

Appeal Decision

Site visit made on 15 May 2017

by Joanna Reid BA(Hons) BArch(Hons) RIBA

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

Decision date: 22 May 2017

Appeal Ref: APP/T2215/W/17/3168639
Mill House, Priory Road, Dartford DA1 2BZ

- 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 Mr H Rottenberg of RSBS Developments against the decision of Dartford Borough Council.
 - The application Ref DA/16/01905/FUL, dated 30 November 2016, was refused by notice dated 25 January 2017.
 - The development proposed is to construct a single-storey mansard roof extension to create four self-contained one-bedroom residential apartments (new second floor) with amenity space, car parking and cycle storage.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect that the proposal would have on:
 - the character and appearance of the surrounding area
 - highway safety in the nearby streets, and
 - the living conditions of the future occupiers, with regard to outdoor space.

Reasons

Character and appearance

3. The appeal site includes the appeal building, Mill House, which is a handsome early C20 2-storey office building that has been granted prior approval for conversion to 12 apartments. The building is sited in mainly hard landscaped grounds on the roughly east side of Priory Road, which is fairly close to Dartford town centre. The good-sized trees in the private gardens on the opposite side of the road are important to local character in the Priory Road street scene. They also provide a verdant backdrop to Mill House in views from the recent residential development and open spaces in Riverside Wharf.
4. The appeal building was built as offices for the former riverside paper mills. So, it is an important survivor of the historic townscape that included industrial areas to the north, east and south east of the building, which have made way for recent development including Riverside Wharf and Creek Mill Way. The appeal building includes some rather unsympathetic flat-roofed extensions at its north end. However, its otherwise simple form, elegant classical proportions, tall storeys, decorative brickwork, white-painted sash windows and

- prominent cornice contribute positively to the grandeur of Mill House in the Priory Road street scene and in the surrounding area. The historic character and appearance of the appeal building provides a tangible link to the area's industrial past, which is important to local character and the sense of place.
5. Whilst most of the surrounding mainly residential development is 2-storeys, the Riverside Wharf development includes 3-storey and 4-storey plus basement elements that are mainly close to the river, and in Creek Mill Way further to the south east there are 4-storey flats. The mixed age development in Priory Road includes mostly 2-storey pitched-roofed dwellings, and although some have attic rooms lit by front facing dormers, most are set back from the road.
 6. By contrast, the appeal building, which has a low-key roof form that is largely hidden by its white-painted parapet, is close to the back edge of pavement where its tall height contributes to its imposing appearance. The main access to the mills was at the south end of the site, where the space remains largely open. Here, the painted lettering on the ornate south-facing parapet and principal door surround are important to the historic commercial character of the building and to its landmark value in northbound views along Priory Road.
 7. The proposed mansard would replace the low-key roofs to the main building and the flat roofs to the extensions, which would unite the existing ensemble. However, this would unacceptably erode the subservient character of the extensions and draw attention to their narrowing stepped forms. It would also harmfully detract from the simple form and character of the historic Mill House building. Due to its substantial height, bulk, siting and incongruous form, the mansard would be an unacceptably dominant and intrusive addition. Thus, it would damage the character and appearance of the appeal building, the enlarged building would be harmfully detrimental to the Priory Road street scene, and it would look out of scale and dominate the mainly 2-storey dwellings close by that contribute positively to the present sense of place.
 8. I have had regard to my colleague's appeal decision, which was made nearly 15 years ago, ref APP/T2215/A/02/1091390, for a mansard office extension at Mill House. Whilst my colleague found the then proposed mansard acceptable, he noted that the Council had approved a mansard extension to all but the front section of the building. That permission has since lapsed and the surroundings and policy have changed significantly in the meantime. So, I have dealt with the scheme before me on its merits and in accordance with its site specific circumstances and relevant national and local policy and guidance.
 9. Therefore, I consider that the proposal would harm the character and appearance of the surrounding area. It would be contrary to Policy B1 of *The Borough of Dartford Local Plan* (LP) which seeks a high standard of design and respect for surroundings, and the *National Planning Policy Framework* (Framework) which aims to always seek to secure high quality design and to take account of the character of different areas.

Highway safety

10. The site is in a relatively accessible urban location, which is close to public transport links and within walking distance of the town centre and local shops and services. The scheme that was granted prior approval by the Council for 12 apartments at Mill House includes 15 car parking spaces. There is no evidence before me to show that any of those dwellings have been occupied, so

it would be reasonable to consider the proposed parking in relation to both approved and proposed developments. The appeal proposal includes 17 car parking spaces for the 16 dwellings in both schemes, so there would be 2 more spaces for the 4 proposed flats. The Council's standards seek 19.2 car spaces for the 16 1-2 bedroom dwellings, plus 4.8 visitor car spaces and 1.6 van spaces. That is 24 car parking spaces plus 2 van spaces in total. However, the guidance in the adopted *Dartford Borough Council Parking Standards Supplementary Planning Document*, which reflects the *Dartford Core Strategy* (CS) aim to minimise the need to travel and encourage the most sustainable travel choices, sets out the amount of parking normally required, unless evidence justifying an alternative level is provided by the applicant.

11. Using 2011 Census data and the then existing local car ownership levels, the appellant's transport consultant (the consultant)'s assessment shows that 8 parking spaces would be needed for the approved scheme, and up to 11 spaces would be needed for both schemes. As this would leave 6 on-site car spaces for visitors and vans, the likelihood of overspill parking in the nearby streets would be low. The consultant's assessment also considers levels of parking stress in the nearby streets using the widely recognised Lambeth Council Parking Survey Guidance Note. With existing stress levels of 36% to 41%, and 2 additional parked cars representing an increase of 9%, this would give stress levels of 45% to 50%. This would be well below the generally accepted threshold of 90% that represents a high level of parking stress. So, there would be space in the nearby streets to accommodate reasonable overspill parking from both schemes.
12. The Council says that the data disregards the quality of the proposed flats, the likely car ownership of the future occupiers, and local parking pressure, but it has provided little technical evidence to support its view. By contrast, the appellant's evidence shows that there should be sufficient on-site parking, and that overspill parking would not be likely to contribute to unacceptable parking stress in the nearby streets. So, the activity of drivers hunting for spaces, including their associated stopping, starting and turning manoeuvres that could endanger highway safety, would not be likely to occur.
13. Thus, I consider that the proposal would not be likely to endanger highway safety in the nearby streets. It would satisfy LP Policy T23 which seeks adequate off-street parking, and LP Policy B1 and Policy DP4 of the emerging *Dartford Development Policies Plan* which seek parking in accordance with adopted standards. It would also satisfy the Framework which aims for development to only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Living conditions

14. At about 50 m², the proposed one-bedroom flats would offer generous indoor living space for single occupiers. However, for couples they would broadly meet the minimum internal floor area advised in the *Technical housing standards – nationally described space standard*. The proposal includes a modest roughly 100 m² landscaped shared outdoor space in the south east corner of the site where the future occupiers could sit outside and take the airs. As the existing building is in an urban area, there would be no roof gardens or balconies to prevent harmful overlooking of nearby occupiers' homes and gardens. Moreover, the height and form of screens to mitigate such

overlooking, and domestic paraphernalia and plants at second floor level, would unacceptably damage the character and appearance of the appeal building.

15. Even so, there would be ample publicly accessible open space close by, including the good-sized public open space at Riverside Wharf, which can be reached from Priory Road. This greenspace links into the river corridor, which would offer reasonable opportunities for the future occupiers to enjoy outdoor recreation, including walking and cycling. Thus, I consider that the proposal would not harm the living conditions of the future occupiers, with regard to outdoor space. It would satisfy the thrust of CS Policy CS18 which recognises that the provision of balconies and roof terraces is not always possible, and LP Policy B1 which aims to protect the privacy of adjoining occupiers.

Other matters

16. Although the 4 flats would amount to a welcome windfall, they would not be necessary to fulfil the Borough's housing land supply, so this matter attracts little weight. CS Policy CS3 was not a concern of the Council in its reasons for refusal, and I see no reason to disagree. As the social gain including the 4 flats and the economic gain including jobs during construction would be substantially outweighed by the considerable environmental harm to the character and appearance of the appeal building and its surroundings, the proposal would not amount to sustainable development.

Conclusions

17. Whilst the proposal would not be likely to endanger highway safety, and the proposed outdoor space would be sufficient, the harm that the proposal would cause to the character and appearance of the surrounding area is a compelling objection to the scheme. For the reasons given above and having regard to all other matters raised, the appeal fails.

Joanna Reid

INSPECTOR