



Appeal Decision

Site visit made on 26 October 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd November 2021

Appeal Ref: APP/P2935/W/21/3280894

Black Bull Inn, Main Road, Wylam NE41 8AB

- 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 Paul Bowes against the decision of Northumberland County Council.
 - The application Ref 21/00128/FUL, dated 10 February 2021, was refused by notice dated 19 May 2021.
 - The development proposed is Change of use from; Ground floor Public House and 7 Guest Bedrooms at first floor. Proposed use; A ground floor self contained 2 Bedroom apartment, 2No. 2 bedroom Guest/Holiday lets
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Decision

1. The appeal is dismissed.

Procedural and Preliminary Matters

2. The Council confirmed in their Statement of Case that the emerging Northumberland Local Plan is progressing towards adoption. The extant Tynedale development plan remains relevant to this appeal and is afforded full weight.
3. The description of the proposal has been amended by the Council and there is contention between the parties with regards to this. However, the appellant confirms that they sought a change of use of the ground floor only. Without evidence from the Council on the contrary, I have proceeded on this basis.
4. The proposal was refused for the lack of a signed unilateral undertaking (UU) to secure a financial contribution towards off-site sport and play facilities. The appellant has since provided a commitment to do so, and the Council have raised no objections towards the UU. I have no reason to doubt this to be a necessary financial contribution. Therefore, it negates the second reason for refusal.

Main Issue

5. The main issue is whether or not the proposal would lead to a highway safety concern.

Reasons

6. The site is located within Wylam village with shops and amenities that serves the local community. It was obvious from my inspection that there is some off-

street parking available although this is limited. Vehicles where indiscriminately parked on double yellow lines or on wide pavements. Therefore, I too have concerns that the local area suffers from on-street parking stress.

7. The public house currently functions as such on the ground floor. Externally there are two garage doors. One garage door provides access to a bottle store and adjacent to this is a vehicular garage with parking for two vehicles, one in front of the other. The Council have submitted evidence stating that these were approved as part of a previous permission at the site. There is nothing before me to contradict this evidence.
8. The plans submitted by the appellant indicates that a kitchen area now functions to the rear of part of the garage space. Irrespective of this, the previously approved dedicated parking would be displaced as a consequence of the proposal. It has not been taken into account as part of the appellant's parking assessment.
9. The lay-by is occupied by commercial refuse bins and moveable timber tables associated with the public house. There is nothing before me to substantiate their claim that the lay-by space is indeed reserved for the use of the public house in this current capacity. Rather, the Council have confirmed this to not be the case. There is nothing before me to indicate that the lay-by space is not currently available for parking. In addition, the internal store was not originally dedicated to off-street parking
10. Vehicular trips may be positively less if a change of use to residential were to occur. However, there is no comparison evidence presented by the appellant to substantiate their claim that the proposal would result in a lower demand for parking within the local area. Even if the site has good access to local bus services and local amenities, and it would provide dedicated parking for two cars to support the proposal, the area suffers from on-street parking problems, to which this scheme would further exacerbate.
11. I accept as a benefit of the proposal, general deliveries and collections associated with the public house would be dispensed with. The refuse bins that are externally located may be accommodated inside, and cycle parking would be provided for the wider purpose of the building. Housing numbers within the local area would rise. However, overall, these small benefits would not lead me to reach a different conclusion on the matter. Even if there may be low vehicle speeds through Wylam and accident levels may be low, the proposed change of use of the ground floor would add to parking stress and lead to detrimental harm to highway safety.
12. Therefore, to conclude, the proposed development would exacerbate parking levels in the local area leading to an adverse effect on highway safety, conflicting with Policies GD4 and GD6 of the Tynedale District Local Plan in their combined highway safety aims. In addition, the proposal would conflict with the National Planning Policy Framework in its objectives to secure highway safety. However, I find no relevance to the proposal and Policy GD4 of the Tynedale Core Strategy 2007 as this has no direct relationship between the proposal and highway safety.

Other Matters

13. Support generated to the proposal is noted. There is no compelling evidence presented regarding noise and disturbance and anti-social behaviours that may be generated as a consequence of the existing use that would lead me to reach an alternative decision on the matter.

Conclusion

14. As the proposal would result in harm arising to highway safety within the local area, it would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR