The Planning Inspectorate

Appeal Decision

Site visit made on 29 April 2019

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2019

Appeal Ref: APP/Q1255/W/18/3206626
Rear of 207 Lower Blandford Road, Broadstone, Dorset BH18 8DN

- 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 Tony Hill of Palmroy Finance Limited against the decision of Poole Council.
- The application Ref APP/18/00482/F, dated 4 April 2018, was refused by notice dated 1 June 2018.
- The development proposed is change use of land from A1 to C3. Construct 3-storey block of 3 no. 2-bed flats

Decision

1. The appeal is dismissed.

Procedural Matters

2. An error on the application form means that the applicant has been referred to as Palmory Finance Limited throughout the appeal process. The identity of the appellant is, in fact, Palmroy Finance Limited. I have used the correct spelling in the banner heading above.

3. The Council advises that a financial contribution has been made towards Strategic Access Management and Monitoring. The monies would fund measures to avoid or mitigate the adverse impacts on the ecology of the Dorset Heathlands and Poole Harbour European sites. The third refusal reason therefore falls away.

4. There have been various changes to national and local planning policy since the Council issued its decision. This includes adoption of the Poole Local Plan (PLP), the making of the Broadstone Neighbourhood Plan (BNP) and updates to the National Planning Policy Framework. The parties have had an opportunity to comment on the implications for the appeal and I have made my determination against the policies in force at the time of my decision.

Main Issues

5. The main issues in this case are:

   a) the effect of the proposal on the character and appearance of the area; and

   b) whether the proposal would make adequate provision for car parking.

Reasons

Character and appearance

6. No.207 Lower Blandford Road is located within a terrace fronting onto the main shopping street in the Broadstone district centre. The building is principally two-storey in height but contains a third level of accommodation within the roof space. This is typical of the buildings in this stretch of road; most display a domestic scale commensurate with the suburban village location.

7. The appeal site lies immediately to the rear of No.207. It contains a detached building which has been constructed in materials to match the terrace. Although two-storey, this structure has lower eaves which give it a subservient appearance. The building forms a focal point in easterly views, where York Road bends to meet Lower Blandford Road. It is therefore prominent in the local street scene, albeit most casual observers would assume that it is an ancillary outbuilding.

8. The remainder of the land between the terrace and York Mews is used for parking but this area also contains several buildings. Most of these, including a recent scheme of flats further along the row, are modestly sized structures which are visually subordinate to the terrace. At three-storeys, the proposed development would be significantly taller than the existing building on the appeal site; to the extent that it would compete with the buildings on the Lower Blandford Road street frontage. The height of the new building and its poor relationship with No.207 would make it stand out as discordant feature.

9. The appellant seeks to justify the proposed scale with reference to Hazeldene, a development of flats on the opposite side of York Mews. However, this scheme is self-contained with its own character and does not relate to the buildings of Lower Broadstone Road in the same way as the appeal site. Consequently, it does not persuade me that the proposal is acceptable.

10. Neither am I convinced by the suggestion that the proposal would replace buildings which make a poor contribution to the distinctiveness of the area. The existing building is well proportioned and an appropriate design for its location. The appeal scheme would be of an unsympathetic scale relative to the adjoining terrace and it would not improve the appearance of the wider area. Although visually prominent, the site is not located on a corner and therefore it does not have the importance to warrant a large or imposing building.

11. Accordingly, I conclude that the proposal would be materially harmful to the character and appearance of the area. It would conflict with Policies PP27 and PP28 of the PLP and Policy BP7 of the BNP insofar as they jointly seek a good standard of design which respects its context, including the scale, height, mass and grain of surrounding development.

Car parking

12. The appeal scheme makes provision for two parking spaces shared between three flats. The requirement set out in the Parking & Highway Layout in Development Supplementary Planning Document (2011) (SPD) is four spaces, representing a shortfall of two spaces. The appellant contends that the proposed parking provision is acceptable on the basis that the site is located close to a wide range of services and facilities, including a high-frequency bus service.

13. Paragraph 6.6 of the SPD explains that car ownership levels are generally lower in such locations, in comparison with other areas of the Borough. However, research has shown that residents are likely to own cars, even within the most sustainable locations of the Borough. Thus, it is not unreasonable to expect each of the proposed flats to generate a requirement for one parking space, even if visitors were fortunate enough to find public parking elsewhere. Whilst I have no doubt that it would be possible to occupy the development without owning a car, there is no mechanism before me to enforce car-free housing.

14. A previous Inspector noted that the area around the appeal site already experiences parking stress; a 'no queuing' sign at the access to parking spaces on the opposite side of Lower Blandford Road is just one indication that the issue of parking spaces in the district centre is acute. I concur with those observations. Given the short stay nature of public parking within the district centre, the likelihood is that overspill parking from the appeal scheme would be directed towards local residential streets. Parking controls exist in the streets closest to Lower Broadstone Road, but unrestricted kerbside parking is available within a short walk of the site. I saw that this was heavily oversubscribed.

15. According to the SPD, Manual for Streets research found more accidents on those surveyed streets that had on-street parking than those without parking. Danger to road users will result from anti-social behaviour such as obstructing pavements, driveway entrances and junction visibility splays. The shortfall in parking in the appeal scheme is likely to increase the pressure on local on-street parking and result in unacceptable adverse highway impacts.

16. My attention is drawn to the fact that planning permission has been granted for the residential subdivision of the upper floors of No.207 without requiring any extra parking. The Council's officer report for that case concedes that the SPD parking requirement for the original 4-bedroom flat would have been slightly less than for the proposed smaller 1-bedroom and 2-bedroom flats. However, it does not quantify this. Whilst I note the planning history, and have taken account of the sustainable location, I do not consider that it provides justification for a new-build scheme with inadequate parking.

17. The appellant argues that the existing building will have its own parking requirement. In the absence of a Certificate under s191 of the Act, there is no conclusive evidence regarding the lawful use. Furthermore, I am not convinced, based on my site inspection and the information presented, that there is a significant probability of any lawful use recommencing. I have therefore attached the fallback position limited weight.

18. The Council's guidance states that proposals with parking provision below optimum parking levels set out in the guidance must demonstrate that the development can function without contributing to causing highway safety, causing inconvenience or transport problems for highway users and users of the site. The appellant's evidence fails to convince me on this point. Accordingly, I conclude that the inadequate provision of car parking would conflict with PLP Policy PP35, insofar as it requires development to accord with the SPD.

Planning Balance and Conclusion

19. The number of homes delivered over the duration of the Poole Core Strategy 2006-2016 was significantly below the figure envisaged. Policy PP7 of the PLP therefore acknowledges that a step change is required to meet Poole's needs over the new plan period. Policies PP2 and PP34 seek to direct the majority of housing development to the most accessible locations within Poole, including the district centres and along sustainable transport corridors where proposals should aim to meet or exceed the minimum indicative density of 50 dwellings per hectare. The proposal would accord with these policies.

20. The scheme would comply with BNP Policy BP5 inasmuch that it would deliver 2-bedroom dwellings within the Inner Zone. There would be no conflict with the stipulation of Policy BP7(iv) that developments within the Central Shopping Area should not exceed four-storeys in height.

21. However, the housing delivery objectives need to be balanced against the aspiration for good design. I have found that the proposal would be contrary to PLP Policies PP27 and PP28 and BNP Policy BP7. The failure to comply with the SPD in relation to parking would bring the scheme into conflict with PLP Policy PP35.

22. Ultimately, the benefits of a single additional dwelling in terms of boosting the housing numbers and increasing footfall within, and therefore viability of, the Broadstone district centre would be very modest. In my judgement, they would be outweighed by the harm to the character and appearance of the area and highway safety.

23. For the reasons given above, and having regard to all other matters raised, including the extant permission on the site for a pair of 2-bed flats, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR