



Appeal Decision

Site visit made on 5 April 2023

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2023

Appeal Ref: APP/L5240/W/22/3305081

Land to rear of 62, 62A and 64 Beulah Hill, Upper Norwood, London SE19 3EW

- 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 Richard Rumbles of Barnfield Homes Ltd against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/03468/FUL, dated 3 March 2022, was refused by notice dated 6 July 2022.
 - The development proposed is erection of a terrace of nine houses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A unilateral undertaking was submitted by the appellant during the course of the appeal, which the Council has confirmed addresses its second reason for refusal.
3. The appeal includes amended plans that were submitted to the Council in March 2022, but which were not listed on the decision notice in July 2022, as drawings that had been considered. These are limited to an amended proposed site plan (drawing No. p2o) and a swept path analysis (drawing No. 2105016-TK06 E). No party would be prejudiced by my acceptance of these amended plans and therefore my decision is based on these.

Main Issue

4. The main issue is the effect of the development on highway and pedestrian safety, with particular regard to access for larger vehicles and parking stress.

Reasons

Access for larger vehicles

5. Nos. 62, 62A and 64 Beulah Hill, front onto a narrow residential service road that runs parallel to the main A215 Beulah Hill and is separated from it by a parcel of grassed open space.
 6. The proposed development would include the construction of a new access road, in the gap between nos. 62A and 64, following the demolition of the existing garages. The appeal submission was accompanied by a Highway Report, which confirms that larger vehicles would not be able to enter the site without the body of the vehicle oversailing the open grassed area.
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7. The submitted swept path analysis for a fire appliance, demonstrates that a large vehicle would not be able to enter or exit the site, if any vehicles were parked on the road directly in front of Nos.62A and 64, which based upon the evidence before me, there is no means of controlling. Even with vehicles parked away from the proposed junction, as shown on the submitted drawing (drawing No. 2105016-TK06 E), turning would clearly be very tight. I note that this drawing also fails to show the edge of the carriageway adjacent to the grassed area and therefore it is unclear if vehicles would overrun this.
8. It is evident from the existing damage to the highway and grassed area that the wheels of vehicles already regularly overrun the kerbs and grass, carrying mud onto the highway, to avoid colliding with other parked or moving vehicles, even without needing to turn into the proposed new access. The proposal would only exacerbate this existing problem, with the increased vehicular traffic generated by the development creating more passing vehicles and more damage, which would in turn increase the risk of accidents. Imposing measures to restrict parking in the vicinity of the proposed new junction would only add to the parking issues, which I come to later in this decision.
9. It has been suggested that the solution to the problem of large vehicle access, is to use a private refuse company, that would use a smaller vehicle to collect waste and recycling from the site, and to fit the proposed houses with sprinkler systems, thus avoiding the need for fire appliances to enter the site.
10. There is nothing before me to explain how the collection of waste and recycling by a private company would guarantee the use of a smaller collection vehicle, or how this could be secured and controlled for the lifetime of the development. Moreover, this would not prevent other large vehicles, such as removal and delivery lorries, from accessing or attempting to access the site and causing further damage to both the public highway and the grassed amenity space. In the event that a large vehicle was physically unable to access the site, it would obstruct the residential service road on Beulah Hill.
11. The lack of suitable access for large vehicles is a symptom of poor design. Paragraph 134 of the National Planning Policy Framework (the Framework) is clear that development that is not well designed should be refused. Fire safety and highway safety are material considerations to which I afford significant weight. I do not accept that a development of this scale should be reliant upon sprinkler systems for fire safety or indeed private waste collection services, due to inappropriate access to accommodate a fire appliance and other large vehicles.
12. I therefore conclude that the proposal, would not provide suitable means of access for larger vehicles. This would increase the harm already being caused to the public highway and would be detrimental to highway safety. Consequently, the proposal would fail to accord with Policies DM29 and DM30 of the Croydon Local Plan (2018) (the Local Plan) and Policies T4 and T6(I) of The London Plan (2021), which seek to ensure development does not have a detrimental impact on highway safety and includes adequate provision for efficient deliveries, servicing and emergency access.
13. The proposal would also conflict with paragraph 110(b) of the Framework, which requires new development to ensure that safe and suitable access to the site can be achieved for all users, and paragraph 112(d) which states

development should allow for the efficient delivery of goods, and access by service and emergency vehicles.

Parking

14. Although there is some unrestricted parking along the Beulah Hill residential service road and adjoining Elizabeth Way, I observed at the time of my visit, which was early afternoon when many people may not have been at home, that there were very few spaces available. The main A215 Beulah Hill is not suitable for on street parking due to its busy nature and the adjacent Stonebridge Mews development is restricted to private parking for permit holders only.
15. The site is located in an outer London area with a Public Transport Accessibility Level (PTAL) rating of 2. As such the maximum car parking standard, according to Policy T6.1 of The London Plan, is one space per dwelling. Policy DM30 of the Local Plan states that parking should be in accordance with The London Plan, with no provision for higher levels of car parking in areas with low PTAL ratings.
16. The proposal would accord with these policies, providing nine car parking spaces, for the nine dwellings, each with electric charging points and one of which would be suitable for a Blue Badge Holder. Reference is also made to the provision of a designated car club space although there is nothing to show where this would be located.
17. A unilateral undertaking has been submitted, which would secure contributions towards improving sustainable transport in the area and would provide future occupiers of the development with car club membership. Consequently, future occupiers of the development would not necessarily all need to be car owners or reliant upon private car use to access services and facilities.
18. However, the proposed creation of the new access and the relocation of the existing vehicle crossover to no.64, would result in the loss of at least two parking spaces for occupiers of existing dwellings in the area, an off-street space to the front of No.62A and an on-street space to the front of the relocated vehicle crossover to No. 64.
19. It has been suggested that a separate householder application may be submitted in the future to secure new off-street parking for the occupiers of No. 62A. However, it is unclear whether this parking would be to the rear of the dwelling, served by the proposed new access road, or to the front via a new vehicle crossover from the Beulah Hill service road, which would result in the loss of a further on-street parking space in this area.
20. A parking stress survey has been undertaken, the parameters of which were first agreed with the Local Highway Authority. The survey confirmed that on-street parking in the agreed survey area ranged between 63-70% capacity. This is below the 85% threshold at which I am advised networks are considered stressed.
21. However, the area surveyed extended approximately 270m walking distance beyond the site. The Local Highway Authority accepts that this was agreed in error and that the acceptable distance is generally considered to be 200m. In my view most people would expect to be able to park within at least a 200m walk of their home or any property they are visiting. As such areas beyond this distance should be excluded from the survey.

22. The survey identified Spurgeon Road as having the greatest car parking capacity available. As this has double yellow lines and residential apartments on either side of it, close to its junction with Beulah Hill, it is unlikely to have much capacity within the 200m walking distance of the site. It is unreasonable to expect residents of existing dwellings to have to park much beyond the junction of this road, as a result of spaces being lost to this proposal.
23. The loss of existing spaces and the increased demand for on street parking in the immediate vicinity of the site, as a result of the proposed development, would increase parking stress and could encourage unsafe parking, for example on pavements, verges, close to junctions or on the main road. Parking close to the proposed new access road would also impede access by large vehicles and emergency services to the new development, as demonstrated by the submitted swept path drawing.
24. Reference has also been made to other new and approved developments in the area that would also increase on street parking demands, the cumulative impact of which has not been taken into account in the parking survey. However, I do not have sufficient evidence before me to show where these sites are, what parking provisions they have, what mitigation measures were included in those developments to reduce parking demands or what alternative parking may be available within 200m walking distance of those sites.
25. I therefore conclude that the proposal accords with Table 10.3 of Policy T6.1 of the London Plan and Table 10.1 of Policy DM30 of the Local Plan with regard to parking standards for occupiers of the new residential development. However, due to the loss of parking for existing residents, it would result in increased parking stress in the area immediately surrounding the site, particularly along the Beulah Hill residential service road and would therefore fail to accord with Policy T6(I) of The London Plan and Policy DM30(d) of the Local Plan, as it has not been satisfactorily demonstrated that existing residents would be able to continue to park safely and efficiently, without obstructing access to the new development by delivery, servicing and emergency vehicles.
26. As Policy T5 of The London Plan relates to cycling I do not consider it relevant to the Council's reasons for refusal.

Other Matters

27. My attention has been drawn to numerous other applications in the area that have been approved by the Council. However, based upon the evidence before me, these development sites do not appear to have had the same access and parking issues as this scheme.
28. The nearby Stonebridge Mews development was allowed on appeal approximately 15 years ago. This included the re-development of the site frontage and comprises a much wider access road into the site than that proposed on the scheme currently before me. Since that time there have been material changes in policy and changes in parking demands as a result of numerous other developments having been approved and built.
29. I have also been made aware of a planning application on the adjoining site at 60 Beulah Hill. I have not been supplied with any further details of that application or of any assessment of the cumulative effects of these proposed

developments but understand that the application was recently refused planning permission in any event.

30. I acknowledge that in many respects the proposal is acceptable and would deliver a variety of benefits, including amongst other things the provision of housing and making efficient use of land. However, this would not outweigh the harm that would be caused to highway safety or the conflict with relevant policies on such matters.

Conclusion

31. For the reasons given above, I conclude that the proposal conflicts with the development plan and there are no material considerations which indicate a decision should be made other than in accordance with this. The appeal is therefore dismissed.

R Bartlett

INSPECTOR