISTING USE OR DEVELOPMENT: Use of land as private general amenity space (Sui Generis). (Additional information received on 15/07/2022 and 10/08/2022)	Written	Appeal in Progress
DC/22/00900/FUL	The Cottage 18 Talbot Terrace Birtley Central Birtley Gateshead DH3 2PQ	Erection of canopy over front entrance and glass balustrade around front boundary to create seating/waiting area, including alterations to stepped frontage (part retrospective).	Written	Appeal in Progress
DC/22/01226/FUL	<b>Land To The Rear Of 2 Ashfield Road Newcastle Upon Tyne NE16 4PL</b>	<b>Erection of Dutch Bungalow on land to the rear of 2 Ashfield Road with access from Whaggs Lane.</b>	<b>Written</b>	<b>Appeal in Progress</b>
DC/22/01392/CDPA	The Glasses Factory, 32 Wesley Court, Blaydon, NE21 5BT	DETERMINATION OF PRIOR APPROVAL: Conversion of first floor commercial unit to create 4 flats - mix of 1 and 2 bed.	Written	Appeal in Progress
DC/23/00148/ODPA	Shoefayre Ltd 4 Wesley Court Blaydon NE21 5BT	DETERMINATION OF PRIOR APPROVAL: Conversion of vacant first floor Class E premises to C3 residential (2no. 1 bedroom flats).	Written	Appeal in Progress

<b>DC/23/00157/FUL</b>	<b>Site West Of Worley Avenue / South Of Earls Drive Earls Drive (Opposite Numbers 50- 60) Low Fell Gateshead Borough NE9 6AA</b>	<b>Use as residential amenity and garden land with construction of a driveway and a single residential outbuilding / garage for the storage of vehicles and residential paraphernalia, with the felling of 8 trees, the replacement planting of 8 trees and new boundary hedgerow.</b>	<b>Written</b>	<b>Appeal in Progress</b>
DC/23/00211/ADV	Land Adjacent Blaydon Railway Staff Social Club, Tyne Street, Blaydon, NE21 4JB	Display of 1No freestanding 48-sheet LED advertisement display	Written	Appeal in Progress
<b>DC/23/00331/HHA</b>	<b>12 Long Bank Gateshead NE9 7HE</b>	<b>Retrospective planning permission to Remove and replace rear garden boundary 15-metre-long, 1.5-metre-high timber fence with an incorporated double gate and posts with a 15- metre-long timber fence, at 1.8 metre high, with an incorporated single gate and posts.</b>	<b>Written</b>	<b>Appeal in Progress</b>