

Dear Lesley

Thank you for forwarding the highways comments.

The objection to a small amount of overspill parking on nearby streets does not stand up to scrutiny in our opinion. Please find attached a Technical Note prepared by our transport consultants explaining this.

The first and key point is that a shortfall in onsite parking against adopted standards does not on itself justify refusal, provided - as is the case here - the shortfall has been fully evidenced. Where it can be shown that small numbers of overflow cars can be accommodated safely on nearby streets without giving rise to parking stress, then it follows that there is no highway safety issue, and no grounds for refusal.

This point is demonstrated multiple times by the appeal decisions appended to the Technical Note.

I am somewhat surprised that your highway engineer is raising amenity as a concern, since this is not a highway safety issue. Is the Council really alleging that an occasional additional car parked on a residential street during daytime can give rise to an amenity issue? I doubt that the impact of such parking would even be noticed, let alone constitute a nuisance.

The highways comments mention events being held at the pub, but having now done a full seven days of surveys as requested, we are confident the surveys robustly represent the pub's parking requirements including events. If the highway authority had a specific requirement to be assessed as part of the parking surveys, it would presumably have mentioned it before my client commissioned the time-consuming and expensive extra four days of surveys at the Council's request.

I would highlight the question of consistency. The same highway authority raised no objection to a small amount of overflow parking at the Crofton public house in Fareham, similarly located in a residential area, based on three days of parking surveys. The Crofton likewise has "events" - as indeed do most pubs - but the parking surveys were considered acceptable by the highway authority. In our view it is imperative that the highway authority judges applications on a like-for-like and consistent basis, which evidently they have not done here.

The issue of consistency extends to the way in which Inspectors have dealt with comparable planning applications supported by Lambeth methodology parking surveys. They clearly accept such evidence as being material and determinative in such cases. If the application ends up at appeal - which we sincerely hope will not be necessary - then the Inspector will be required to consider whether the Council has demonstrated consistent decision-making. In my view it will struggle to do this.

You asked whether my client is willing to revert to the earlier consented scheme with more car parking, but I have to point out that the decision-making process is not a beauty contest to decide whether our current scheme is preferable to the earlier planning permission. The Council is required to make a decision on the current application based on its merits. I can confirm my client does not wish to revert to the earlier scheme, as the new scheme works better from an operational point of view.

Finally,, the Council is required to apply the planning balance and weigh up the benefits of sustainably-located family housing against the negligible impacts associated with overflow parking. I would assert that the benefits of new housing easily outweighs the impacts.

I look forward to hearing from you.

Kind regards

Jeremy