
Appeal Decision

Site visit made on 23 February 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 March 2021

Appeal Ref: APP/Z0116/W/20/3263935

7 Belvedere Road, Westbury Park, Bristol BS6 7JG

- 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 Baryah on behalf of Meadowcare Homes against the decision of Bristol City Council.
 - The application Ref 19/03104/F, dated 20 June 2019, was refused by notice dated 2 June 2020.
 - The development proposed is change of use from 3 x flats to a 17 x bed extension to the nursing home at 8-9 Belvedere Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effects of the proposal on parking and highway safety and;
 - the effects of the proposal on the character and appearance of the area, including the Conservation Area, noise, disturbance, recycling/refuse and concentration of residential institutions/care homes.

Reasons

Highway safety

3. Belvedere Road is in a suburb of the city, close to mainstream facilities and services. It is predominately a residential street with several existing care homes.
4. Belvedere Road is part of a network of side roads, off the main direct thoroughfare. There is unrestricted parking along both sides of the road and two way traffic. Few of the dwellings have their own off street parking spaces.
5. The comments and photographs from local residents indicate a significant shortfall in parking. The appellants have undertaken their own surveys.
6. I undertook my site visit at 7-05 a.m. and I noted only two spaces available on the whole street. The parking would appear to be most severe during non-working times indicating that this is a problem for residents and is not caused by incoming commuters.

7. The parking surveys are only a snapshot in time and do not necessarily represent the situation at all times. Nonetheless it is clear to me that the parking is at a premium. As I saw several times on my site visit, the parking situation results in vehicles often having to park in the middle road. This causes congestion and conflict which is exacerbated by two way working and creates a hazard for all road users.
8. The existing building on the appeal site is subdivided into three flats. The proposal involves the loss of these three flats and the conversion of the building into an extension for the neighbouring care home. The removal of these 3 flats would ease parking demand as the care home residents would not be car owners. I note the submissions show the typical parking in the area for flats: 26% no car, 49% 1 car, 25% 2 or more. Assuming an average of one space per dwelling, the removal of the flats would ease demand potentially by 3 spaces.
9. The proposal would lead to two additional staff, from 08:00 to 14:00 and thereafter one additional staff member. The submission indicates that this would equate to the need for one additional parking space.
10. However, the proposal would lead to increased visitors which would be more likely to be significant at weekends. Although some of these visitors may arrive by public transport, this would not wholly be the case.
11. The proposal would also lead to additional deliveries and servicing. This would lead to more pressure for indiscriminate parking.
12. The submitted Transport Statement (TS) includes the provision of bays for ambulances outside the care homes at No. 2-3 and 8-9 Belvedere Road. However, this would result in the loss of parking spaces, where they are in great demand.
13. The suggested bays would help the emergency services and provide dignity and reassurance for patients. However, these bays may also be needed for deliveries and/or passing bays otherwise their value would be very limited, particularly with the conflicts of two way traffic. Therefore, the demarcation, specification and role of these bays would therefore need to be clarified.
14. These bays must function to optimum benefit to compensate for the loss of the on street parking. However, I do not find that there is sufficient clarity of how they would function and a planning condition would have to be specific in its requirements.
15. A Traffic Regulation Order (TRO) would also be required for the measures. The order making process requires consultation with residents and other parties. There is no certainty what conclusion would result. The loss of parking would have to be considered as well as the safety implications for pedestrians and motorists.
16. Whilst the suggested condition is worded to prevent a commencement pending the TRO, such a situation would lead to uncertainty.
17. Based on the submitted evidence, the TRO has uncertain deliverability and its overall benefits have not been demonstrated against the loss of car parking.

18. I therefore conclude that the proposal as submitted would harm highway safety. Policies BCS10, DM2 and DM23 of the Bristol Local Plan Site Allocations and Development Management Policies (LP) require safe streets integrated with the development, the regulation of parking impacts from shared housing and the avoidance of unacceptable traffic conditions. Paragraph 110 of the National Planning Policy Framework (The Framework) highlights the needs for deliveries and emergency vehicles and safety of streets for all users. Paragraph 109 of the Framework states that development should only be prevented if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe. The proposal would be in conflict with these policies.

Character of the area, conservation area and noise/disturbance

19. The appeal site is on the south side of Belvedere Road and is an integral part of a row of tall buildings. These have a substantial presence and look overly large for family dwellings and the use as a care home would be expected and accepted. Consequently, the use would not appear inappropriate.
20. I note concern about the concentration of care homes. This would be an extension and would be connected by the side rather than making a new frontage and entrance, which would have highlighted the use. Moreover, the proposal involves the removal of three flats which do not contribute to the perception of the area for established family houses. On the opposite side of the road are two storey detached houses which appear overtly different and would be perceived as family houses. I therefore conclude that this particular proposal would not lead to the harmful perception of excessive care homes.
21. Noise and disturbance were part of the reason for refusal in the decision notice. The proposal would remove 3 flats and as the care home is managed these issues would be reduced. There would be less pedestrian movements and therefore less potential noise/disturbance at any time of day or night. I note the comments about the distressing sight of ambulances being loaded, however such situations could happen anywhere.
22. The proposal involves the removal of the frontage door and changes to the windows. This would restore the window to its original form which would help the symmetrical appearance of the building. There would also be a dormer to the side roof, which is modest and sympathetic with the roof form. The rear dormer is similar to that on No. 8. These alterations would not detract from the form and detailing of the building which is orientated towards the front. There would be some lightwells for basement conversion, but these would be inconsequential.
23. As I observed on my site visit the 3 flats have bins spread over a dispersed area on the frontage. The proposal would allow scope for rationalising the bin storage in conjunction with the adjacent building. This would offset the extra volume of waste/recycling. Cycle parking would be provided to the front but would not be detracting. There would also be potential for landscaping.
24. The appeal site is within the Downs Conservation Area. This is notable for the consistency of the stone buildings with rich detailing, the formality of the layout of the streets and the street trees. The specialist officers at the Council had no objection in this regard. I concur bearing in mind the implications of the intended use as well as the physical alterations.

25. I therefore conclude that the proposal would not harm the character and appearance of the area including the conservation area and would not lead to significant noise and disturbance.
26. Policies BCS18 and DM2 of the LP seek to avoid an over concentration of residential institutions but do not quantify the amount. They also highlight excessive noise/disturbance, and problems of waste storage. The proposal would not be in conflict with these criteria and notably DM2 encourages accommodation for older persons in areas close to shops, facilities and public transport. Furthermore paragraph 61 of the Framework emphasises the need of providing housing for different groups in the community. Paragraph 8 has a social objective of providing a range of homes with accessible services. Paragraph 193 of the Framework requires great weight is given to the assets conservation and the proposal would not be in conflict.

Planning Balance

27. The proposal would provide specialist care by an established practice. There is a need for the proposal, particularly with an ageing population. Care is best provided within the community and a sustainable location. However, the proposal as currently submitted has not addressed the highway safety implications.

Conclusion

28. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR