



Appeal Decision

Site visit made on 24 January 2023

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 February 2023

Appeal Ref: APP/P5870/W/22/3305855

29 Vermont Road, Sutton SM1 3EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Ruslan Szofijan against the Council of the London Borough of Sutton.
 - The application Ref DM2021/02087, is dated 15 October 2021.
 - The development proposed is the erection of an attached 2-storey dwellinghouse involving demolition of the existing detached garage and erection of a part one, part two storey side/rear extension including alterations to the first floor front fenestration, cycle/refuse storage areas.
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Decision

1. The appeal is dismissed and planning permission is refused for the erection of an attached 2-storey dwellinghouse involving demolition of the existing detached garage and erection of a part one, part two storey side/rear extension including alterations to the first floor front fenestration, cycle/refuse storage areas.

Preliminary Matters

2. I have determined this appeal on the basis of the Council's failure to determine the planning application within the statutory timescale. However, I have had regard to the Council's officer report, in so far that it provides clarity on the reasons why the Council would have refused planning permission had it been able to do so.
3. In the absence of any evidence from the Council to indicate otherwise, it would appear that there is no dispute between the parties as to the acceptability of the other elements of the proposal. I shall therefore confine my detailed considerations to parking provision and associated highway safety.

Main Issue

4. The effect of the proposed parking arrangements on highway safety in Vermont Road.

Reasons

5. The appeal site is located in a residential cul-de-sac that is predominantly characterised by two storey semi-detached and terraced houses, set back from the road with relatively small front gardens. The majority of dwellings on the road have off-street parking arrangements although this isn't the case for a small number of mid-terrace properties.

6. The proposal would entail demolition of the existing garage, and removal of the driveway. As such, there would be no off-street parking in front of the proposed new dwelling. Two new off-street parking spaces would be provided in front of the existing house at No. 29.
7. The design and access statement submitted by the appellant sets out that the two new spaces would be accessed via the existing dropped kerb. However, given that the dropped kerb currently enables access to the garage, and is not situated where the new spaces would be, it is not clear how this would be achieved. Moreover, when viewing the site from the front, it is clear that the spaces are unlikely to be of a sufficient depth to fit an average sized car. Vehicles parked in those spaces would likely overhang the pavement, which would cause a safety issue for pedestrians. The Council's highways officer has set out that the provision of an additional crossover was previously refused for this reason.
8. Appendix 11 of the Sutton Local Plan, 2016-2031 (LP) identifies that the maximum parking standard for a 3-bedroom house is the provision of two off-street parking spaces. The relatively high PTAL rating of the area means that the maximum standard would not be justified. However, the appeal site is in a suburban locality where occupiers of the two dwellings may well own cars. Also, Vermont Road is not part of a Controlled Parking Zone. Given the above combination of factors, the lack of usable off-street spaces for the proposed new dwelling is likely to result in additional on-street parking.
9. The Council's highways officer reports parking stress in the street. This is also indicated in the findings of a parking survey undertaken on behalf of the appellant in June 2021. Albeit only a snapshot in time, I observed on my site visit that there were a number of cars parked on the street, even at mid-afternoon on a weekday. Together, these factors indicate some existing parking pressure and stress on the street. Given this, and the fact that Vermont Road is a relatively narrow cul-de-sac, additional cars parked on the street arising from the proposed development would have implications for highway safety. In particular, vehicles needing to turn around at the end of the cul-de-sac, close to No's. 29 and 29A, may not be able to manoeuvre easily, thereby posing a risk to other highway users and pedestrians.
10. Therefore, I conclude that the proposed parking arrangements would harm highway safety. This would be contrary to LP Policies 36 and 37 which seek to ensure adequate provision of car parking and the safe functioning of the highway.

Other Matters

11. The proposal would contribute a modern three-bedroom house in a relatively accessible suburban location to the local street scene and housing supply, with associated design and socio-economic benefits during and after construction. However, the benefits would be limited by the scale of proposed development and not outweigh the identified harm to highway safety.
12. The appellant indicates that he was led to believe that permission would be granted by the Council if he agreed to an extension of time and suggested conditions. Be that as it may, this does not address the concerns identified above about parking and highway safety, and so does not alter my decision.

Conclusion

13. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR