
Appeal Decision

Site visit made on 19 August 2021

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2021.

Appeal Ref: APP/T2215/W/20/3257458
369 Princes Road, Dartford DA1 1JT

- 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 Akhil Patel against the decision of Dartford Borough Council.
 - The application Ref DA/20/00203/COU, dated 12 February 2020, was refused by notice dated 16 June 2020.
 - The development proposed is for the change of use of property from residential to medical practice (Use Class D1) and associated alterations to side elevations.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021. Whilst I have had regard to the revisions, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the changes to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

3. The main issue is the effect of the proposal on highway safety and parking provision.

Reasons

4. The appeal site comprises a two-storey, detached property with off-street parking on Princes Road, a busy arterial route running between the M25 and Crayford. The site is accessed via a slip road from the public highway that serves a number of other dwellings. The surrounding area is a mixture of commercial and residential sites.
5. The proposal is to change the use of the building to a medical practice. The internal layout plans show, amongst other things, a reception area, three consulting rooms, a rehabilitation room and a staff room. The appellant has indicated that the use would employ 1 full-time and one part-time members of staff. Four parking spaces would be provided on the driveway to the front.

6. The Council states that 1 space would be required for staff and 12 parking spaces would be required for the consulting/treatment rooms; a total of 13 spaces. The Authority is concerned that the appellant's estimation of the number of spaces for the business is too low.
7. I share these concerns. Although the appellant advocates that the proposed medical practice would run a pre-booking-based appointment system, there is very little detail before me showing how this would work in reality. The appellant even acknowledges that auxiliary staff and patients visiting the site would need to use alternative parking elsewhere in the neighbourhood, for example the retail car park on the opposite side of Princes Road.
8. I do not consider that reliance on third-party facilities would be acceptable; if the development were permitted any future patients or staff of the proposal would be placed in the unsatisfactory position of having to park some distance from the practice building, thus leading to a temptation to park inconsiderately closer to the site. It would also result in additional vehicular movements in the area as they search for vacant spaces and the increased potential for pedestrians to cross the busy Princes Road. If patients were to be dropped off it is very likely that this would occur immediately outside the practice building. This would increase the need for short-term, indiscriminate parking in and around the site, which is in close proximity to a busy junction and bus stop and therefore highly undesirable. Overall, in the absence of substantive evidence to demonstrate appropriate levels of on-site parking, I am of the view that the change of use would be likely to cause highway safety issues.
9. The Council's adopted Car Parking Bay Minimum Standards advises that, for car parking bays perpendicular to a carriageway such as in this instance, a minimum depth of 11m is required (5.5m per bay). The width of each of these bays are also required to be 5.8m wide (2.9m per bay) as they would be adjacent to fencing.
10. At my site visit I was able to park my family-sized car on the driveway behind a vehicle of similar scale that was already present on the site. Although the rear of my car marginally overhung the front boundary, taking a pragmatic view I am satisfied that there would be adequate space within the slip road at the front for vehicles to easily access the other dwellings. I was also able to egress the site without difficulty or concern. Consequently, any vehicular conflict in respect of the size and layout of the parking spaces on-site (in isolation from my reasoning above concerning the wider area) would be unlikely.
11. This notwithstanding, I conclude that the proposal would be harmful to highway safety and fail to provide sufficient off-street parking. It would conflict with Policies DP3 and DP4 of the Dartford Development Policies Plan July 2017 and the Parking Standards Supplementary Planning Document 2012, which seek to minimise and manage transport impacts and to provide parking in accordance with parking standards.

Other Matters

12. I acknowledge those matters that have been advanced in support of the development, including the provision of a community service and that there would be no undue harm to the living conditions of the occupants of neighbouring properties. However, these arguments do not outweigh the harm to highway safety that I have identified above.

13. I note the list of other appeals submitted by the appellant. However, I do not consider that they are comparable to the scheme before me, and in any event I have dealt with the appeal on its merits.

Conclusion

14. Having regard to all matters raised, I conclude that the appeal should be dismissed.

C Hall

INSPECTOR