

**TOWN AND COUNTRY PLANNING ACT 1990:
SECTION 78 APPEAL**

21-57 WILLOW WAY, LONDON, SE26 4AR

**PROPOSED DEMOLITION AND REDEVELOPMENT TO PROVIDE
EMPLOYMENT FLOORSPACE AND RESIDENTIAL UNITS**

APPEAL

PLANNING INSPECTORATE REFERENCE: APP/C5690/W/23/3321935
LONDON BOROUGH OF LEWISHAM REFERENCE: DC/22/129789

3 OCTOBER 2023

PROOF OF EVIDENCE

OF

MARK KIRBY

SUBMITTED ON BEHALF OF KITEWOOD ESTATES LTD (THE APPELLANT)

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APPENDICES

Appendix A - Vehicle Types



1 Executive Summary

- 1.1 My Proof of Evidence has been prepared to address the highways and transport Reasons for Refusal raised by the London Borough of Lewisham ('LBL') in their capacity as the Local Planning and Local Highway Authority in relation to the Planning Application for the Proposed Development at Plot A, 21-57 Willow Way, London, SE26 4AR ('the Site'). The Planning Application was refused by LBL on the 23rd of March 2023.
- 1.2 Of the six Reasons for Refusal that were identified in the LBL Decision Notice, two are considered to include matters that relate to highways and transport. These are generally identified as being in relation to the provision of adequate serving arrangements, adequate footway provision along the frontage of the Application Site, and suitable connectivity for pedestrians through the wider masterplan area to link the Application Site with Dartmouth Road.
- 1.3 In addition to the Decision Notice, LBL provided further commentary and justification for the identified Reasons for Refusal within their Statement of Case (SoC), the consultation response dated March 2023, and the Officer Report. Whilst more detail is provided in relation to the key highways and transport matters within the SoC, in addition to the contested matters identified to be consistent with the Reasons for Refusal, LBL have also commented that further consideration is to be given to the width of the pedestrian access to the rear parking court, and the implications of introducing double yellow lines along Willow Way with regards to the potential for displaced car parking.
- 1.4 My Proof of Evidence sets out how the matters raised by the LBL are considered to be appropriately addressed within the information already submitted in support of the Planning Application, the additional information provided to respond to LBL's consultation comments, and as part of the information within this Proof of Evidence.
- 1.5 In conclusion, based on my professional judgment, if planning permission were to be granted for the Proposed Development there would not be an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be considered "severe". In addition, I believe that safe and appropriate access to the Proposed Development has been demonstrated for all users of the highway network.
- 1.6 As such, and in accordance with paragraph 111 of the National Planning Policy Framework ('NPPF'), there should be no reason to prevent or refuse the Proposed Development on highways grounds.



2 Introduction

- 2.1 My name is Mark Kirby. I am a Director of Velocity Transport Planning ('VTP') with more than 23 years of experience in transport planning and engineering in the United Kingdom (UK). I hold a Diploma in Civil Engineering from the Cape Technikon in Cape Town, South Africa (BTEC) and a Professional Certificate in Highways and Transport Planning from Nottingham Trent University in the UK (MSc).
- 2.2 I have significant experience in providing transport planning services relating to residential-led development ranging from single dwellings through to circa. 1,500 units, as well as a broad range of experience across a variety of sectors, including commercial, retail, education, health, leisure and regeneration developments.
- 2.3 I have been engaged by Kitewood Estates Ltd ('the Appellant') to advise on highways and transportation matters for the Proposed Development of land at 21-57 Willow Way, London, SE26 4AR ('the Site').
- 2.4 I have prepared this Proof of Evidence in relation to the Appeal made by the Appellant under Section 78 of the Town and Country Planning Act 1990 ('the Appeal') [Appeal Ref. APP/C5690/W/23/3321935] in respect of a Planning Application submitted to the London Borough of Lewisham ('LBL') on 20th December 2022 (Planning Ref. DC/22/129789), hereafter referred to as 'the Planning Application' or 'the Proposed Development'.
- 2.5 I led the team that prepared the transport related documentation that supported the Planning Application, as well as the subsequent Technical Note that was prepared to address post-submission consultation responses and requests for further information.
- 2.6 LBL, in their capacity as Local Highway Authority ('LHA'), provided a consultation response via email dated the 16th March 2023, raising a number of objections in relation to highways and transport matters [CD-5.3.1].
- 2.7 In response to the consultation response from the LHA, VTP prepared a Technical Note to address LBL's concerns referred to as Technical Note in Support of Planning Appeal [CD-5.3.1].
- 2.8 It is understood that comments from the LBL Sustainable Travel (Travel Plans) Team have not been received at the time of preparing my Proof of Evidence.
- 2.9 With regard to external consultation responses, the Transport for London ('TfL') Spatial Planning Team stated that they would "*Support contributions to active travel zone; require wide cycle space for one of the long stay cycle parking spaces and all Sheffield stand spaces should be 1m from the wall; require clarification as to whether the 3 wheelchair adaptable car parking spaces will be provided from the offset.*"
- 2.10 I am familiar with the highways proposals for the Site, as well as the relevant planning policies, design standards, and the guidance relied upon in developing the proposals.
- 2.11 The LBL Statement of Case ('SoC') [CD-5.4] acknowledges that the application was refused under delegated powers on the 23rd March 2023 and six Reasons for Refusal were identified, two of which are considered to relate to highway matters.
- 2.12 I confirm that my evidence for this Inquiry has been prepared and is given in accordance with the guidance of my professional institutions. I confirm that the opinions expressed are my true and professional opinions.



3 Development Proposals

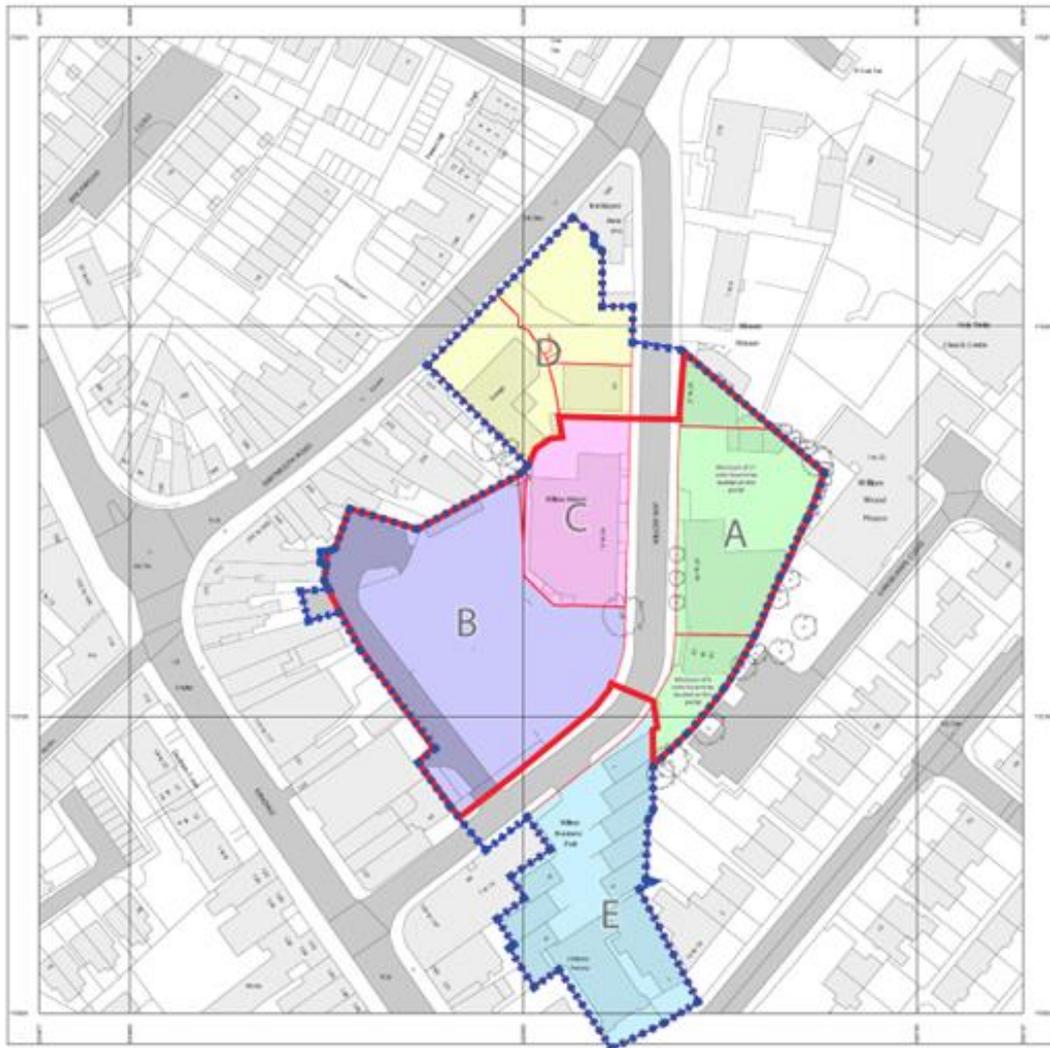
3.1 The Planning Application is as follows:

“Demolition of existing buildings and redevelopment of the site comprising a block rising to 5/6 storeys accommodating 1,401sqm of employment floorspace (Use Classes E(g)(i)(ii)(iii)) at ground and mezzanine floors and 60 residential units (Use Class C3) above, with associated landscaping, amenity areas, cycle, car parking and refuse/recycling stores at 21-57 Willow Way, London, SE26.”

3.2 The Proposed Development (Plot A), forms part of Site SA48¹, as identified within the Lewisham Site Allocations Local Plan (adopted June 2013) [CD-4.34], which is identified as Willow Way Local Employment Location (LEL).

3.3 For clarity regarding the land ownership boundaries, Site SA48 has been divided into 5 separate parcels, of which the Proposed Development (Plot A) is located towards the east, as shaded green in **Figure 3-1**.

Figure 3-1: Site Location Plan



¹ Page 152 Site Allocations Document



3.5 The Planning Application is supported by an Emerging Outline Masterplan for the Employment-led Mixed Use Redevelopment of Willow Way [CD-1.14]. Section 2 of this Emerging Masterplan includes a potential layout for the wider Masterplan², an extract of which is presented in **Figure 3-3**.

Figure 3-3: Emerging Outline Masterplan



3.6 The details of this Emerging Outline Masterplan are set out within the supporting documents and as such, are not repeated within my Proof of Evidence.

² Page 40 of the Emerging Outline Masterplan for the employment-led Mixed Use Redevelopment of Willow Way



4 Summary of Highways and Transport Issues

- 4.1 As noted above, I consider there to be two Reasons for Refusal (RfR) that relate in part to highways and transport matters in the context of the Site and in relation to the Emerging Outline Masterplan. The LBL Decision Notice [CD-2.1] identified these as RfR 2 and RfR 3.
- 4.2 For completeness, RfR2 and RfR3 are replicated below.

Reason for Refusal 2

“The lack of detail on the proposed uses across the masterplan site results in a failure to demonstrate that the intensified co-location of uses can function at the proposed capacity of the masterplan site. Furthermore, it results in officers being unable to conclude that the proposal would meet the relevant transport, design, public realm or environmental policy (noise, air quality as well as sustainable urban drainage, energy and biodiversity) requirements. The granting of this application in absence of these details would fetter the development opportunity of the adjoining sites and undermine the objectives of the wider site allocation and masterplan area. The proposal would therefore fail to meet policies D3, D13, E6, E7 and SI 11 in the London Plan (2021), Policy E3 in the Lewisham Core Strategy (2011) as well as emerging policies (Site Allocation 9: Willow Way, EC2, EC3, EC6) in the Lewisham Local Plan Proposed Submission Document- Regulation 19 Stage (January 2023).”

Reason for Refusal 3

“The proposals would result in the closing of existing businesses on site with no justification/ relocation package proposals and there is insufficient detail in the submission on whom future occupants might be and how the space, servicing and fit out requirements will attract a range of businesses within the target market. Combined with the lack of detail to show that the site itself can be adequately serviced or that the wider masterplan area won't be impacted by the proposed servicing arrangements, this could impact the quality and uptake of employment spaces and undermine the continued function of the employment location. The proposal is therefore contrary to policies D3, D13, E2, E3, E6, E7, T7 of the London Plan, Policy 14 in the Core Strategy (2011) as well as emerging policies (Site Allocation 9: Willow Way, EC2, EC3, EC6) in the Lewisham Proposed Submission (Regulation 19 Plan).”

- 4.3 In addition to RfR2 and RfR3, the LBL SoC [CD-5.4] identified a number of further matters that I consider to be related to highways and transport and the Council's contentions on these are summarised below.

Masterplan and Urban Design

- 4.4 Whilst I note that LBL support the principle of widening Willow Way to 20.0m to facilitate a more generous public realm, to provide opportunities for street tree planting, parking, and improved servicing arrangements³, LBL acknowledge that this widening will be required on Plots B, C and D (see **Figure 3-1**). LBL state that the “*The majority of public open space, public realm enhancements and road widening to facilitate the more intensified development across the emerging LSIS is reliant on other plots coming forward and there is no detailing of the interim arrangements nor whether the other plots*

³ Para 7.67 of the LBL SoC [CD-5.4]



*will be viable / deliverable given the need to provide these infrastructure requirements on their sites, without any being provided on the Proposal site*⁴.

- 4.5 LBL have raised concerns with regards to the deliverability of the proposed linkages and the surveillance of the connection to Dartmouth Road and the proposed public realm⁵, as these elements rely on land outside of the applicant's control, and it is unclear how the site access, transport and servicing would work in an interim state prior to the future development of the wider site.
- 4.6 The Urban Design section of the Officer Report (paragraphs 202 to 277) raised further concerns in relation to the following, which are considered to be associated with highways and transport matters⁶:
- (a) The public/private edge where the building meets the ground has not been well mediated, with loading bays obscuring views to the residential core entrances when approached from Kirkdale.
 - (b) No buffer zone/softening has been provided between the pavement and the hard edge of the building. More separation between the building and the road should be provided.
 - (c) No provision for public furniture, pause spaces or street trees has been made in relation to the Proposal Development.

Access and Servicing

- 4.7 The LBL SoC⁷ [CD-5.4] noted that as per paragraph 290 of the Officer's Report [CD-2.2] LBL consider that a wider footway will be required along the Willow Way frontage of the Site to accommodate the increased level of pedestrian activity associated with the residential and commercial uses. This widened footway should account for the proposed new servicing bay and the existing arrangement with Willow Way, including the parked cars utilising the footway.
- 4.8 The continued servicing of existing businesses to the west of Willow Way should be clarified should the double yellow lines on both sides of Willow Way be introduced for the Plot A scheme.
- 4.9 The provision of a single loading bay is acknowledged, but LBL consider that this should be provided at a length of 18m⁸ to accommodate the potential worst-case demand of residential and commercial servicing vehicles.
- 4.10 LBL acknowledge that Plots A and C currently have their own dedicated external yard space, which are assumed to currently fulfil some of the delivery requirements.⁹ As the Proposed Development would not provide any external yard space, LBL consider that the proposals would impact on the qualitative offer and that the Proposed Development would not provide a suitable proposition.
- 4.11 The LBL SoC [CD-5.4] notes that the lack of external yard space will mean that any occupier that relies on a significant number of deliveries and servicing as part of their business model is unlikely to find the proposed units suitable¹⁰.

⁴ Para 7.70 of the LBL SoC [CD-5.4]

⁵ Para 7.70 of the LBL SoC [CD-5.4]

⁶ Para 7.71 of the LBL SoC [CD-5.4]

⁷ Para 7.86 of the LBL SoC [CD-5.4]

⁸ Para 7.91 of the LBL SoC [CD-5.4]

⁹ Para 7.92 of the LBL SoC [CD-5.4]

¹⁰ Para 7.35 of the LBL SoC [CD-5.4]



- 4.12 Whilst not specifically referenced within the LBL SoC [CD-5.4], a review of the Officer Report identified that allowance be made for a wider footway provision that would connect to the rear of the Proposed Development to accommodate the additional users/trips¹¹. It is noted that this point was also raised within the Consultation Response from LBL dated 16th March 2023 [CD-5.3.1], which stated “*The width of the access is considered acceptable however the 1.2m footpath should be a minimum of 1.5m to allow for a pedestrian and a wheelchair user or pedestrian with a buggy to pass each other in accordance with TfL’s Streetscape Guidance and in accordance with DfT’s inclusive mobility guidance.*”¹²”
- 4.13 In addition, the LBL Officer Report refers to the servicing arrangement for the existing uses to the west of Willow Way, and requested clarification on how this would continue should the introduction of the double yellow lines be approved for both sides of Willow Way¹³.
- 4.14 LBL acknowledged that whilst the selected TRICS sites are considered acceptable to establish the predicted level of multi-modal trips associated with the Proposed Development¹⁴, and whilst the London Plan requires that only 3% of parking for new residential developments is provided from the outside for blue badge holders and a single bay is provided for the employment use¹⁵, due to the 2011 Census Data multi-modal assessment identifying that 21% of household trips may be undertaken by car¹⁶, further consideration should be given to the demand for car parking.
- 4.15 Whilst not identified as a Reason for Refusal, the LBL SoC [CD-5.4] also commented that the cycle parking provision is not in accordance with the LCDS (London Cycling Design Standards) [CD-4.76]¹⁷.
- 4.16 However, LBL consider that any further details or amendments required in relation to cycle parking can be addressed between the parties and secured through the imposition of a suitably worded planning condition.
- 4.17 In addition, there were insufficient details provided with regards to the refuse collection strategy. The maximum carry distance to the bin collection point for residents should be no more than 30m and the waste operatives are restricted to a maximum of 10m drag distance.¹⁸
- 4.18 Again, LBL consider that any further details or amendments required in relation to refuse collection can be addressed between the parties and secured through the imposition of a suitably worded planning condition.
- 4.19 It is acknowledged that TfL have responded to the application that they would “*Support contributions to active travel zone; require wide cycle space for one of the long stay cycle parking spaces and all Sheffield stand spaces should be 1m from the wall; require clarification as to whether the 3 wheelchair adaptable car parking spaces will be provided from the offset.*”

¹¹ Para 41 of the LBL Officer Report [CD-2.2]

¹² Page 2 of LBL Consultation Response [CD-5.3.1]

¹³ Paras 296-298 of the LBL Officer Report [CD-2.2]

¹⁴ Para 295 of the LBL Officer Report [CD-2.2]

¹⁵ Para 324 of the LBL Officer Report [CD-2.2]

¹⁶ Page 11 of the VTP Technical Note [CD-5.3.1]

¹⁷ Para 7.97 of the LBL SoC [CD-5.4]

¹⁸ Para 7.99 of the LBL SoC [CD-5.4]



Summary

- 4.20 Having regard to RfR2 and RfR3, as well as comments made within the LBL SoC [CD-5.4], I consider that the key highways and transport matters that are to be addressed within my Proof of Evidence relate to the following:
- (a) Servicing Arrangements for the Application Site and the impact on existing units at Plots C and D.
 - (b) Footway widths along the Willow Way frontage of the Application Site.
 - (c) Footway width via the proposed site access to the rear of the scheme.
 - (d) Provision for on-street car parking following the introduction of the double yellow lines.
 - (e) The permeability of pedestrian routes from Dartmouth Road to the Application Site through the wider Masterplan.



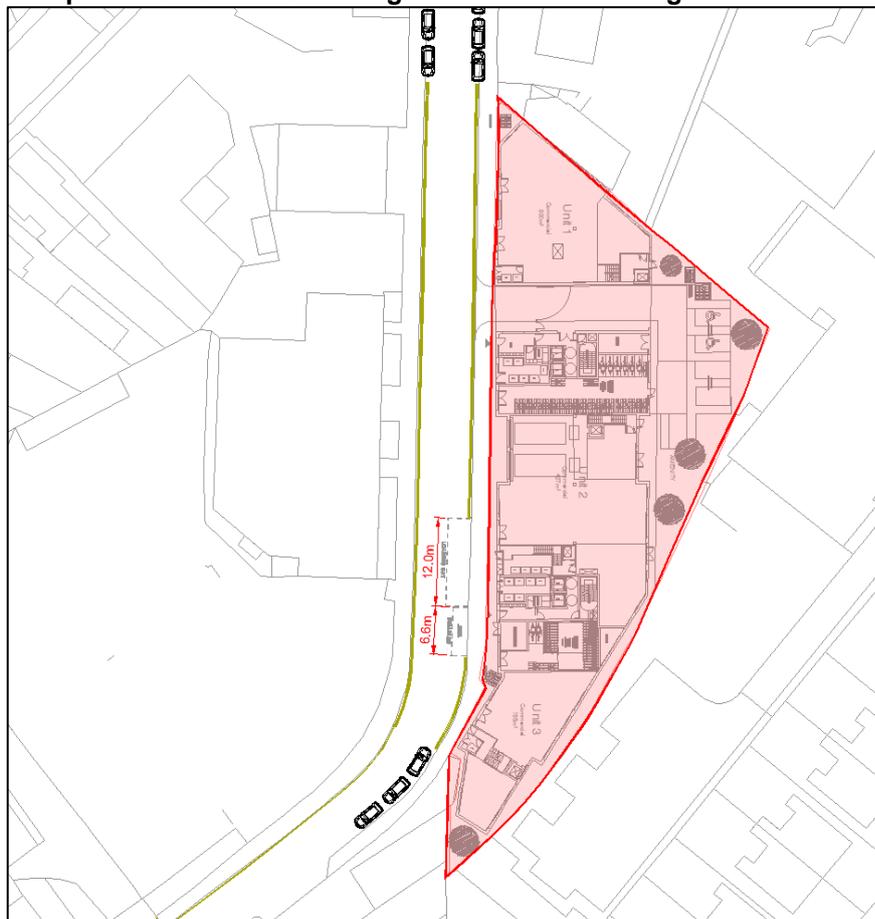
5 Response to Highways and Transport Issues

- 5.1 I set out below my response to the highways and access Reasons for Refusal given by LBL within the Decision Notice [CD-2.1] as well as addressing comments made within the LBL SoC [CD-5.4], the LBL Consultation Response [CD-5.3.1], and the LBL Officer Report [CD-2.2].
- 5.2 As noted in the previous section of my Proof of Evidence, I consider that the key highways and transport matters that are to be addressed relate to the following:
- (a) Servicing Arrangements for the Application Site and the impact on existing units at Plots C and D.
 - (b) Footway widths along the Willow Way frontage of the Application Site.
 - (c) Footway width via the proposed site access to the rear of the scheme.
 - (d) Provision for on-street car parking following the introduction of the double yellow lines.
 - (e) The permeability of pedestrian routes from Dartmouth Road to the Application Site through the wider Masterplan.

Servicing Arrangements

- 5.3 VTP Drawing 4772-2001-T-002 Rev D, a copy of which is included within the Technical Note in Support of the Planning Appeal [CD-5.3.1] identified a single loading bay on the eastern side of Willow Way with a single on-street disabled parking bay provided to the immediate south of the proposed loading bay. **Figure 5-1** presents an extract of this provision.

Figure 5-1: Proposed On-Street Servicing and Disabled Parking Provision



- 5.4 The loading bay is identified as being 12.0m in length and the disabled parking bay is 6.6m in length. Whilst I appreciate that LBL consider that an 18.0m loading bay would accommodate the worst-case demand for use of this loading bay, it is unlikely that a large delivery vehicle of more than 10.0m in length would access Willow Way to service the existing or proposed uses within the wider Masterplan area. Even if a 12.0m rigid vehicle were to service the Site, which is generally considered to be the largest rigid vehicle that could access Willow Way, the identified loading bay width is considered to be of adequate length.
- 5.5 An 18.0m loading bay may be able to accommodate articulated vehicles, or more than 1 of the smaller rigid delivery vehicles at any one time. However, I do not consider that an articulated Heavy Goods Vehicle (HGV) would have any need to access Willow Way to service the existing or proposed units due to the nature and scale of these units. In addition, the original Transport Assessment [CD-1.16] identified that based on a generic assessment of the existing use of the Site, identified to be approx 1,341sqm of commercial floor space¹⁹, that a maximum of 1 HGV could access the existing use per hour²⁰.
- 5.6 I note that the Lewisham Employment Land Study (March 2019) [CD-4.90] states that “*Willow Way is not suitable for large HGVs, but this does not appear to be an issue for most current occupiers.*”²¹ As such, providing for large HGVs to access the site would not only be unnecessary based on observations of the current servicing activity, but is also consistent with LBL’s study that identified that Willow Way is not suitable for large HGVs.
- 5.7 The proposed industrial use, identified as being approximately 1,401sqm²², which I acknowledged is only marginally higher than that which was identified for the existing use, and is lower than was originally assessed in the Transport Assessment [CD-1.16] at 1,543sqm²³, is predicted to generate a maximum of one single HGV per hour in the AM²⁴.
- 5.8 The analysis of the video survey undertaken on the 06th of July 2022, details of which are included within Appendix B of Technical Note in Support of the Planning Appeal [CD-5.3.1] identified that only LGV vehicles were observed servicing the existing units along Willow Way. **Figure 5-2** presents a screenshot of a 7.5t box van (LGV) stopped in Willow Way as an example of the types of vehicles that were observed along Willow Way.

¹⁹ Table 1-1 of the Transport Assessment [CD-1.16]

²⁰ Table 5-4 of the Transport Assessment [CD-1.16]

²¹ Page 115 of the Lewisham Employment Land Study [CD-4.90]

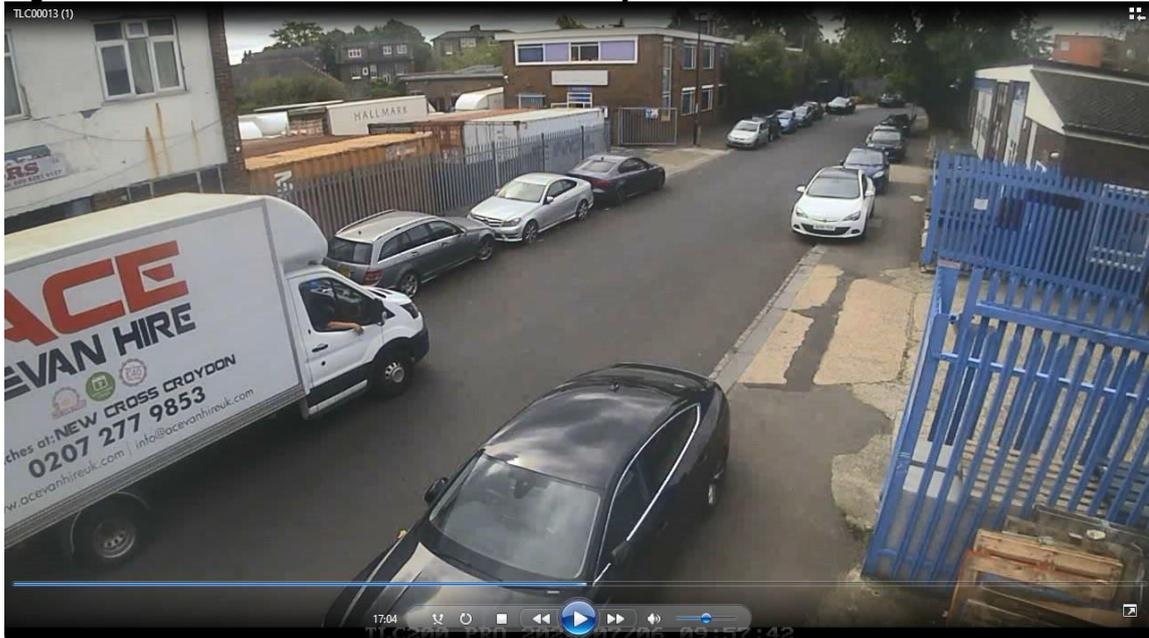
²² Table 1-1 of the Transport Assessment [CD-1.16]

²³ Paragraph 5.3.6 of the Transport Assessment [CD-1.16]

²⁴ Table 5-8 of the Transport Assessment [CD-1.16]



Figure 5-2: Observed 7.5t Box Van on Willow Way



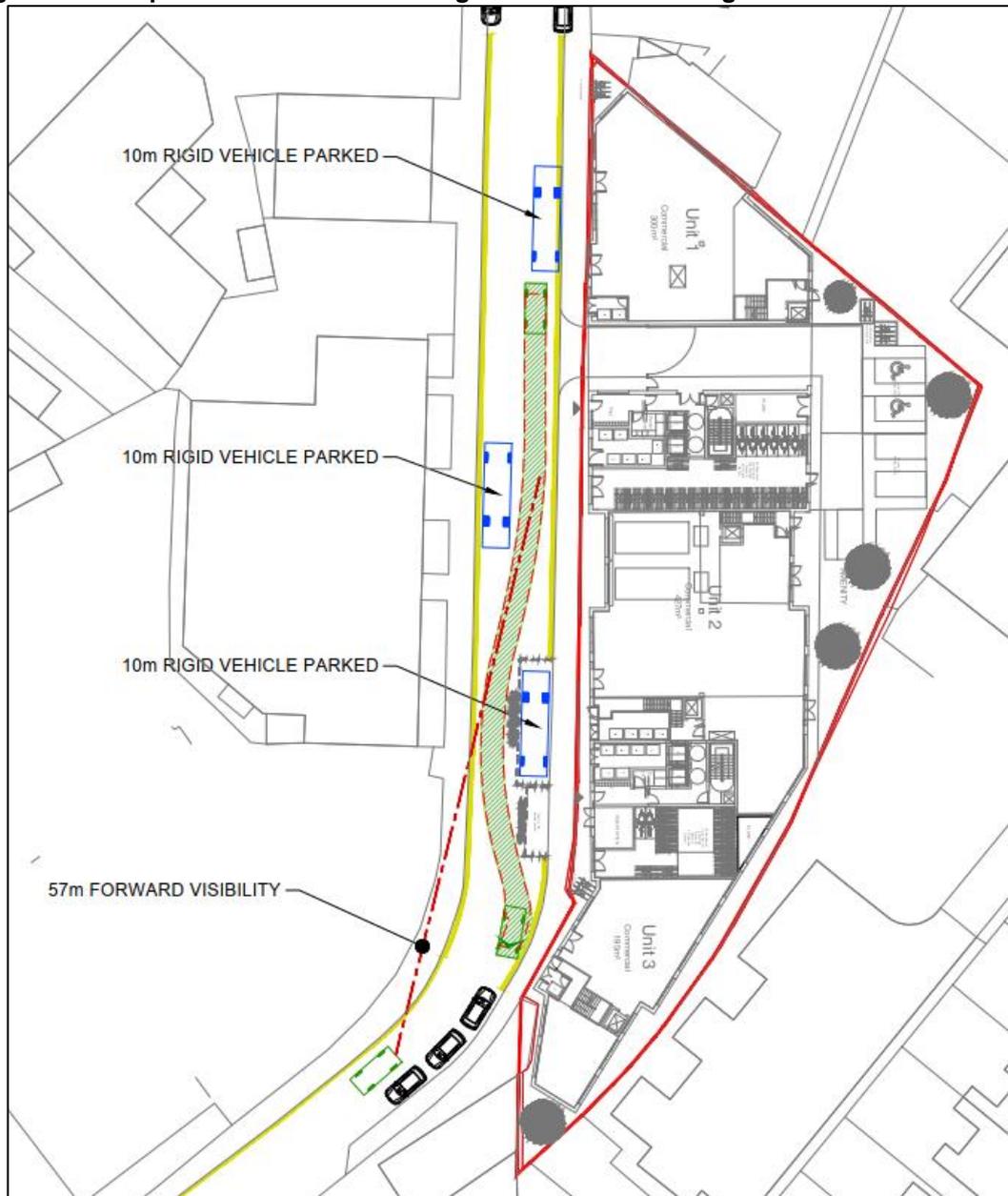
- 5.9 For ease of reference, Appendix A of my Proof of Evidence presents the different vehicle types that have been referenced within my Proof of Evidence.
- 5.10 I appreciate that the 60 unit residential element may also have a demand for delivery vehicles. The original Transport Assessment [CD-1.16] identified that on average, there would be no large HGVs associated with deliveries for the residential element in the most constrained period, i.e. the AM peak hour²⁵.
- 5.11 The existing layout and operation of Willow Way, including the current on-street parking arrangements, means that the available carriageway width of Willow Way is regularly reduced to only accommodate one-way traffic flows. As there is no dedicated provision for delivery vehicles, with the exception of the small service yards to Plots A and C, the traffic surveys undertaken in June 2022 identified that should a delivery vehicle stop within the Willow Way carriageway, it could constrain access for other vehicles to pass until the delivery has been completed.
- 5.12 It is acknowledged that Plot C, understood to be Blue Tiger, does have a dedicated service yard that is available for deliveries. The video survey, and on-site observations, identified that this service yard is being used. This should reduce the demand for on-street deliveries associated with Plot C.
- 5.13 The proposed reconfiguration to Willow Way associated with the Proposed Development would seek to introduce double yellow lines on both sides of Willow Way for the full frontage of the Proposed Development (Plot A), as presented within the extract contained at **Figure 5-1**.
- 5.14 As set out within Appendix C of the Technical Note in Support of the Planning Appeal [CD-5.3.1], VTP Drawing 4772-2001-T-006 Rev B presents an arrangement whereby up to 3 large 10.0m rigid HGVs (considered to be the largest delivery vehicle that may be required to deliver to Willow Way) can all undertake deliveries simultaneously without hindering the operation of Willow Way.

²⁵ Table 5-12 of the Transport Assessment [CD-1.16]



- 5.15 It is acknowledged that at least two additional 10.0m rigid HGVs are shown to be stopped at convenient locations on either side of Willow Way where there are double yellow lines, i.e. not within the identified loading bay. However, in accordance with paragraph '5.18 – Loading Period' of the LBL Parking Policy (March 2023) document [CD-4.87], which it is acknowledged was updated on the 17th of April 2023, LBL have confirmed that LBL maintain the London Councils scheme of a 40-minute maximum period for loading or unloading along routes with single or double yellow lines²⁶.
- 5.16 **Figure 5-3** presents an extract of the potential servicing arrangement in the interim phase of the Willow Way improvements, which would be associated with the Proposed Development of Plot A only. This was presented on VTP Drawing 4770-2001-T-006 Rev B, a copy of which is included within Appendix C of the Technical Note in Support of Planning Appeal [CD-5.3.1].

Figure 5-3: Proposed On-Street Servicing and Disabled Parking Provision



²⁶ <https://www.londoncouncils.gov.uk/services/parking-services/parking-and-traffic/parking-advice-members-public/loading-and-unloading>



- 5.17 Based on the above, I consider that it has been adequately demonstrated that the proposed introduction of a dedicated loading bay of 12.0m in length, and the introduction of double yellow lines along both sides of the length of Willow Way for the frontage of the Application Site, would not have an adverse impact on the operation of Willow Way, particularly for servicing and deliveries. In fact, the proposed arrangement should vastly improve the existing situation, which has been identified to potentially become blocked in the current arrangement.

Willow Way Footway Widths

- 5.18 I acknowledge that the proposed introduction of double yellow lines on both sides of Willow Way will reduce the opportunity for on-street car parking along the frontage of the Application Site, which has been observed. **Figure 5-4** shows an extract from Google Street View from September 2022.

Figure 5-4: Extract of Willow Way Parking (September 2022)



- 5.19 The above extract shows that cars are currently bumping up on to the kerb with two wheels and straddling the kerb line. This in turn reduces the available width of the existing footway provision along the frontage of the site. Appendix A of the Technical Note in Support of the Planning Appeal identified a number of dimensions showing the available width of the footway when cars are parked with two wheels on the footway. It is noted that this reduces to as little as 1.6m to the immediate north of Plot A²⁷. This dimension is reiterated within the response to LBL's comments as set out in paragraph 288²⁸ of the Officer Report.
- 5.20 Appendix A of the Technical Note in Support of the Planning Appeal [CD-5.3.1] presented a number of drawings, which identified that the introduction of the double yellow lines would not only restrict cars from bumping up on to the kerb, but would allow for a footway width of at least 2.3m, which has been identified to extend to as much as

²⁷ Drawing 4772-2001-T-002 Rev D – App A Of the Tech Note [CD-5.3.1]

²⁸ Page 5 of the Tech Note [CD-5.3.1]



4.6m in areas along the frontage of the Application Site.

5.21 A minimum footway provision of at least 2.3m is considered to be more than adequate for the level of expected pedestrian activity along the frontage of the Application Site.

Footway Width to the rear of the Proposed Development

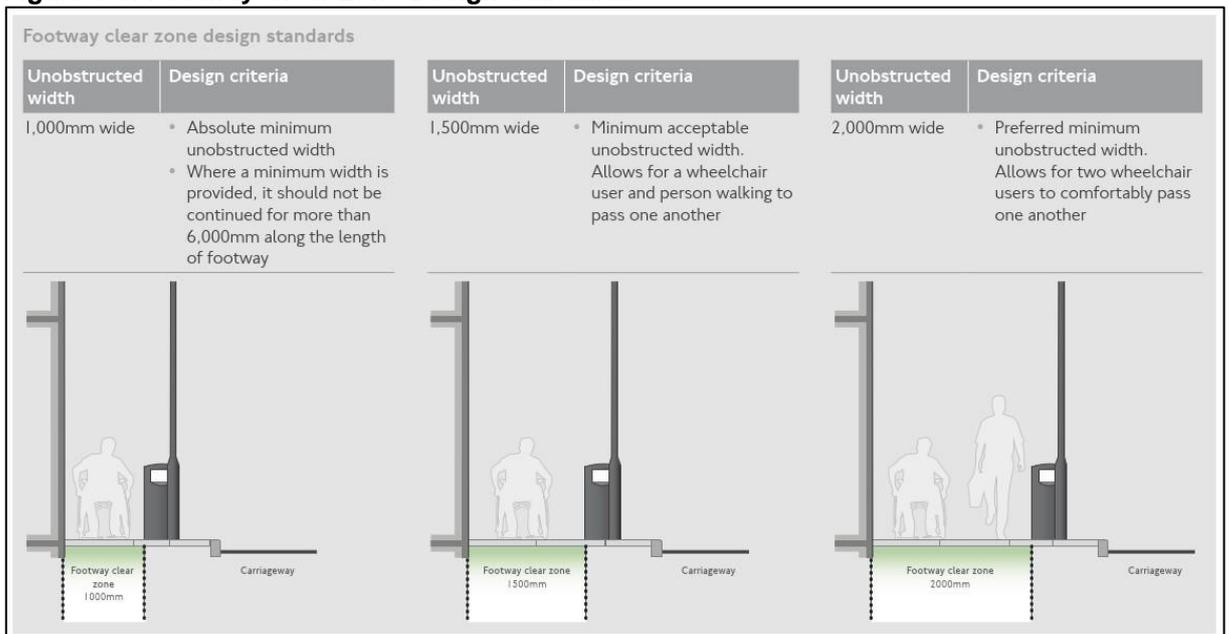
5.22 LBL have noted that the provision of a 1.2m footway adjacent to the vehicular access from Willow Way to the rear parking court of the Proposed Development, should be a minimum width of 1.5m in accordance with the TfL Streetscape Guidance [CD-4.88].

5.23 A review of the TfL Streetscape Guidance [CD-4.88] identifies that the design standards for footway clear zones would allow for an absolute minimum unobstructed width of 1,000mm to accommodate a wheelchair user²⁹ for a distance that should not exceed 6,000mm. I accept that the comment from LBL suggests that a 1,500mm provision would allow for a wheelchair user and a person to pass each other, but as noted within the VTP Technical Note in Support of the Appeal³⁰, due to the exceptionally low number of potential wheelchair users (accounting for the disabled parking), and the low number of residential and employment trips that would access the site via this private footway, the level of conflict is not expected to be sufficiently high to require the additional provision.

5.24 In addition, there is scope to provide the dedicated footway at a level that is flush with the access road to the rear of the Proposed Development. Whilst only two disabled bays are proposed from the outset, with the potential to provide a further three disabled bays that could be accessed from the dedicated access arrangement, there would still be very few vehicle movements associated with the application site so as to accommodate a shared surface arrangement.

5.25 For completeness, an extract from the TfL Streetscape Guidance is included within **Figure 5-5**.

Figure 5-5: Footway Clear Zone Design Standards



²⁹ Page 210 of the TfL Streetscape Guidance [CD-4.88]

³⁰ Page 4 of the Technical Note [CD-5.3.1]



Displaced Parking as a result of the Introduction of the Double Yellow Lines

- 5.26 The LBL consultation response [CD-5.3.1] noted that whilst the selected TRICS sites were acceptable, the proposed adjustment to allow for only 3% of person trips by car, which is in line with the London Plan requirements for car parking for the residential element of the Proposed Development, no adjustment should be made and that the potential for overspill parking should be considered.
- 5.27 The VTP Technical Note in Support of the Planning Appeal clarified that the on-site observations and parking beat survey that was undertaken in June 2022 identified that there is currently sufficient parking for up to approximately 14 vehicles on the western side of Willow Way and up to 13 vehicles on the eastern side of Willow Way based on an average length of car at 5.0m³¹.
- 5.28 The parking beat survey identified that during the period of high demand for residential parking, i.e. at night and in accordance with the Lambeth Methodology for Parking Surveys (2021) [CD-4.96], which is considered to determine how best to undertake parking beat surveys, and notes specifically that for schemes with residential demand, a night time survey is when most residents would be at home and should therefore be undertaken over a period of two nights between the hours of 00:30 and 05:30, there was ample spare parking capacity along Willow Way.
- 5.29 For clarity, a review of the results of the parking beat survey identified that there would be approximately 31 available spaces on Willow Way overnight on Tuesday 28th June 2022, and 29 available spaces on Wednesday 29th June 2023. As LBL requested a sensitivity test be undertaken to demonstrate that an additional 12 cars associated with the residential element could be accommodated, there is clearly sufficient capacity to address any additional parking demand that might arise.
- 5.30 It is noted that the LBL Consultation Response [CD-5.3.1] identified a Section 106 obligation that would restrict future occupiers of the Proposed Development from obtaining a parking permit for the local controlled parking zones (CPZ), with the exception of blue badge holders³², is likely to be imposed on the scheme.
- 5.31 Based on the above evidence, I do not consider that the introduction of the double yellow lines would have an adverse impact on either the servicing of the Proposed Development or that of the existing businesses along Willow Way that are currently serviced from Willow Way, particularly the Blue Tiger unit, which has its own dedicated service yard, nor do I consider that the loss of the existing uncontrolled car parking provision would have an adverse impact on parking demand.

Permeability through the Masterplan

- 5.32 **Figure 3-3** presents an extract of the Emerging Outline Masterplan for the Employment-led Mixed Use Redevelopment of Willow Way. A pedestrian route is identified to the immediate north of Unit 4 identifying that there could be a pedestrian link between the Application Site at Plot A, via Plots C and D, to Dartmouth Road.
- 5.33 Whilst I acknowledge that this proposed pedestrian link is identified within the wider site and not being applied for as part of the current Planning Application, it is worth noting that the walking route from the northern-most point of the application site to the junction of Dartmouth Road with Willow Way (near the Bricklayers Arms) via the proposed link is

³¹ Page 11 of the VTP Technical Note [CD-5.3.1]

³² Page 4 of the LBL Consultation Response [CD-5.3.1]



identified as being approximately 100m. The same route via a more direct path along Willow Way, is identified as being approximately 60m. As such, it is not considered that the provision of this link from Willow Way to Dartmouth Road provides any benefit to the Proposed Development of Plot A prior the wider site coming forward.

- 5.34 It is also considered relevant to note that there are no destinations provided along Dartmouth Road that future occupiers of the Proposed Development would be able to benefit from.
- 5.35 The local stations (Forest Hill to the north and Sydenham to the south) would not require pedestrians to pass along this proposed link between Plots C and D and the Willow Way link is a far more direct walking route for access to the stations. Similar, access to nearby bus stops on Dartmouth Road and Kirkdale, do not require pedestrians associated with the Proposed Development of Plot A to use this proposed link.



6 Conclusions

- 6.1 I have set out in my evidence a summary of the key transport matters that have been relied upon by the London Borough of Lewisham (LBL) as Reasons for Refusal, as well as highway related comments that were identified within the LBL Statement of Case (SoC), the LBL consultation response, and the LBL Officer Report.
- 6.2 My Proof of Evidence addresses each of the LBL Reasons for Refusal and provides a response to the additional matters raised by LBL within the SoC, the consultation response and the Officer Report.
- 6.3 Based on my professional judgement, I consider that the Appellant has more than adequately demonstrated that the concerns raised by LBL have been addressed within the original documentation that supported the Planning Application, the further Technical Note in Support of the Planning Appeal, and as summarised within my Proof of Evidence.
- 6.4 I would conclude that, in my view, there would not be an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be considered “severe”. As such, and in accordance with paragraph 111 of the National Planning Policy Framework, there should be no reason to prevent or refuse the Proposed Development on highway grounds.



APPENDIX A

VEHICLE TYPES



Transit Van (Avg. Length 5.6m)



7.5t Box Van (Avg. Length 8.35m)



10.0m Rigid HGV



12.0m Rigid HGV



16.5m Articulated HGV



11.2m LBL Refuse Vehicle