



Appeal Decision

Site visit made on 21 May 2024 by S Wilson LL.B. MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 June 2024

Appeal Ref: APP/N1160/W/23/3334733

Drakes Drum, 19 Radford Park Road, Plymouth PL9 9DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Stonegate Pub Co Ltd. against the decision of Plymouth City Council.
 - The application Ref is 22/01813/FUL.
 - The development proposed is erection of residential dwellings and reconfiguration of existing car park serving public house, including alterations to access and landscape details.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. The proposed development would require moving the access and egress to the public house car park north along Drake Way and towards the busy Radford Park Road. This would reduce the number of car parking spaces within the site from approximately 30 to 11 and remove one on street parking space. There are evidently no controls over parking within the site and it appears to be used frequently by non-patrons. My site visit was on a weekday morning and the on-street parking was fully utilised. The public house was not open for business.
5. Access to the car park and thus the public house by service vehicles from the Radford Park Road direction would be challenging to the point that their sweep path would in reality require the subsuming of a further on street parking bay. I have no reason to question the expertise of the Highways Authority's (HA) interpretation of swept path data analysis in this regard. This would further reduce on street parking in the immediate area by more than that advanced by the scheme. From my own observations, the area is a mix of controlled and uncontrolled parking and double yellow lines. The area was very busy in respect of capacity despite the time of day and competition for on street spaces was high. The increased demand caused by the on street loss has the potential

to lead to the use of areas that may cause hazards within the highway that can impinge on the free flow of traffic.

6. The appellant has suggested a condition requiring delivery vehicles to use Mountbatten Way to lessen the on street reduction. However, I cannot be certain that it is reasonable to condition that large service vehicles approach from a residential area, nor can I do so precisely without a specific route plan. Furthermore, I am not certain it would be enforceable. I doubt therefore that such a condition would satisfy the tests in the National Planning Policy Framework (the Framework).
7. The appellant undertook two parking surveys. One giving 15–20-minute snapshots of parking use on four days however, this was very limited in its scope and difficult to extrapolate conclusive data. A further survey was undertaken over 7 days with a wider time range. The appellant interprets the data to conclude that the patron parking within the site would be sufficient; the car park is currently underused by patrons; and it is being used by the general public. However, I have not been provided this evidential document. I agree that the general public are using the car park; however, I cannot be certain of its future use, nor are there measures before me to consider whether any controls over it can be asserted.
8. Whilst traffic surveys indicate usage of the on-street parking bays on Drake Way, on average, by three vehicles, three out of four of the first surveys were undertaken outside of peak demand for this location. I do not have access to the second survey. The one survey during the controlled time shows no record for Drake Way parking bays. Regardless, the proposed significant reduction of the public house parking would lead to even further demand for non patrons to park elsewhere, including the already truncated number of bays outside and thus adding to the potential of the above local parking issues.
9. Even if the daytime public use of the car park by non-patrons were disregarded, the Plymouth and South West Devon Supplementary Planning Document (2020) (SPD) sets out parking standards for drinking establishments, stating that they are required to have 1 parking space per 2sqm of space used for drinking and that the same standard applies for dining space. The HA state that the public house is 300sqm, which is not contested, and I therefore have no reason to question it. Whilst requiring 150 spaces would be unreasonable given the premises is within easy walking distance of a dense urban area, 11 spaces is a considerable distance away from even a substantial reduction in the SPD requirement. The potential for displacement is therefore significant and represents a further exacerbating factor to the above.
10. Accordingly, the proposal would prejudice the safe use of the highway through detrimentally effecting the free flow of traffic. It would therefore be contrary to Policy DEV 29 of the Plymouth and South West Devon Joint Local Plan (2019), guidance in the SPD and the relevant paragraphs of the Framework, insofar as they seek to provide safe vehicular access to and from the site and ensure sufficient parking to ensure the safety of the highway network.

Conclusion and Recommendation

11. For the reasons given above, the appeal scheme would conflict with the development plan. I note the benefits of the scheme as advanced by the appellant, but they would not, individually or cumulatively, attract sufficient

weight (given mainly the scale of the scheme in housing terms) to indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR