



Appeal Decision

Site visit made on 25 March 2025

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 May 2025

Appeal Ref: APP/E5330/W/25/3358950

73 Elmdene Road, Woolwich SE18 6TZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Linas Gocentas against the decision of Royal Borough of Greenwich.
- The application Ref is 24/1286/MA.
- The application sought planning permission for a retrospective change of use of the building including side addition from garage to residential dwelling house (Use Class C3) arranged over three storeys, proposed new installation of privacy screen to the rear, new render to the building, new windows and doors across the site, glazed roof and associated external alterations without complying with a condition attached to planning permission Ref 22/2792/F, dated 26 May 2023.
- The condition in dispute is No 6 which states that:
Within six (6) months of the date of this permission arrangements shall be made to secure the development as 'car-free' in accordance with a detailed scheme or agreement which has been submitted to and approved in writing by the local planning authority. The approved scheme or agreement must ensure that:
 - a) *The current/future occupiers of the approved development cannot apply for, obtain, or hold an on-street parking permit to park a vehicle on the public highway within the administrative district of the Local Planning Authority (other than a disabled person's badge issued pursuant to section 21 of the Chronically Sick and Disabled Persons Act 1970 or similar legislation);*
 - b) *such scheme or agreement shall be implemented prior to the occupation of the development hereby permitted and shall be retained and operated for the lifetime of the development.*
- The reason given for the condition is:
To promote sustainable transport by reducing the need for car travel in accordance with Policies IM4 and IM(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted 30th July 2014).

Decision

1. The appeal is dismissed.

Background and Main Issue

2. Planning permission was granted for a one-bedroom dwelling¹. The appellant subsequently had a minor material amendment granted in July 2024². The appellant seeks to vary condition six of the previously granted permission.
3. The Council indicates that condition six is necessary to ensure that the appeal scheme would reduce the reliance on private vehicles, encourage the use of more sustainable means of transport and prevent the over provision of car parking on the site and car parking problems in the wider street network.

¹ Planning Application Ref: 22/2792/F

² Planning Application Ref: 24/1289/MA

4. The Decision Notice and Officer Report indicate that removing the condition would likely have a harmful effect on car parking provision and the wider street network.
5. Taking into account the background, the main issue is, the effect of the development without the condition in place regarding on-street car parking provision and the wider street network.

Reasons

6. The appeal property, 73 Elmdene Road (No 73) is a residential one-bedroom dwelling located at the end of a cul-de-sac. It is a flat roofed, single storey building with two additional levels below ground level.
7. Policy T1 of the London Plan 2021 (the LP) outlines that proposals should facilitate the strategic target of 80% of all trips should be made by foot, cycle or public transport by 2041.
8. Policy T2 of the LP establishes that development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Furthermore, it outlines that developments should also reduce the dominance of vehicles on London's streets. This is further supported by Policy T6 which established that car-free development should be the starting point for all proposals which are well-connected by public transport.
9. Policy T6.1 establishes that new residential development should not exceed maximum parking standards. The appellant refers to the grant of the original permission as a regularisation rather than new development. However, for planning purposes no distinction is made against proposals for development and those made retrospectively. Therefore, it follows that No 73 was a new dwelling for planning purposes at the point it was formally granted permission. Consequently, Policy T6.1 is relevant to the appeal scheme.
10. No 73 is located close to the town centre and consequently there is a significant demand for parking and permit parking. Therefore, it is sited within the Woolwich 'B' Controlled Parking Zone (CPZ) which operates between 08:30 to 18:30 Monday to Saturday. It is also proximate to the Woolwich Arsenal mainline and DLR Railway Stations (approximately 800m from the site), Elizabeth Line Woolwich Station (approximately just over 1km from the site) and is within walking distance to 17 bus routes. Consequently, there is a relatively high level of access to public transport from the appeal site.
11. CPZ's are located in areas that are either close to services and facilities and/or good alternative transport options. It is considered that residents in a CPZ should not need to own a vehicle, as there are other practical and convenient means of getting around. The appellant considers the appeal site to be located within a PTAL zone 2 in Outer London and as such that there is no public transport provision at night. However, the appeal site is located on the boundary between a PTAL zone 6A and PTAL zone 2 designation on a scale of 1 to 6B (6B being the best classification in regard to access to public transport). Therefore, given the comments provided by the Council's highway specialist as well as the proximity of the aforementioned stations and bus routes, I find that the appeal site is within a PTAL 6A area. Consequently, according to table 10.3 of Policy T6.1 of the LP the maximum parking provision in PTAL 6 and therefore the appeal scheme, is car free.

12. I have identified above that the appeal site is within a reasonable distance of adequate public transport and Transport for London highlight that there are bus services which operate during the night and consequently provide a full service 24 hours a day, seven days a week. Therefore, I find there to be adequate transport provision to allow residents, including the appellant, to get to and from work at any time during the day or night.
13. The Lambeth Method states that surveys will be assessed based on practical driving routes so advance confirmation that the extent of a survey is acceptable should be sort. The Council consider that the parking survey submitted by the appellant assessed an area that exceeded the recommended two-minute walking distance and consequently has not been conducted by the Lambeth Method. Additionally, it also indicates concerns regarding the area capacity cited in the parking survey. This is because it was based on a parking space length of 5.0m whereas the Council state that the Borough recommends a 5.5m parking space length. It therefore considers whilst the parking survey demonstrates sufficient car parking spaces for additional cars it exaggerates the amount of available space due to the wider area surveyed and smaller car parking length.
14. Nevertheless, irrespective of whether the parking survey is sufficient, it was conducted on weekday nights/early mornings and consequently this was outside the operating hours of the CPZ. Policy IM(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014 (the RGLP) outlines that development in areas of on street parking stress should be 'car capped'. Given the hours in which the parking survey was conducted, there is limited substantive evidence to adequately demonstrate that the CPZ is significantly underutilised. It follows therefore, that it has not been adequately demonstrated that existing residents parking would not be displaced as a result of condition 6 being removed and consequently lead to further pressure on existing spaces as well as result in an over dominance of cars on the surrounding road network.
15. The appellant has lived at the appeal site since 2012 however this was prior to the dwelling being granted permission³. Consequently, whilst the appellant may have been able to park his vehicle on the street or in a garage throughout that time, this was not within the remit of control of the Council due to the lack of planning permission. Nevertheless, there is also limited substantive evidence before me to demonstrate whether the historical parking of the appellant's car took place in a designated bay or directly in front of the appeal building. Therefore, the historical parking of the appellant's car on Elmdene Road does not justify the removal of condition 6.
16. It was the appellant's personal choice to convert the garage to a dwelling and the consequent loss of two onsite parking spaces. The appellant outlines the retrospective nature of the original planning application, highlighting that they have been living there for approximately 12 years. Additionally, they highlight that Policy T1 of the LP requires 80% of all trips to be made by foot, cycle or public transport and consequently, the issue of permits should be assessed on merit and needs. Irrespective of whether there is adequate evidence before me to demonstrate the period of time the appellant has lived at the appeal site, access to a parking permit

³ Planning Application Reference: 22/2792/F

is unable to be directly controlled through planning legislation and consequently, does not come under the scope of the appeal before me.

17. Whilst the appellant may be a keyworker, there is limited substantive evidence before me to adequately demonstrate that the appellant's tools are too heavy to be transported on public transport or that the inability to park their car close to the appeal dwelling would result in a detrimental effect upon the safety of the appellant and their work colleagues.
18. Given the above, in the absence of an adequate parking survey, I find that the removal of condition 6 would result in harm to on-street car parking provision and to the wider street network. Moreover, given that the appeal scheme is located within a PTAL zone 6A, I find that there is reasonable public transport provision close to the appeal site. Consequently, it is for these reasons that the removal of condition 6 would conflict with Policies T1, T2, T6 and T6.1 of the LP and Policies IM(b), IM(c) and IM4 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014. These policies seek, amongst other things, to ensure developments do not negatively effect London's Transport network, reduce car dominance, use and ownership, ensure car free development is the starting point for all development proposals that are in places that are well connected by public transport, accord with the maximum car parking standards and overall aim of sustainable travel.

Planning Balance and Conclusion

19. The appellant has highlighted that the removal of condition 6 would enable them to park their car close to the dwelling and prevent them driving extra mileage to work each day due to having to park a distance from the appeal site. Consequently, the removal of condition 6 would result in less pollution. However, there is limited substantive evidence before me to demonstrate the extent of the decrease in pollution. I therefore attach limited weight to the appellant's claimed benefit.
20. Nevertheless, for the reasons given above regarding the effect of the development without the condition in place regarding on-street car parking provision and the wider street network, the proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR