



Appeal Decision

Site visit made on 17 May 2022

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26TH May 2022

Appeal Ref: APP/N5660/D/21/3287290
405 Norwood Road, London, SE27 9BU

- 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 Ajay Vaid against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/03460/FUL, dated 29 August 2021, was refused by notice dated 27 October 2021.
 - The development proposed is Creation of 4.0m wide dropped kerb and vehicle crossover. Alteration of front boundary to create vehicle entrance. Creation of driveway for 1 vehicle including turntable. Erection of front boundary walls, retaining front garden walls, and soft landscaping to facilitate driveway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area, and the effect of the proposal on sustainable travel choices with regard to parking.

Reasons

Character and appearance

3. The appeal property is a two-storey terraced dwelling that is separated from Norwood Road by a deep front garden, with steps leading up from the pavement. At the time of my site visit the frontage of the site was partly enclosed by temporary boarding, positioned on top of a low wall which was in a poor state of repair. A skip was positioned in the front garden.
4. The appeal proposal would provide for a driveway parking space, with turntable, together with a 4.0m wide dropped kerb and vehicle crossover. New front boundary walls and retaining walls are also proposed along with soft landscaping. A section of front garden closest to the dwelling would be retained.
5. The appeal property is one of a terrace comprising of eight dwellings which front onto this part of Norwood Road. The frontage of the end two dwellings, Nos 413 and 415 Norwood Road is hardsurfaced and used for parking. However, the front gardens of the remaining houses, including the appeal site, generally comprise of lawned areas, shrubs and planted beds which contribute

overall to the character and appearance of the area, in an otherwise relatively hardsurfaced urban environment.

6. Policy Q14 of the Lambeth Local Plan (2021) (LLP) concerns development in gardens and amenity spaces. It recognises that front gardens provide a landscaped setting to buildings and an important defensible semi-public space. It states (amongst other things) that front gardens and prominent corner/side gardens are not considered appropriate for development. Car parking in these locations will only be permitted for Blue Badge holders in certain circumstances.
7. I have no evidence before me to suggest that the driveway parking space would be for a Blue Badge holder and accordingly, the proposal would be contrary to Policy Q14. I acknowledge that a section of front garden would be retained and that the temporary boarding along the frontage of the site also currently detracts from the character and appearance of the area. However, in my view, the introduction of a significant amount of hardsurfacing together with the associated retaining walls would diminish the important contribution the front garden makes to the character and appearance of the area.
8. The proposal would therefore have a harmful effect on the character and appearance of the area. Thus, it would be harmful to Policies Q5, Q14 and Q15 of the LLP which collectively seek to ensure that development sustains and reinforces local distinctiveness and does not result in harm to the visual amenities of the area.

Sustainable travel choices

9. Policies T1 and T6 of the LLP, together with Policies T1, T2 and T6 of the London Plan (2021), amongst other things, seek to promote a sustainable pattern of development, reducing dependency on the private car and managing parking demand.
10. The Council confirm that the site is within a highly sustainable area that falls within Public Transport Accessibility Level 6a. (PTAL 6a). Policy T6 of the London Plan states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. It further states (amongst other things) that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well connected by public transport. Policy T6 of the LLP states that the Council will apply London Plan Policy T6 to promote a reduction in car ownership and private car trips.
11. Given that the appeal site is in a location with excellent public transport accessibility (PTAL 6a) I concur with the views of the Council that the provision of an on-site parking space would be contrary to the aims and objectives of the above policies in respect of reducing car dominance and dependency on the private car in such locations.
12. I acknowledge that the applicant already has a car and a parking permit and the difficulties encountered in relation to both parking and charging the vehicle. Whilst I recognise the benefits of the proposal to the applicant and that the provision of one parking space would only be likely to have a minor effect of car dominance and sustainable travel choices, these considerations do not outweigh the policy conflict identified above.

13. In conclusion on this issue, the proposal would have a harmful effect on sustainable travel choices with regard to parking. Accordingly, it would conflict with the sustainable travel objectives of Policies T1, T2 and T6 of the London Plan (2021) and Policies T1 and T6 of the LLP.

Other Matters

14. I acknowledge that the Council's crossover team approved the proposed crossover and that no impact on highway safety was identified. However, approval of the crossover does not override the need for planning permission and an assessment of the proposal against adopted planning policy.
15. The appellant has provided several examples of vehicular crossovers and hardstanding which have been allowed in the Borough. However, most of these were for Certificates of Lawful Development where planning permission was not required.
16. The proposal at 96 Strathbrook Road is not directly comparable to the appeal proposal as the front garden was already partly paved. Moreover, the off-street parking space would replace an on-street parking bay and the proposal was found to have a neutral effect on parking provision. The site was also within an area with a lower PTAL level (PTAL 4). Similarly, with regard to 21 Thirlmere Road, it appears that the off-street parking space replaced an on-street parking bay and was not considered to increase parking overall. A previous Inspector had also concluded that the proposal would not be harmful to the character and appearance of the area when assessed against the policies that were adopted at the time. Whilst I have had regard to these examples, I am, in any event, required to determine the appeal on its own merits.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR