

**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 have been **two** new appeals lodged since the last committee:

DC/23/00684/ADV - Land At Askew Road, Gateshead NE8 2TD  
Proposed installation of freestanding, illuminated 48-sheet digital display screen.  
This was a delegated decision refused on 27 September 2023.

DC/23/00687/HHA73 - 21 Church Rise, Newcastle Upon Tyne NE16 4BU  
Proposed extension and new roof to existing outbuilding and conversion to home office/ temporary accommodation. Replace existing shed roof with a new timber roof with a rubber roof membrane.  
This was a delegated decision refused on 6 October 2023.

### **Appeal Decisions**

3. There have been **four** new appeal decisions received 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  
Appeal allowed 18 October 2023

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.  
This was a delegated decision refused on 14 April 2023  
Appeal dismissed 12 October 2023

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).  
This was a delegated decision refused on 14 April 2023

Appeal dismissed 12 October 2023

DC/23/00149/ODPA - Hutchinsons Fruit And Veg Shop, 13 - 14 Wesley Court,  
Blaydon, NE21 5BT

DETERMINATION OF PRIOR APPROVAL: Conversion of vacant first floor Class E  
premises to C3 residential (3no. 1 bedroom flats).

This was a delegated decision refused on 14 April 2023

Appeal dismissed 12 October 2023

### **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**

**APPENDIX 1****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**

## APPENDIX 3

## OUTSTANDING APPEALS

<b>Planning Application No</b>	<b>Appeal Site (Ward)</b>	<b>Subject</b>	<b>Appeal Type</b>	<b>Appeal Status</b>
DC/22/01187/FUL	Jack And Jo's Nursery Garden Middle Hedgefield Farm Stella Road Ryton Gateshead NE21 4NN	Retention of timber café building (retrospective) incorporating external alterations to building and removal of canopy to west elevation, raised deck to front (north) elevation and smoking shelter to east elevation. Alterations to car parking, erection of gate to control use of eastern access and new landscaping (resubmission of DC/21/00916/FUL) (additional information submitted 15.05.2023 and 16.05.2023).	Written	Appeal in Progress
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.	Written	Appeal allowed
DC/22/01392/CDPA	The Glasses Factory, 32 Wesley Court, Blaydon, NE21 5BT	<b>DETERMINATION OF PRIOR APPROVAL:</b> Conversion of first floor commercial unit to create 4 flats - mix of 1 and 2 bed.	Written	Appeal dismissed

DC/22/01393/FUL	Jack And Jo's Nursery Garden Middle Hedgefield Farm Stella Road Ryton NE21 4NN	Provision of car park to north west of site (retrospective application).	Written	Appeal in Progress
DC/23/00116/ADV	Land At Durham Road Chester Le Street DH3 2QX	Display of 2no freestanding internally illuminated digital advertisements (additional information received 04.04.2023).	Written	Appeal in Progress
<b>DC/23/00148/ODPA</b>	<b>Shoefayre Ltd 4 Wesley Court Blaydon NE21 5BT</b>	<b>DETERMINATION OF PRIOR APPROVAL: Conversion of vacant first floor Class E premises to C3 residential (2no. 1 bedroom flats).</b>	<b>Written</b>	<b>Appeal dismissed</b>
<b>DC/23/00149/ODPA</b>	<b>Hutchinsons Fruit And Veg Shop 13 - 14 Wesley Court Blaydon NE21 5BT</b>	<b>DETERMINATION OF PRIOR APPROVAL: Conversion of vacant first floor Class E premises to C3 residential (3no. 1 bedroom flats).</b>	<b>Written</b>	<b>Appeal dismissed</b>
<b>DC/23/00684/ADV</b>	<b>Land At Askew Road Gateshead NE8 2TD</b>	<b>Proposed installation of freestanding, illuminated 48-sheet digital display screen.</b>	<b>Written</b>	<b>Appeal in Progress</b>
<b>DC/23/00687/HHA73</b>	<b>21 Church Rise Newcastle Upon Tyne NE16 4BU</b>	<b>Proposed extension and new roof to existing outbuilding and conversion to home office/ temporary accommodation. Replace existing shed roof with a new timber roof with a rubber roof membrane.</b>	<b>Written</b>	<b>Appeal in Progress</b>