



Appeal Decision

Site Visit made on 5 May 2021

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2021

Appeal Ref: APP/N5660/D/20/3262762
96 Strathbrook Road, LONDON, SW16 3AZ

- 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 Sebastian De Angelis against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 20/02789/FUL, dated 19 August 2020, was refused by notice dated 9 October 2020.
 - The development proposed is described as alterations to front yard, new permeable driveway.
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Decision

1. The appeal is allowed and planning permission is granted for provision of dropped kerb and vehicular crossover with new driveway with permeable hardstanding and alterations to the front boundary at 96 Strathbrook Road, LONDON, SW16 3AZ in accordance with the terms of the application, Ref 20/02789/FUL, dated 19 August 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. SR01 – Location Plan, Drawing No. 4D01 – Existing and Proposed Plans, Drawing No. 4D02 – Existing and Proposed Elevations.

Preliminary Matters

2. In the interests of clarity, and as it best describes the proposal before me, I have adopted the description of development from the Council's Decision Notice. This document describes the proposal as provision of dropped kerb and vehicular crossover with new driveway with permeable hardstanding and alterations to the front boundary.
3. At the time of my site visit the proposed development had begun. I note from the appellant's submissions that the works carried out thus far do not accord entirely with the plans before me and observed on site that an area marked as 'grass' on the plans wasn't present on site. For the avoidance of doubt, I have determined this appeal on the basis of the submitted plans.

Main Issues

4. The main issues are:

- the effect of the proposal on the character and appearance of the area; including whether or not the proposal would preserve or enhance the character or appearance of the Streatham Lodge Estate Conservation Area.
- the effect of the proposal on the provision of parking in the area.

Reasons

Character and appearance

5. Strathbrook Road is a fairly wide residential road with terraces of similar properties set back behind front garden areas. The appeal property, 96 Strathbrook Road, is a two storey mid-terraced dwelling. Prior to the works which have been undertaken, the plans and the evidence before me suggest that the property was set back from the road behind a front garden area with a large paved area and some soft landscaping.
6. 96 Strathbrook Road is situated within the Streatham Lodge Estate Conservation Area (CA) which appears to draw its significance from the richness of the architecture and the detailing combined with generous spatial standards. The character of the road differs along its length; properties close to the junctions with Fontaine Road and Cedarville Gardens tend to have retained low level boundary walls across the majority of the frontage with front garden areas and soft landscaping behind. Mature trees line this part of the road. Conversely, those properties close to the junction with Green Lane and the appeal property are notably different. At this end of the road many properties have removed the soft landscaping and created paved areas of hardstanding in the front garden areas. Low level boundary walls are still present but gaps have been created to facilitate the use of areas of hardstanding for parking.
7. I am required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. In addition to the requirement under section 72 of The Act, the CA is also a designated heritage asset as defined by the National Planning Policy Framework (the Framework), which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance.
8. The proposal is for a dropped kerb and vehicular crossover with a new driveway with permeable hardstanding and alterations to the front boundary including reducing the size of the front boundary wall to allow vehicular access. A grassed area and new soft landscaping is also proposed.
9. Though the quantity of hard surfacing would increase as part of the proposal it would not be dissimilar from the previous position and would reflect other properties nearby. Furthermore, the hard landscaping would be softened by an area of grass and new soft landscaping thus respecting the green characteristics of the wider area. Though the front boundary wall would be reduced in size a proportion would remain; thus an important visual characteristic of the area would be retained.

10. In my view, the proposal has been designed in a sympathetic way and would ensure that soft landscaping and a front boundary treatment would be included as part of the scheme. As such, I consider that the proposal would preserve the character and appearance of the Streatham Lodge Estate Conservation Area and would not cause an unacceptable loss of visual amenity.
11. Policy Q14 of the Lambeth Local Plan, adopted September 2015 (LP), states that car parking in front gardens will not be permitted, other than in exceptional circumstances. In my view, due to the context within which the appeal site is located and the lack of harm I have identified I consider that such circumstances can be said to exist in this particular instance. Policy Q14 also states that the proposal should demonstrate that there would be no harm to visual amenity or residential outlook and an adequate boundary treatment can be maintained. The policy also states that soft landscaping should be retained and shrubs should be planted to act as a screen. For the reasons set out above, I consider that the proposal would accord with these requirements.
12. The proposal would also meet the expectations set out within Policies Q2, Q15 and Q22 of the LP. Amongst other things these policies seek to retain boundary treatments that are characteristic of the immediate locality, state that development will be supported if visual amenity is not unacceptably compromised and seek to preserve or enhance the Borough's conservation areas.
13. As I have not identified any harm resulting from the proposal, the proposal would also meet the aims of the Lambeth Building Alterations and Extensions Supplementary Planning Document, September 2015 (SPD) which states the Council will generally resist car parking proposals in front gardens unless it can be demonstrated that no harm will result.

Parking

14. Strathbrook Road is a fairly wide road with on and off street parking on both sides of the road. At the time of my site visit the road was fairly heavily parked, though some on-street parking spaces were available. The proposed development would result in the loss of approximately one on-street car parking space. However, one off-street car parking space would be created. Therefore, the proposal would have a neutral effect on parking provision in the area.
15. I note the Council's concerns that an on-street parking space, i.e. one that is available to the general public, would be lost. Though I note that the appellant has not provided a parking stress survey, I have also not been provided with detailed substantive evidence to demonstrate why the proposal would cause unacceptable harm in this regard. My observations on site suggested that though parking in the area was in demand, a number of spaces were available along Strathbrook Road and surrounding side roads.
16. In my view, based on the evidence before me and my observations on site, as the proposal would provide an off-street parking space to replace the on-street space which would be lost, the proposal would not cause unacceptable harm to the parking provision in the area. As such, the proposal would comply with Policies Q14, T6, and T7 of the LP. Amongst other things these policies seek to ensure that development would not have an adverse effect on the highway network and, where acceptable, parking within front garden areas would

ensure that vehicular and pedestrian access would be safe, there would not be an unacceptable loss of on-street parking and the parking space would meet the minimum dimensions. The requirements of the SPD would also be met as I do not consider any harm would arise from this proposal.

Conditions

17. In addition to the standard commencement condition, one that requires the development to be undertaken in accordance with the approved plans is necessary in the interests of certainty.

Conclusion

18. For the reasons given above I conclude that the appeal should be allowed.

L J O'Brien

INSPECTOR

