
Appeal Decision

Site visit made on 22 May 2017

by C L Humphrey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th May 2017

Appeal Ref: APP/N5660/D/17/3172224

7 The Chase, London SW4 0NP

- 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 Alex Collins against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/07117/FUL, dated 21 December 2016, was refused by notice dated 16 February 2017.
 - The development proposed is 'Reconfiguration of front garden to accommodate off street parking space. Works include removal of existing boundary wall to street front. To be replaced with new brick dwarf wall with metal railings, and separate pedestrian and vehicular access gates.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal upon:
 - a) The character and appearance of The Chase Conservation Area; and
 - b) On-street parking and pedestrian and highway safety.

Reasons

Character and appearance

3. The appeal property is a terraced house on the western side of The Chase within The Chase Conservation Area (the Conservation Area). The character of the Conservation Area derives from the substantial late 19th century houses which follow a uniform front building line set back behind leafy front gardens.
 4. The proposed development would result in the removal of a significant amount of soft landscaping, including 2 trees, from the front garden of the appeal property. I note the appellant's suggestion that additional soft landscaping could be incorporated into the appeal scheme. However, notwithstanding this, the creation of a considerable area of hard surfacing and the loss of 2 fairly substantial and attractive trees which are prominently located at both corners of the front garden near the existing boundary wall would significantly erode the verdant character of the garden and street.
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5. For the reasons set out above, I conclude that the appeal proposal would have a harmful effect upon the character and appearance of the Conservation Area. As such, it would fail to accord with the design, landscaping, heritage conservation and protection aims of Policies Q2, Q5, Q9, Q10, Q14, Q15 and Q22 of the Lambeth Local Plan (the Local Plan) and the Lambeth Building Alterations and Extensions Supplementary Planning Document (the SPD).
6. As set out in paragraph 132 of the National Planning Policy Framework (the Framework), when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm requires clear and convincing justification. In the parlance of the Framework, the identified harm to the designated heritage asset is less than substantial and should therefore be weighed against the public benefits of the proposal. The provision of a parking space within the curtilage of the appeal property does not amount to a public benefit that would outweigh the harm caused to the designated heritage asset.

Parking and pedestrian and highway safety

7. The proposed development would result in the loss of an on-street parking bay, contrary to the guidance in paragraph 6.3 of the SPD. However, whilst the existing parking bay is an amenity serving the wider community, I have no evidence to demonstrate that on-street parking in the vicinity of the appeal site is at capacity. Moreover, The Chase is a wide road and, even with parking bays on both sides of the street, 2-way traffic can currently pass in the remainder of the road space. Therefore, in this particular location, I am not persuaded that the loss of an on-street parking bay would encourage motorists to drive any faster than they do at present.
8. However, the appeal scheme proposes a diagonal parking space within the front garden of the appeal property. The submitted drawings do not include any tracking information to demonstrate how a vehicle would enter and exit the appeal site. Furthermore, I note that the existing brick pier at the northern corner of the front boundary would be retained. This pier is around 2 metres high and, due to its height and siting, would be likely to significantly restrict visibility for drivers of vehicles reversing out of the site and across the footway onto the road, thereby resulting in the potential for conflict with pedestrians, cyclists and vehicles. What is more, the proposed parking arrangement would obstruct pedestrian access within the site to and from the house, and would therefore not provide for inclusive mobility.
9. I note that prior to the submission of the planning application the appellant had been in correspondence with the Council's Highways Department regarding the provision of a vehicular crossover. However, this correspondence relates to works within the adopted highway. I have no evidence that the Council's Highways Department had details of the proposed parking arrangement or boundary treatment within the appeal site. I therefore give this matter little weight.
10. For the reasons given above, I conclude that the appeal proposal would have a harmful effect upon pedestrian and highway safety and would thus fail to accord with Policies Q1, T1, T2, T3 and T6 of the Local Plan and the SPD, which seek to ensure that development creates inclusive environments, supports sustainable travel and does not have unacceptable transport impacts.

Other matters

11. There are a number of other examples of off-street parking in the front gardens of neighbouring properties on The Chase. I do not have full details of the planning history of these other schemes although I note from the evidence before me that, in the case of 2 and 3 The Chase, planning permission was granted prior to the adoption of the Local Plan and SPD. As such, I can afford these other developments only limited weight. In any event I must determine the appeal on its own merits, and have done so.
12. Whilst the appellant states that the Council did not work with him in a positive and proactive manner, the submitted correspondence indicates that the Council's concerns were communicated to the appellant prior to a decision being made on the application. This matter does not materially affect my consideration of the planning merits of the appeal proposal.

Conclusion

13. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

CL Humphrey

INSPECTOR