
Appeal Decision

Site visit made on 19 January 2026

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 March 2026

Appeal Ref: APP/P2935/W/25/3374719

Needles Eye Cafe, Beach Terrace, Newbiggin-by-the-Sea, Northumberland NE64 6XE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Wayne Rigg against the decision of Northumberland County Council.
 - The application Ref is 25/02017/FUL.
 - The development proposed is temporary lean-to glazed shelter for 5 months of the year (October-February).
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Wayne Rigg against Northumberland County Council. This is the subject of a separate Decision.

Preliminary Matters

3. The third reason for refusal concerns the safety of the development with regard to coastal change. However, the Council has provided updated representations from its Coast Protection Authority (CPA). These address the submission of a Coastal Change Vulnerability Assessment¹ by the appellant at application stage, which the Council advise it had insufficient time to assess prior to the statutory target date.
4. The CPA has confirmed that it no longer objects to the proposal. In view of this, the Council is satisfied that the third reason for refusal no longer applies and should fall away. There is no compelling reason before me to conclude otherwise and so this matter does not constitute a main issue in the appeal.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the appeal site and surrounding area.

Reasons

6. The appeal site comprises a single storey commercial building and surrounding land located at the southern end of the promenade in Newbiggin-by-the-Sea. The building is a long and narrow structure, with a flat roof and timber cladding. It contains a café with a raised external terrace to the front, behind a modest wall and rope fence. The land rises steeply behind the building up to street level.

¹ KPAL Report No: 070725, Coastal Change Vulnerability Assessment, 25 July 2025

7. At the top of the bank, Beach Terrace comprises long rows of terrace dwellings overlooking the sea and providing a largely continuous built frontage. This continues along the coast, with both traditional and contemporary buildings in various arrangements extending towards the more urbanised centre to the north. In contrast, the area at the bottom of the bank where the southern part of the promenade transitions into beach is a more natural environment. There is less development at this level, with the immediate setting of the appeal site primarily characterised by the expansive sandy beach, grassy slopes and rocky shoreline.
8. Though there are elements of infrastructure along this stretch, including the paved promenade, concrete steps, metal railings, lighting columns and street furniture, the prevailing character and appearance of this area remains open and largely undeveloped. The appeal building itself remains deferential to its surroundings. It is modest in height, sited back from the edge of the promenade, nestled into the slope. Its narrow and elongated form reflects the linear nature of the promenade, while the building's natural wood façade is sympathetic to its landscape setting.
9. The proposed shelter would be visible from numerous public vantage points across the bay due to its raised position on the promenade and the openness of the area. While it would not be in place throughout the entire year, it would be installed for almost half of it. It would substantially enclose most of the open terrace, extending the building up to the edge of the site, significantly increasing its depth and reducing the sense of space along this stretch of promenade. The expansive glazing and metal supports would be less sympathetic to the natural setting. Combined with the temporary "lean-to" design it would be a somewhat ad hoc addition to the original building that would be incongruous in this context.
10. I recognise that the appellant engaged in pre-application discussions with the Council prior to submission of the application. In its response, the Council raised concerns regarding the effect of the proposal on local character and distinctiveness, and amendments were made to the proposal prior to submission. Nevertheless, the scheme before me has not adequately resolved this issue, and so this does not therefore lead me to a different conclusion.
11. The appellant suggests that a temporary permission could be granted for a 5-year period. The Planning Practice Guidance indicates that temporary permission may be appropriate in some circumstances². In this case however, a trial run is not needed to assess the effect of the development on the character and appearance of the area, and it is not expected that the planning circumstances will change or that any longer-term proposals are to come forward. No other compelling justification for the grant of a temporary permission has been provided.
12. The proposal would thus have a harmful effect on the character and appearance of the appeal site and surrounding area. It would be contrary to Policies QOP1 and QOP2 of the Northumberland Local Plan 2016 – 2036 adopted March 2022 and Policy N1 of the Newbiggin by the Sea Neighbourhood Plan 2023 – 2036 Made Version December 2023. These policies, among other provisions, seek to ensure that all development is of a high quality design that respects and responds to the character of the area, and makes a positive contribution to local distinctiveness and the relationship between built and natural features.

² Paragraph: 014 Reference ID: 21a-014-20140306

Other Matters

13. The appeal site's position on the promenade puts it in close proximity to the Northumbria Coast Special Protection Area (SPA) and Ramsar site, and the Northumberland Shore Site of Special Scientific Interest (SSSI). The Council's second reason for refusal concerned the effect of the development on the interest features of the SPA, Ramsar and SSSI through increased disturbance.
14. The Conservation of Habitats and Species Regulations 2017 (as amended) require that, where a project is likely to have a significant effect on a European habitat site (either alone or in combination with other plans or projects), the competent authority must make an appropriate assessment of the project's implications in view of the relevant site's conservation objectives.
15. Notwithstanding this, Regulation 63(1) indicates that an Appropriate Assessment is only necessary where the competent authority is minded to grant consent for the proposal. As I am dismissing the appeal on other grounds, and as this would at best be a neutral factor, it is not necessary for me to consider this matter further.
16. The proposal would provide shelter for customers over the external seating area during bad weather for part of the year. It may result in an increase in customers during the period it is installed and help sustain employment at the site and in the supply chain through winter months. Additional activity may also improve passive surveillance in this area. The evidence supporting the need for the additional covered space, the financial implications for the business or the economic benefit to the area is however limited. Overall, it has not been demonstrated that these benefits would outweigh the identified harm and development plan conflict.
17. My attention has been drawn to an approved³ development in Beadnell which the appellant considers comparable to the appeal scheme. Full details of that case and the circumstances that led to the decision are not before me. Nevertheless, it is evidently in a different part of Northumberland, within an appreciably different natural and urban context. This does not demonstrate the appeal proposal is acceptable in this case or lead me to a different conclusion on the main issue.
18. Though there is clearly a degree of support locally for the appeal scheme, this does not in itself demonstrate that the proposal is acceptable with regard to this main issue nor does it outweigh the identified conflict with the development plan.
19. While it may comply with other relevant parts of the development plan or national policy and guidance, the absence of harm or development plan conflict with respect to other relevant matters weighs neither for nor against the proposal.

Conclusion

20. The proposed development would conflict with the development plan, taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR

³ Council Ref 24/03861/FUL