

Appeal Decision

Site visit made on 5 April 2016

by Roy Merrett BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 May 2016

Appeal Ref: APP/P2935/W/16/3141615

Land abutting 36 Dunlin Drive, Blyth, Northumberland

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Kelly Boot against the decision of Northumberland County Council.
 - The application Ref 15/02061/FUL, dated 18 June 2015, was refused by notice dated 7 August 2015.
 - The development proposed is change of use from current open space to private garden use.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted plans detailing amendments to the proposed development made since the Council's decision. The amendments would be a departure from the original scheme and have not been subject to consultation. Given the lack of opportunity for comment on the revised drawings I have determined the appeal on the basis of the plans originally submitted with the application.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is part of a residential estate characterised by dwellings fronting and siding onto pockets of grassed amenity open space with public footpaths running through.
 5. The site itself, which includes a mature tree, separates the side of 36 Dunlin Drive from the footpath running along the northern boundary of the adjacent school. It is a pleasant open space which contrasts with the hard and imposing edge of the school security fence immediately adjoining the opposite side of the footpath. The appeal site therefore provides some visual relief which benefits users of the footpath. It also adds a sense of spaciousness around the turn in the street.
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6. The proposal would enclose the site and introduce a hard edge and increased sense of enclosure to the footpath which would be harmful to its enjoyment. The development would therefore harm the character and appearance of the area and would conflict with Policy DC1 of the Blyth Valley Development Control Policies Development Plan Document 2007 and the National Planning Policy Framework insofar as they seek to promote high quality design.
7. The appellant has referred to similar applications being granted elsewhere, however I have not been provided with further details of these cases. In any event this would not justify the harm I have identified in this case which I must consider on its own merits.
8. Reference has also been made to the lack of objection from neighbours. However I note that there is opposition to the proposal and even if there were no objections from residents I have a statutory duty to consider the impact of the development.

Conclusion

9. For the above reasons and having regard to all other matters raised the appeal should be dismissed.

Roy Merrett

INSPECTOR