



Appeal Decision

Site visit made on 10 August 2022

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12/09/2022

Appeal Ref: APP/C5690/W/21/3287776

49B Arngask Road, London SE6 1XY

- 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 Ms Esme Johnstone against the decision of London Borough of Lewisham.
 - The application Ref DC/21/121110, dated 30 March 2021, was refused by notice dated 26 May 2021.
 - The development proposed is formation of a vehicular crossover.
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Decision

1. The appeal is allowed and planning permission is granted for formation of a vehicular crossover at 49B Arngask Road, London SE6 1XY in accordance with the terms of the application, Ref DC/21/121110, dated 30 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: ARNGASK 01/2021 Rev A01; Site Location Plan
 - 3) The development hereby approved shall not be first used unless and until details of bin storage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to its first use and the area for bin storage shall thereafter be kept available for this purpose.

Preliminary Matters

2. The description of development has been taken from the Council's decision notice. This simply and adequately describes the proposed development instead of the much longer and detailed description given on the application form.
3. Revised plans have been submitted within the appellant's evidence. These drawings include details which were not before the Council at the time that it made its decision and the Council and interested parties have not had the opportunity to comment on these revisions. Therefore, in the interests of fairness and openness these revised plans will not form any part of this assessment.

Main Issue

4. The main issue is the effect of the proposed development on highway safety and the operation of the public highway.

Reasons

5. The driveway is currently hard surfaced with an open front boundary. The proposed development would enable this space to be used for car parking and it appears that it would be used for one to two cars.
6. The Council Highways team identify potential parking stress in this road. The development would result in the loss of one on street parking space. However, it would create private car parking space. Whilst this would not be a direct replacement for a public space, it would nevertheless reduce the demand for on street parking. Consequently, in this case, the evidence before me does not indicate that the proposed development would result in parking on street that would be harmful to the safe and efficient operation of the public highway, or highway safety.
7. The proposed development would also result in cars crossing the pavement to access the hardstanding. There is no space on site to manoeuvre, so they would need to either enter or exit in a reverse gear.
8. This part of Arngask Road is a quiet residential street. There are a number of off street parking spaces and crossovers which exist along the road, albeit I understand that there is no record of planning permission for these. People using the highway and those parking at no. 49 are therefore likely to be alert to this common arrangement in this location. I have no evidence of any conflict between existing similar spaces and those using the pavement in this area. Furthermore, the number of vehicle movements associated with this development is likely to be low. As such I am satisfied that the proposed development would not result in harm to highway safety.
9. I have no reason to conclude that the existing arrangements for drainage at this site would be unacceptably altered if the front garden were used for car parking.
10. The application plans do not include details of existing or proposed bin storage at this property. However, considering the size of the front garden, and that there is a side access and rear garden to the ground floor of this property, it would appear likely that a suitable arrangement could be achieved which would retain sufficient space for car parking. As such this detail should be secured by condition.
11. Consequently, the proposed development would not have an unacceptable effect on highway safety or the operation of the public highway. Therefore, in this respect, it would be in accordance with Policy 14 of the Core Strategy (June 2011) (CS) which promotes the safety of pedestrians and cyclists, and paragraph 111 of the National Planning Policy Framework (2021) which requires that there should not be an unacceptable effect on highway safety or severe impacts on the road network.
12. Policy T6.1 of the London Plan (March 2021) sets parking standards for new residential development. These are supported by Policy 14 of the CS and Policy 29 of the Development Management Local Plan (November 2014). This

application does not seek permission for new residential development. In terms of its reference to on street car parking, Policy 14 of the CS states that car free status for new development can only be assured where on street car parking is managed. The proposed development is not seeking car free development. As such, the policies set out above are more relevant to this main issue.

Conditions

13. I have considered the Council's suggested conditions. I am attaching the standard implementation condition, and in the interests of certainty a condition to define the plans with which the scheme should accord. Details of bin storage are also required for the reasons set out above.

Conclusion

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

H Miles

INSPECTOR

