



Appeal Decision

Site visit made on 8 August 2023

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2023

Appeal Ref: APP/N5660/W/22/3312724

Pavement opposite 39 Greenhurst Road, Lambeth, London SE27 0LH

Ordnance Survey Grid Reference 531421:171215

- 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 Paul Crowe on behalf of Delivering London Limited against the decision of the Council of the London Borough of Lambeth.
- The application Ref 22/00280/RG4, dated 15 January 2022, was refused by notice dated 16 September 2022.
- The development proposed is described as "this is an application seeking full planning permission for the temporary stationing (5 years) of an out of home parcel locker on the pavement to the south side of 39 Greenhurst Road, SE27 0LH, on Lakeview Road, adjacent to the entrance to Kwesi Mews".

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address of the appeal site provided on the application form was the "Pavement opposite 39 Lakeview Road". However, it has been brought to my attention that this is incorrect. Although the site is located on Lakeview Road, the property immediately opposite to the appeal site is located on Greenhurst Road. Therefore, based on my own observations of the site, the address provided on the Council's decision notice and on the submitted 'Location Plan', I am satisfied that the correct address for the appeal is the "Pavement opposite 39 Greenhurst Road". I have therefore used that address in the banner above and included the grid references provided, for the avoidance of doubt. I am satisfied that the site can be clearly identified and neither party has been prejudiced.

Main Issues

3. The main issues of the appeal are the effect of the proposed development on:
 - The character and appearance of the area;
 - Community safety, with particular regard to the fear of crime; and
 - Highway safety.

Reasons

Character and Appearance

4. The appeal site relates to an area of pavement on Lakeview Road, adjacent to an area of green open space with a footpath which leads to a play area. The

appeal site is opposite 39 Greenhurst Road, with a vehicular access to the side which leads to a residential development known as Kwesi Mews. In the immediate surrounding area, there are some existing low-level cabinets and other street furniture. However, the area is predominantly residential and in this particular location, the area is more open and spacious in character.

5. The proposed development relates to the siting of an out-of-home double parcel locker unit. The unit would measure approximately 1.9 metres in length, 0.8 metres wide and 2.2 metres in height. The parcel locker would provide an alternative to home delivery.
6. Given the context of the location, which is a quiet residential street, the proposed parcel locker would be of a commercial, utilitarian design, which would be at odds with the surrounding residential character. It would be sited in front of an area of public open space, which is largely devoid of any tall structures or buildings. Whilst the area contains some existing street furniture, the introduction of a parcel locker in this location would result in a cluttered appearance in what is otherwise an open part of the street.
7. Whilst no details have been provided on the submitted plans, the appellant has indicated that the lockers will not be used for advertising, nor will they be left blank. Instead, they will be designed using muted colours and decorated with line drawn landmarks in Lambeth. Notwithstanding, the proposed design, the parcel lockers by virtue of their height, general appearance, and position, in this context, would be viewed as an incongruous addition to the street scene which would fail to reflect the character of the local area.
8. Policy Q1 of the Lambeth Local Plan 2012 (LLP) states that the council will secure new development which is compliant with current best practice in relation to accessible design. The supporting text to Policy Q1 states that all new development should be accessible to all, including peoples with disabilities, older people, other people with mobility constraints, and children.
9. Whilst concerns have been raised about the accessibility of some of the lockers due to the height of the proposed unit, most will be in easy reach and it is common practice for customers to be able to request lower lockers if required. Accordingly, the proposal would accord with Policy Q1 of the LLP.
10. My attention has been drawn to a document titled the 'Good Location Guide', which the appellant states has been agreed with the Council. I have had regard to this document in so far as it provides guidance on the location and siting of parcel lockers within the Borough of Lambeth. However, the Council has not referred to this guide in their submissions. As such, due to the absence of any confirmation with regards to the status of this document, I can only afford it very limited weight.
11. I therefore conclude that the proposed development would harm the character and appearance of the area. It would therefore be contrary to Policies Q5 and Q6 of the LLP which state that proposals will be supported where it is shown that the design of development is a creative and innovative response to positive aspects of the locality, including its built form and its siting, orientation, layout, and relationship other buildings. Whilst the proposal would comply with Policy Q1 of the LLP this does not overcome the harm I have identified on character and appearance overall.

Fear of Crime

12. Whilst the appeal site is within a residential area, the location of the proposed lockers would be in a position that it would not benefit from high levels of footfall or windows which overlook the site. Therefore, the location and position of the proposed development does not lend itself to good standards of natural surveillance. As such, it would therefore be in a location that has the potential to attract opportunistic crime and anti-social behaviour.
13. I acknowledge the desire to avoid interference with the outlook and sight lines of residential properties. In this particular case, there is a balance to be struck between providing adequate surveillance and protecting amenity of existing residents. However, due to the position and orientation of neighbouring residential properties, where windows overlook the site, these are either located at first floor level or some distance away. Whilst this site is open, there are very few active windows overlooking the site. Furthermore, as this is a predominantly residential area, the likely levels of footfall around the site would be significantly less than in other locations.
14. In relation to the fear of crime and risk of anti-social behaviour, the parcel lockers would be openly accessible from all four sides. I understand that the proposed parcel lockers would be of steel construction, with anti-graffiti paint applied to reduce the likelihood of graffiti. However, I have not been presented with any compelling evidence to demonstrate that these measures would reduce the likelihood of anti-social behaviour occurring.
15. I acknowledge that the proposed lockers would offer an alternative option to home delivery which would reduce opportunities for parcels to be left outside of residential properties, which may potentially reduce the theft of parcels by providing a secure alternative. I have also had regard to the appellants case, that as part of the pilot project the proposed locker could be removed at the request of either DLL or the Council within 90 days, to address security concerns. However, whilst these measures are noted, I am not persuaded that these would adequately address the fear or crime in this particular location, which lacks natural surveillance to deter crime.
16. Policy Q3 of the LLP expects good design to design out opportunistic crime, anti-social behaviour, violence and fear of crime in a site-specific manner, based on an understanding of the locality and likely crime and safety issues it presents.
17. Consequently, I therefore conclude that in this particular location, the proposed development would result in an increased fear of crime, which would be contrary to Policy Q3 of the LLP.

Highway Safety

18. Paragraph 110 of the National Planning Policy Framework (the Framework) states that development should ensure that any significant impacts on highway safety can be cost effectively mitigated to an acceptable degree. Paragraph 111 states that development should only be refused if there would be an unacceptable impact on highway safety.
19. The appeal site is located on an existing footpath which measures approximately 3 metres in width. The proposed parcel lockers would be located to the rear of the footpath, maintaining a usable footpath of more than 2

metres in width. Therefore, the proposed siting of the parcel locker would not harm pedestrian movements in this location.

20. The proposed parcel locker would be located between the corner of Lakeview Road and Greenhurst Road and the access road to Kwesi Mews, which is located to the rear. There is some on-street parking available in front of the residential properties on both sides of Lakeview Road, with double yellow lines located immediately opposite the appeal site.
21. Whilst I have had regard to the appellant's case which seeks to provide parcel locker facilities in locations that will reduce the need to travel. The proposed development will generate journeys to carry out parcel deliveries, as well as collections, plus additional trips from customers using the facility. Whilst some of these journeys might be undertaken on foot or by bicycle, it is likely that some of these journeys will be by car or van. I have not been presented with any substantive evidence to demonstrate that adequate servicing provision can be provided and that additional journeys to and from the parcel lockers, including demand for parking at the appeal site could be satisfactorily accommodated within the existing highway network without resulting in an unacceptable impact on highway safety.
22. Consequently, based on the available evidence, I conclude that the effect of the proposal on highway safety would be unacceptable. The proposed development would therefore be contrary to Policies T1, T2, and Q6 of the Lambeth Local Plan (2021), which amongst other things, seek to prioritise walking and cycling by ensuring pedestrian and cycle-priority environments are not dominated by vehicles, including parked vehicles. Policy T1 also states that all development should reduce road danger, to help meet the Mayor's 'Vision Zero' target.
23. It would also be contrary to Policy T7 which states that new development, and in particular non-residential and mixed-use development, will only be permitted where adequate provision is made for servicing appropriate to the scale, form and location of the proposed development, including provision for commercial vehicles, ensuring that it is appropriate and acceptable in terms of impact on amenity of adjacent properties and road and traffic conditions of the location.

Conclusion

24. For the reasons given above, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. The appeal is therefore dismissed.

K Lancaster

INSPECTOR