



**London &  
South East  
Planning**

International House  
36-38 Cornhill  
London  
EC3V 3NG  
**0208 914 7900**  
[info@lseplanning.com](mailto:info@lseplanning.com)  
[www.lseplanning.com](http://www.lseplanning.com)

## Response to Council's appeal submission

**Permission Refused for:**

"Removal of front boundary wall and creation of new vehicular access and hardstanding in front garden for car parking"

**Address:**

47 Priory Road, London NW6 4NS

**LPA Reference:**

2023/0345/P

**Appeal Reference:**

APP/X5210/W/23/3326819

**Appeal Dated:**

December 2023

# Contents

- 1. Introduction ..... Page 3**
- 2. Response to Council’s Submission ..... Page 4**
- 3. Conclusions ..... Page 7**

## **1. Introduction**

- 1.1.** The London Borough of Lambeth refused planning permission for the following development at 47 Priory Road, London, NW6 4NS on 17<sup>th</sup> May 2023.
- 1.2.** The appellant's main case has already been set out in the previous appeal statement. The Council has provided their appeal statement of case and the appellant now has the opportunity to respond. This current statement from the appellant will therefore deal specifically with the points raised by the neighbours in their statement of case.
- 1.3.** The Council's statement contains their comments on the appellant's statement of case. This statement will respond to these comments made by the LPA and neighbours.

## 2. Response to Council's comments

- 2.1. In the response to the appellant's statement the Council have responded with a number of points which centre mainly on the appellants inclusion of details within the Priory Road Conservation Area Appraisal Statement and parking stress.

### Impact on Conservation Area

- 2.2. In the appellants first statement it was stated that "it is important to note that in the Priory Road Conservation Area Appraisal (2000) reference was made to properties which removed their front boundary, namely No's 21, 43 & 45. By omitting No's 35, 19 & 14 from this statement it would suggest that they did not believe these alterations to the front boundary harmed the area."
- 2.3. In the Council's response they state that the appellant "completely ignores the sections of the statement that state that forecourt parking is harmful to the conservation area." This is not the case as it has been included within the statement but goes on to say that a number of other properties with their forecourt parking have not been included in the Council's view in relation to what forecourt alterations have caused harm. This has been included in the statement but the main point was that the property numbers stated such as No's 35, 19 and 14 including others were not included in the Council's list. The argument made was that the Council clearly do not see certain forecourt alterations as an impact on the Conservation Area. The Council's statement suggests that their exclusion is based on the timing of the adoption of the Priory Road Conservation Appraisal Statement in 2000.
- 2.4. However, during the research when producing the appellants main appeal statement historic analysis Priory Road was undertaken the purpose of this was to see how properties and land has changed over time. During this analysis it was observed that nos. 1, 3, 5, 13, 14, 16, 20, 35, 43, 45 all had off street parking by 1999 i.e. prior to the implantation of the PRCAS in 2000.
- 2.5. As new evidence cannot be introduced at this stage the appellant has refrained from supplying the satellite images from 1999 of the above-mentioned sites. However, the Inspector is free to conduct their own historic analysis should they feel it is necessary.
- 2.6. Therefore, a number of car parking/hardstandings to the forecourt area within the front amenity spaces on Priory Road have been omitted from the Council's statement. This would suggest that many of the forecourts present at that time were not considered harmful or it would have been stated. The Council's suggestion that some properties were not included in the lists of harmful properties in the PRCAS as they may have been completed after the document was published, this is believed to be incorrect and thus does not support the LPA's position.

### Parking Stress

- 2.7. In the Council's further comments, they argue the appellants point that parking stress would not be at a harmful level due to the proposed work and the loss of an on-street car park. They state;

*"The parking stress ratio for the zones are 89% for CA-K and 94% for CA-R, which indicates that both zones are highly stressed. This is based on data relating to the number of permits issued compared to the number of spaces available in each zone. For Priory Road (CA-K), the permit stress ratio is 89%, with 67 permits issued for 75 spaces available on-street. The*

*provision of the off-street parking space and crossover would result in the loss of a publicly available space, to the detriment of the controlled parking zone and parking in the street. The loss of the one on-street bay would increase parking stress to 91%”.*

- 2.8.** By their own admission Camden states that there would be 91% parking stress if the proposal was approved but there are still enough car parking spaces for the demand. Currently there is more spaces than there is permit holders and until that level reaches 100% there is no real concern for the Council. Any figures below 100% mean that parking stress does not yet exist as there is enough spaces for all permit holders. The matter should only become a concern when it reaches over 100% but until then it would be unfair for the Council to restrict off-street parking based on the fear that it will one day exceed 100%.
- 2.9.** It should also be noted that the Council has the ability to limit any more proposals for car parking spaces. However, until such proposals are submitted to the Council which would take the number over 100% then their concern relating to parking stress levels is not yet an issue.

### **Other Matters**

- 2.10.** The Council state in their response statement that the type of vehicle, i.e. EV, owned by the appellant is not a material planning consideration. Whilst this is recognised, the shift towards electric vehicles has been legislated by Government with all new cars sold in the UK to be electric by 2035. Couple this with the existing tax incentives, ULEZ zone and cost of fuel vs. charging, it is argued that regardless of the appellant’s personal choice of vehicle, should the appeal be allowed it is increasingly likely that any future occupant at the appeal site would be prone to enjoying an EV over combustion powered car. Therefore, on the balance of probability the off-street parking proposal would encourage the use of sustainable transportation.
- 2.11.** Furthermore, the appellant suffers from a medical issue that has resulted in the reduction of personal mobility. While this is not strictly a planning concern, it is acknowledged that permission is applied to the land and not an individual. However, the Inspector is urged to give some weighting to the personal benefit to the appellant. This is in consideration of the increase in the quality of life that the development would bring. Specifically, it would offer convenience and peace of mind to the appellant, ensuring they can travel from their home in a vehicle with the knowledge that they will be able to park on their property upon their return. This would eliminate the risk of needing to travel by foot a substantial distance back to their property, due to a lack of parking availability at any time outside no.47.
- 2.12.** The Council considers that the retained trees and pillars would impair views should a vehicle reverse out of the site. Camden identify reversing to be a risk but have said nothing about egressing in forward gear. Yet the retained trees and pillars that are claimed to obscure the view of a driver in reverse would be present when exiting in forward gear. The appellant refutes this claim altogether and suggests the inconsistency in relation to this concern does not strengthen the LPA’s position.
- 2.13.** Moreover, contemporary vehicles are commonly equipped with parking sensors, providing drivers with alerts regarding nearby physical objects, whether stationary or in motion. This feature significantly diminishes the likelihood of accidents, particularly during slow-speed manoeuvres like entering or exiting a parking space. While it is recognised that Camden is unlikely to enforce a condition mandating parking spaces to be occupied exclusively by vehicles with parking sensors, the assertion is made that such a condition would be redundant in practice. This is due to the evident likelihood, as detailed earlier in this statement, of the parking space being utilised by a modern vehicle that inherently possesses these safety features.



The above image shows the openness of the existing site.

**2.14.** Camden also state that the “lack of evidence for incidents resulting from neighbouring forecourt parking does not by default make this proposed off-street parking space safe”. Whilst a lack of accidents does not automatically determine that the proposed off-road parking would be safe it is an excellent indicator given that some of the nearby sites (nos. 1a, 5, 13, 16, 35, 48 Priory Road etc.) share similar contextual arrangements i.e. trees and pillars which border their curtilages.

**2.15.** Additionally, the 20mph speed limit on Priory Road serves as a significant mitigating factor, diminishing the likelihood of accidents. This reduced speed provides both drivers and pedestrians with ample time to react to potential hazards, thereby minimising the overall risk of accidents. This aligns with the absence of evidence presented by the LPA concerning accidents on Priory Road.

### **3. Conclusion**

- 3.1** This appeal is made under Section 78 of the Town and County Planning Act 1990 (as amended). It sets out the Appellant's Case against the refusal of planning permission by the London Borough of Camden.
  
- 3.2** For the reasons set out in this statement and the appellant's Statement of Case it is considered that the Council's reasons for refusal have been addressed and the Inspector is therefore respectfully requested to allow the appeal and grant planning permission.