
Appeal Decision

Site visit made on 16 August 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 September 2017

Appeal Ref: APP/D5120/W/17/3172948

Arundel Court 1 and Woburn Court 3, Crook Log, Bexleyheath DA6 8DZ

- 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 C Grady against the decision of the Council of the London Borough of Bexley.
 - The application Ref 16/01156/FUL, dated 11 May 2016, was refused by notice dated 22 December 2016.
 - The development proposed is roof extension to Woburn and Arundel Court to provide four x 2 bedroom flats.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have made a minor alteration to the address of the appeal site to accord with that given on the Council's decision notice.

Main Issues

3. The main issues are the effect of the development on i) parking demand with particular regard to the living conditions of existing residents and highway safety; ii) the character and appearance of the area; iii) the provision for waste storage and iv) the living conditions of existing residents with particular regard to privacy.

Reasons

Parking Demand

4. From the information before me and my visit it is apparent that there are significant parking restrictions in place within the locality. The Council has raised concern that there is insufficient car parking provision to support the scheme which would give rise to overspill parking.
 5. The buildings subject to the proposal are situated adjacent to a relatively extensive area of garaging. It would appear from the information before me that whilst many of these garages are in the appellant's ownership, they are currently let through various different arrangements, with no vacancies apparent. In addition, parking congestion along the garage forecourt access road and in front of garages, therefore hindering access, which was evident
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- during my visit, would tend to suggest an issue with parking stress in this location.
6. The appellant has offered to set aside a number of garages to serve the proposed development, stating that they are used by non-residents for storage purposes. However I cannot be certain, from the information before me, that the garages in question are not being or could not be used by nearby residents to park their own vehicles. I am not therefore persuaded that vehicles associated with existing garage users would not be displaced as a result or that this could be overcome through a condition to secure a management scheme for the car park and garages.
 7. The relatively limited scale of development involved means that the level of additional parking demand is unlikely to be very significant. In many situations this impact may be innocuous. However, taking into consideration the parking stress and restrictions evident in the locality, in this case I consider it to be a key issue. I am unable to rule out that the development would result in further competition for scarce parking space and, though any material impact on highway safety would be unlikely, that it would make it more difficult for existing residents to find a parking space close to their home, forcing them to park significantly further away.
 8. This would, on the basis of the limited information before me, result in unacceptable inconvenience for residents and leads me to the view that there is a compelling justification to apply policies that seek to address the parking needs of residents in order to manage the local road network.
 9. It is undisputed that the appeal site is within an area with a high Public Transport Accessibility Level (PTAL) rating. This would mean that the need for car ownership would be less important in this location and I note that the developer has suggested that they would be content for this to be a 'car free development'. However I have not been provided with any robust evidence or assurance as to how car free development of the site could be secured through a planning condition that would meet the various tests for conditions within the Government's Planning Policy Guidance or through the submission of a suitable planning obligation to enable consideration of this matter.
 10. From the information before me, I therefore conclude that the proposal would result in additional parking demand that would be harmful to the living conditions of existing residents. Accordingly there would be conflict with Saved Policies T17 and ENV39 of the Bexley Council Unitary Development Plan 2004 (UDP) and Policies CS01 and CS02 of the Bexley Core Strategy 2012 (CS) insofar as they seek to make provision for off-street car parking, minimise the distance people need to travel and require consideration to be given to how travel needs will be met where there are concerns about the impact of on-street parking on amenity.
 11. I have had regard to the National Planning Policy Framework (the Framework) which states that development should only be prevented on transport grounds where the residual cumulative impacts are severe. However, I cannot discount that this would be the case with regard to the impact of the development on the living conditions of existing residents.

Character and Appearance

12. The appeal site is within an area characterised by relatively large buildings, that vary in terms of height and architectural detail. There are buildings on the opposite side of Crook Log which, though set further back from the highway compared with the appeal site, appear to have been extended at roof level. Although the proposed increase in height of the buildings would be noticeable, the perceived bulk of the extensions would be reduced due to the set back of development from the building edge and the extension of parapet walls. Drawing these considerations together I am not persuaded that, with appropriate control over the use of external materials, the alterations would appear as dominant or incongruous features. Accordingly there would be no conflict with Policy 3.5 of the London Plan 2016; Saved Policies H3 and ENV39 of the UDP and Policies CS01 and CS02 of the CS insofar as they seek to secure a high standard of design, compatible with the character and appearance of the area.

Refuse Storage

13. From my visit it was apparent that there would be capacity to store additional refuse and recycling bins in the vicinity of both buildings should this be required. This could be secured through the imposition of a planning condition. Hence I conclude that sufficient provision could be made for waste storage.

Living Conditions

14. From the private balconies associated with the new flats it would be physically possible to overlook existing balconies linked to second floor flats below. However, because of the difference in levels; the positioning of balconies offset from one another and the set back, albeit marginally, of the proposed balconies from the edge of the buildings, the eye would not be naturally drawn in this way.
15. The extent of overlooking of adjacent areas would be no worse than that associated with the present relationship of the flats to their surroundings. I therefore conclude that there would be no harm to the living conditions of existing residents with particular regard to privacy. Accordingly there would be no conflict with Saved Policy ENV39 of the UDP and the Council's Design for Living Supplementary Planning Document 2006 insofar as they seek development to avoid the overlooking of private areas.

Conclusion

16. The proposal would result in a small amount of additional accommodation, which would add to the choice and supply of housing, albeit that the contribution would be small. Furthermore I have no reason to dispute that the site would be well located in relation public transport provision. I give some weight to these considerations.
17. However, I have found that significant displacement of parking, which cannot be ruled out based on the information before me, would cause significant harm to the living conditions of residents. I must take into account that the importance of securing a good standard of amenity for all existing and future occupants of land and buildings is recognised as a core planning principle within the Framework. I therefore attach significant weight to this consideration and on balance conclude, on the basis of the information before

me, that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits. Accordingly the proposal would not be the sustainable form of development which has the support of national policy when assessed against the Framework and development plan as a whole.

18. I therefore conclude, having had regard to all other matters raised, that the appeal should not succeed.

Roy Merrett

INSPECTOR