

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 **two** new appeal lodged since the last committee:

DC/22/00072/FUL - Orchard House Saltwell Road South Gateshead NE9 6DT - Erection of a two storey, self-contained ancillary dwelling within the grounds of Orchard House (additional information received).

This was a delegated decision on 02.08.2023

DC/23/00742/COU - Land Adjacent To 6 Hopedene Leam Lane Estate Felling Gateshead NE10 8JB.

Change of use from open space to private garden space enclosed by fence (up to 1.9m high) (resubmission).

This was a delegated decision 24.11.2023

Appeal Decisions

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

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 on 06.10.2023

Appeal Allowed on - 08.02.2024

DC/23/00329/TDPA - Grass Verge At Junction Of Deckham Terrace And Split Crow Road DETERMINATION OF PRIOR APPROVAL: Installation of 1No 20m slim-line monopole supporting 6No antennas, 2No transmission dishes, 2No equipment cabinets, and ancillary development thereto including 3No Remote Radio Units (RRUs) and 1No GPS module.

This was a delegated decision on 06.06.2023

Appeal Dismissed on 05.02.2024

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 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/22/00072/FUL	Land Adjacent To 6 Hopedene Leam Lane Estate Felling Gateshead NE10 8JB	Erection of a two storey, self-contained ancillary dwelling within the grounds of Orchard House (additional information received).	Written	Appeal in Progress
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/22/01393/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/23/00093/HHA	Anndale Stannerford Road Ryton NE40 3SN	Proposed single storey front and side extension, proposed extension to rear with rooms in the roof with inset balcony and flat roof dormer to front with associated works (As amended by plans received 17/04/23)	Written	Appeal in Progress

DC/23/00132/CPE	Former Site Of 21 Mill Road Gateshead Quays Gateshead	CERTIFICATE OF LAWFULNESS FOR EXISTING DEVELOPMENT: Lawful commencement of development pursuant to planning permission reference DC/19/00785/FUL.	Written	Appeal in Progress
DC/23/00329/TDPA	Grass Verge At Junction Of Deckham Terrace And Split Crow Road Gateshead	DETERMINATION OF PRIOR APPROVAL: Installation of 1No 20m slim-line monopole supporting 6No antennas, 2No transmission dishes, 2No equipment cabinets, and ancillary development thereto including 3No Remote Radio Units (RRUs) and 1No GPS module	Written	Appeal Dismissed
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.	Written	Appeal Allowed
DC/23/00711/FUL	Bowes Manor Equestrian Centre North Side Birtley	Weather protection on part of an equestrian outdoor recreation facility (resubmission).	Written	Appeal in Progress
DC/23/00742/COU	Land Adjacent To 6 Hopedene Leam Lane Estate Felling Gateshead NE10 8JB.	Change of use from open space to private garden space enclosed by fence (up to 1.9m high) (resubmission).	Written	Appeal in Progress