



Appeal Decision

Site visit made on 8 November 2022

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th December 2022

Appeal Ref: APP/C5690/W/22/3300224

Land to R/O Vale Lodge, Perry Vale, Forest Hill, London SE23 2LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Better Properties Ltd against the decision of London Borough of Lewisham.
 - The application Ref DC/20/119245, dated 10 November 2020, was refused by notice dated 20 May 2022.
 - The development proposed is Construction of 3 x four-bedroom houses and 4 parking spaces on former garage land, together with associated landscaping, amenity space and provision of a refuse/recycling store & cycle spaces.
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether the proposed development would promote sustainable modes of transport.

Reasons

3. The appeal site is located to the rear of a large block of flats known as Vale Lodge and there are other blocks of flats located close by including a large row of flats known as Perystreete which front onto Perry Vale. The surrounding area is largely residential although there are commercial uses located nearby including Forest Hill Industrial Estate which borders the site. The site is situated within walking distance of day-to-day amenities and in a location well served by public transport.
4. The proposed development would construct 3 four-bedroomed three storey houses and would provide 4 car parking spaces. Policy T6.1 of the London Plan requires the development in this location with a PTAL score of 4 to be 'Car Free' as per the maximum parking standards set out within Table 10.3. I acknowledge that at the point of submission, the application was policy compliant in terms of car parking provision and I appreciate frustrations regarding delays and in turn a policy change. However, my decision must be based upon the current policy position.
5. I appreciate the appellant's comments that such parking provision is required onsite in order to mitigate the impacts of the development on the surrounding area with regards to parking stress and I accept that the London Plan provides commentary regarding the detrimental impact of vehicles dominating streets. However, the Parking Survey which is before me sets out that there would be

spaces within a 200-metre walking distance of the site and whilst limited, it would be sufficient to absorb the amount of parking that would most likely be generated by the proposed development. On this basis, the proposed development would not therefore result in cars dominating the street.

Additionally, the general thrust of the policy is to promote sustainable modes of transport and reduce reliance on private vehicles hence the careful control of new parking provision and requirement for 'Car Free' development.

6. At my site visit, I observed that parking along Perry Vale was well utilised, and I noted the restrictions currently in place as well as the location of the school which further restricts parking. However, there were several available spaces along Dacres Road and within other surrounding streets and whilst this is only a snapshot of the parking situation at that particular point in time, it does confirm the findings of the survey data that there are a number of available spaces within the immediate vicinity.
7. As referred to above, the site is suitably accessed by foot and is situated within walking distance of day-to-day amenities. Additionally, the site is well served by public transport and cycle parking provision would be provided onsite. Consequently, the future occupiers of the dwellings would not therefore be dependent on private cars to meet their transport requirements and by providing an excessive level of car parking onsite would not promote such sustainable modes of transport to the detriment of the highway network.
8. The appellant describes concern regarding the overall layout, position of the houses, and practicalities of serving family sized dwellings with a pedestrian only access. Whilst I appreciate that the dwellings do not front the road, this relationship is not uncommon within such a setting, and I agree with the Officer's Report that the access is suitably convenient for future residents. I also note the appellant's comments that the existing access is unlit and thus not suitable for family dwellings. However, the flatted development of Vale Lodge would provide for a level of natural surveillance as well as some lighting although I note the Officer's Report which sets out that in order to ensure the access would be safe during the night, a scheme of external lighting would be secured by condition had the proposal been otherwise acceptable. I am therefore satisfied, that such matters could likely be addressed through planning conditions in the event that this appeal was allowed.
9. The appellant suggests that the overall layout and position of the site is unique to be able to warrant a departure from Policy T6.1 of the London Plan and that a flexible approach is required. I accept that when calculating general parking provision within the relevant standards, consideration should be given to local circumstances. I note from the Officer's Report that during the course of the application, the Council accepted one parking space in the spirit of finding a solution to achieve a positive outcome on the site and in light of the proposed family sized dwellings and previous use of the site as a former garage. On this basis, a reasonable and flexible approach had been taken before plans were said to have been revised.
10. I acknowledge that the site would be capable of providing off-street car parking with no harm to neighbours and would respect the design and layout of the development. This is, however, a neutral factor in this case.
11. Additionally, I acknowledge that the proposed car parking would provide for electric charging points, and I note comments in terms of encouraging electric

car ownership and the barriers associated where off-street parking is not available/provided. However, the overall objective of 'Car Free' development is to promote sustainable modes of transport and reduce reliance on private vehicles. The site is located in a sustainable location and a condition could not be applied to require occupiers to be electric car drivers. In any event, the provision of electric charging points would be insufficient to outweigh the significant harm to the highway network as a result of failure to promote sustainable modes of transport.

12. I conclude that the proposed development would not promote sustainable modes of transport and so would be contrary to Policy T6.1 of the London Plan and Policy 14 of the Lewisham Core Strategy which together, amongst other things, seek to promote more sustainable transport choices adopting a more restricted approach on parking.

Other matters

13. I note that the proposed development would deliver housing within a sustainable location which would be a benefit. However, the modest contribution of three properties would not be sufficient to outweigh the harm identified having regard to the highway network.

Conclusion

14. For the above reasons, I find that the proposal conflicts with the development plan, read as a whole. There are no other material considerations that individually or cumulatively outweigh this harm. The appeal should therefore be dismissed.

N Teasdale

INSPECTOR