



Appeal Decision

Site visit made on 18 October, 2017

by G. Rollings, BA(Hons) MA(UD) MRTPI

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

Decision date: 14th November, 2017

Appeal Ref: APP/P5870/W/17/3178915

Front Warehouse, 234 Ridge Road, Sutton, SM3 9LY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class P of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Equitas Properties Ltd. against the decision of the Council of the London Borough of Sutton.
 - The application Ref: A2017/76643 dated 15 February, 2017 was refused by notice dated 5 May, 2017.
 - The development proposed is prior approval for a change of use from storage to a residential use.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO) require the local planning authority to assess the proposed development solely on the basis of its impacts on air quality on its intended occupiers, transport and highways, noise, contamination, flooding, and the continued sustainability of other retained industrial and storage/distribution uses in the area, taking into account any representations received. My determination of this appeal has been made in the same manner.
3. The Council's decision was based on the proposed arrangement of forecourt vehicle accommodating six car spaces. This has been amended in the plans submitted with the appeal, with the changes comprising a reconfiguration of the parking arrangement and a reduction to four of the number of on-site parking spaces. All parties have had the opportunity to comment on the appeal plans and I am satisfied that in accepting these, the interests of any party have not been prejudiced.

Main Issues

4. The main issues are whether the proposed works are permitted development for which prior approval can be granted, and if so, whether they would raise any concerns in terms of their transportation and highways impact.

Reasons

Whether permitted development?

5. The appeal site accommodates a long, narrow building of industrial appearance with a forecourt laid to hardstanding, with prior approval previously granted for the conversion of a smaller building for use as one dwelling, at the rear of the site¹. At the time of my visit to the building, it was not in active use, although there was clear evidence of the storage of materials throughout. The Council has not disputed the appellant's statement that the building's most recent use was for warehousing, and given the supporting information that includes historic valuation details, together with my own observations, I am satisfied that this is the case.
6. The floorspace requirements of Class P are met, and I therefore conclude that there is sufficient evidence to demonstrate that the proposal complies with the relevant limitations and conditions set out in the GPDO and so would be permitted development if prior approval were to be granted.

Transport and highways

7. A Transport Statement was submitted by the appellant, which indicates that the proposed nine dwellings on the site, including the one dwelling previously granted prior approval, would generate a parking demand slightly more than six bays. This figure is based on aggregated levels of car ownership and I see no reason to dispute it, in common with the supplied tracking data which shows that safe access to and egress from all bays would be possible. Four bays would be provided on site, which would result in a demand 'overspill' of three parking spaces from the site, and these vehicles would be expected to use existing on-street parking spaces. I acknowledge the appellant's views that the actual usage could be lower and that cycle parking would be provided, but taking into account the low public transport accessibility level (PTAL) of the site, I am not convinced that this would be the case.
8. I also note that the number of spaces to be provided would be below the level set out in the Council's adopted *Site Development Policies DPD* (2012) Policy DM22, which is relevant evidence insofar as it relates to this issue. The policy suggests provision of one new bay per flat, and none of the exceptions set out in the policy apply to the site, and while the figures suggest the maximum provision, the amount of parking to be provided is significantly less.
9. An accompanying parking survey determined the local area to have a moderate level of parking stress, which the Council has disputed. I visited the site in the middle of a weekday, and my own observations were that Ridge Road has very few on-street parking opportunities in close proximity to the site. Between the site and Stonecot Hill, available bays appeared to be taken by cars in various states of repair, possibly connected with the car repair use adjacent to the site. The rest of the road was punctuated by frequent crossovers and restrictions.
10. Although the parking study also includes availability on other streets, I am not satisfied that parking further afield would be either desired by future residents of the scheme, or in the best interests of existing residents. Given the limited number of on-street car-parking bays in close proximity to the appeal site, to allow even a small increase in demand for their use would represent an

¹ Council ref: A2017/76644; date of decision: 17 May 2017.

unreasonable impact on availability for existing users. Increased demand would increase parking stress, meaning that intending occupiers stay longer on the roads, often at slow speeds whilst looking for parking, or park outside of permitted areas. This in turn would have impacts on highway safety, by adding to congestion and increasing the risk of accidents.

11. I therefore conclude that the proposed development would lead to potentially detrimental impacts on highway safety, and would therefore have an unsatisfactory transportation and highways impact. For this reason, I cannot grant prior approval.
12. This is the sole matter on which the Council refused prior approval, and given that I am dismissing the appeal on a similar basis, it has not been necessary for me to consider the other matters that I referred to at the start of this letter.

Conclusion

13. For the reasons stated above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Rollings

INSPECTOR