



Appeal Decision

Site visit made on 29 May 2025

by **O Tresise MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 June 2025

Appeal Ref: APP/N5660/W/25/3360883

8 Ground Floor Flat, Kinfauns Road, Lambeth, London SW2 3JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Dr Varun Nanduri against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/03032/FUL.
 - The proposed development is described as 'Formation of driveway in front garden, re-surface with gravel. Formation of vehicle crossover. Remove part of wall in front garden to facilitate the driveway and vehicle crossover'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the existing on-street parking provision in the area.

Reasons

3. Kinfauns Road is a residential street featuring on-street parking along both sides of the road, while some properties have a dropped kerb and parking spaces in their front gardens. The appeal site is enclosed by low boundary walls along its frontage, with some mature shrubs along the shared boundary with the neighbouring property, No 6 Kinfauns Road. The existing garden area is largely surfaced with gravel. On-street parking is available outside the appeal site.
4. Policy Q14 of the Lambeth Local Plan 2021 (the Local Plan) states that front gardens are not considered appropriate for development. Car parking in such locations will only be permitted for Blue Badge holders where a Blue Badge parking space cannot be accommodated on-street within an acceptable distance. In such cases the proposal should demonstrate, amongst other things, that the creation of a crossover would not result in the unacceptable loss of on-street parking spaces.
5. The Local Plan indicates that Lambeth has high levels of on-street parking stress, and I also observed a relatively high number of vehicles parked on Kinfauns Road at my site visit. Given the type and density of housing in the area, I have no reason to conclude that this was unusual. The appellant suggests that the proposal would not alter the number of spaces available in the area as a parking space would be provided within the appeal site. However, the proposed dropped kerb would prevent other vehicles from using the existing on-street parking that is currently

available, and it would be permanently lost as a result of the proposal. Consequently, it would reduce the level of availability of on-street parking spaces and intensify pressure on the remaining provision within the area.

6. Whilst the appellant suggests that the proposal would provide better visibility for road users, including pedestrians and cyclists, there is little evidence to support this claim or to suggest that any highway safety issues exist in the area.
7. The appellant has also referred to other dropped kerbs along this road, as well as to other approved schemes in the wider area. However, I do not know the circumstances under which they were constructed, when they were constructed or their status with regard to planning permission. Also, I have not been provided details of these schemes, I therefore cannot compare them with the appeal proposal. In any event I have determined this appeal on its merits with particular regard to the specific details of the scheme before me. Therefore, they do not change my conclusion on this main issue.
8. Overall, I conclude that the proposed development would have an unacceptable effect on the existing on-street parking provision in the area. Therefore, the proposal would conflict with Policy Q14 of the Local Plan as set out above.

Other Matters

9. The decision notice cites several other policies in the Local Plan and the London Plan as being decisive. Taken together, these policies seek to promote a sustainable pattern of development by maximising trips made by sustainable modes and reducing dependency on the use of private vehicles in the area. However, given the dwelling already exists, the proposal would not increase demand for private transport or for on-street parking facilities. On that basis, whilst the proposal would not promote sustainable transport, it would not cause any harm in that regard.
10. Policy T6 D ii states that development should seek to avoid reliance on the public highway to meet the requirements of the development, including in relation to people with disabilities. However, the supporting text indicates the need to manage the availability of both on-and off-street parking and in many areas car free development is expected. On that basis I am unconvinced by the appellant's argument that this policy lends support for the provision of off-street space, particularly given the requirements of Policy Q14.
11. I note that the proposal would enable the appellant to install an electric vehicle charging point. Notwithstanding that, given the modest scale of the development, this benefit would not outweigh the harm that I have found.
12. I have also considered the needs to access a vehicle safely and quickly due to the professions of the occupiers, along with their night shift requirements. However, there is limited evidence to demonstrate that the appeal scheme is the only means by which the needs could be met. In addition, the proposed development would remain long after the current personal circumstances cease to be material. For this reason, I therefore find that this factor is not sufficient to outweigh the harm that I have identified.
13. With regard to the mentioned Controlled Parking Zone (CPZ), I have not been provided details of such scheme, or the potential effects on residents living on

Kinfauns Road or other roads nearby. In these circumstances there is a lack of certainty about the final form of the CPZ. Therefore, this matter can carry little weight in my considerations.

14. The surface of the proposed parking space would be finished with permeable materials. Additionally, the proposal would not result in any loss of biodiversity and the existing shrubs along the shared boundary would be maintained. The removal of existing low boundary wall would not adversely affect the character and appearance of the area due to its modest scale. Accordingly, the compliance with the development plan in these respects is a neutral factor.

Conclusion

15. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

O Tresise

INSPECTOR