



Appeal Decision

Site visit made on 8 February 2022

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 March 2022

Appeal Ref: APP/D1835/W/21/3284722

80 Garibaldi Inn, Bromyard Road, Worcester WR2 5DJ

- 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 Mohammed Abyadul Hoque of Alpha 2 Investments Ltd against the decision of Worcester City Council.
 - The application Ref 20/00856/FUL, dated 10 November 2020, was refused by notice dated 22 July 2021.
 - The development proposed is conversion of public house into 6 flats.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not it has been demonstrated that the proposal would have an acceptable effect on highway safety, with regard to parking provision.

Reasons

3. Policy SWDP 21 of the South Worcestershire Development Plan (2016) (Local Plan) requires that proposals incorporate the required parking facilities in accordance with the recognised standards (criterion xi.). Worcestershire County Council's Streetscape Design Guide (spring 2020) (Design Guide) indicates that for the number of bedrooms proposed, a minimum of eight car parking spaces should be provided, whereas three are proposed.
4. The site is located in an area where it appears that a range of goods and services would be accessible on foot. I note also that cycle parking is proposed to be provided on site. In addition, bus stops are located close to the appeal site on Bromyard Road, a main arterial road into the city, although details of the frequency of bus services including during evenings and weekends are not before me. In any event, it appears that the site is in a location where there would be opportunities for accessing a range of services without the need for travel by private car.
5. However, the proximity of the site to services and facilities, and the availability of alternatives to private vehicular use, does not inherently mean that individuals will elect not to use private cars. That is effectively a personal choice. At paragraph 4.2, the Design Guide aptly notes that 'there is no direct relationship between car parking provision and choice of transport mode'. There is also no mechanism before me, nor one I can legitimately impose, preventing future occupants from making use of private vehicles should they so

wish. It is inevitable in that context that individuals would seek to park close to the proposal. I note that the shortfall relative to the Design Guide is significant rather than marginal; three parking spaces represents less than 40% of the Design Guide recommendation.

6. The prevalence of cars parked on street and on driveways in the vicinity of the site points to a reasonable degree of reliance on travel by private car amongst occupants of nearby houses. No robust evidence is before me to indicate otherwise. It therefore seems reasonably likely that future occupants of the proposal would opt to travel by private car. Accordingly, I find that the addition of six flats, including 2no. two bed flats, could reasonably be expected to generate a parking demand well in excess of the three spaces proposed.
7. On Bromyard Road in the vicinity of the site, there are numerous dropped kerb drive accesses, as well as single and double yellow lines. These on-street parking constraints are likely to create greater pressure for parking on other residential roads without restrictions, such as Knight Street. Such roads are generally narrow meaning that a small increase in on-street parking could unacceptably disrupt the free flow of traffic.
8. Furthermore, no parking beat surveys or photographic evidence is provided to indicate that sufficient on-street parking capacity would exist on surrounding roads, including at peak times. On my weekday, mid-morning site visit, availability of spaces close to the site was limited. The Highways Authority also note the area is subject to parking stress. An increase in on-street parking demand as a result of the appeal scheme would increase the existing levels of parking stress. Increased parking demand in instances of limited supply may lead to additional congestion as drivers seek parking space, or park illegally, which would be detrimental to highway safety.
9. The former use of the building as a public house is likely to have generated considerable parking demand. However, there is evidence before me to indicate that challenges to bringing the vacant site back into such use mean it is unlikely to be feasible for the foreseeable future. Consequently, I am not satisfied that it represents a realistic fallback position with respect to parking demand.
10. Therefore, I conclude that it has not been demonstrated that the proposal would have an acceptable effect on highway safety, with regard to parking provision. Accordingly, the proposal would be contrary to Policy SWDP 21 of the Local Plan. It would also be contrary to paragraph 111 of the National Planning Policy Framework, which states that proposals should only be refused on highways grounds if there would be an unacceptable impact on highway safety. The proposal would also be contrary to parking guidance in the Design Guide.

Other Matters

11. The appellant's evidence makes reference to two other proposals on the same road that are said to have been granted planning permission with less parking provision than is proposed here. However, as no further details are provided in respect of those, I have been unable to take them into account in my decision.
12. Whilst I am sympathetic to the fact that the appellant sought to address the Council and Highways Authority's comments which evolved during the

determination period, I can only assess the current proposal on the basis of the information before me.

13. The proposal would deliver six new residential units which would contribute to the supply of housing in Worcester. I recognise the potential value from future occupants of the proposed flats in generating additional demand for local goods and services. The construction and conversion works would provide short term benefits to the local and wider economy. Nevertheless, given the scale of the proposal, the associated benefits would be limited and not sufficient to outweigh the potential harm to highway safety.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Rachel Hall

INSPECTOR