



Appeal Decision

Site visit made on 30 June 2025

by Colin Cresswell BSc (Hons) MA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 July 2025

Appeal Ref: APP/N5660/W/25/3361646

49 Abbotswood Road, Lambeth, London, SW16 1AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Christopher Gwilliam (Earlswood Homes Thames Region Ltd) against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/03006/VOC.
 - The application sought planning permission for *redevelopment of the existing residential site involving demolition of the existing buildings and the erection of 14 new dwellings* without complying with a condition attached to planning permission Ref 23/01835/FUL, dated 29 May 2024.
 - The condition in dispute is No 2 which states that:
The development hereby permitted shall be carried out in accordance with the approved drawings listed in this decision notice, other than where those details are altered pursuant to the requirements of the conditions of this planning permission.
 - The reason given for the condition is:
For the avoidance of doubt and in the interests of proper planning.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council indicates in its Appeal Statement that the reasons for refusal concerning drainage, cycle storage and biodiversity net gain have been withdrawn. I have dealt with the appeal on that basis.

Main Issues

3. The main issues in this case are:
 - whether the proposal would have an acceptable effect on highway and pedestrian activity in the vicinity of the site.
 - the effect of the proposal on urban greening.
 - the effect of the proposal on the character and appearance of the area.

Reasons

Highway and pedestrian activity

4. Due to the lack of turning space within the site, vehicles would need to reverse across the pavement when either entering or leaving the proposed parking spaces. This part of the street, including the pavement, is likely to be busy at times as there

is a school on the other side of Abbotswood Wood. Indeed, the site is opposite one of the access gates where road markings say 'school keep clear'.

5. Despite the proximity of the school, the proposal would be unlikely to increase the chance of accidents taking place. Many of the houses in Abbotswood Road already have off-road parking and it seems to me that drivers and pedestrians would be naturally alert to conditions in the street. While the parking spaces would be near the junction with Hoadly Road, oncoming traffic would have enough time to anticipate any vehicles entering or leaving the site.
6. That said, the proposed parking spaces would be closer to the school than others in Abbotswood Road and would increase the intensity of vehicular activity in this part of the street. There would inevitably be times when pedestrians would need to stop for cars to reverse in or out of the proposed parking spaces, or have to wait to cross the road to reach the school. While this is an existing characteristic of Abbotswood Road, especially during busy times of day, the proposal would further re-enforce the priority of vehicles over pedestrians. Given the close proximity of the school, this is likely to be especially noticeable. Consequently, the proposal would conflict with Policy T1 of the Local Plan¹, which seeks to give priority to the movement of pedestrians over private cars.
7. In addition, the Deed of Variation I have been provided with is unsigned and so is not legally binding. As such, I cannot be certain that a mechanism exists to ensure that the other proposed dwellings remain car free. While this is not determinative in my overall decision, it adds weight to my view that the proposal would be in conflict with policies which seek to promote walking over driving. These include Policy T6 of the Local Plan and Policies T1 and T6 of the London Plan².
8. I therefore conclude on this issue that the proposal would have an unacceptable effect on highway and pedestrian activity in the vicinity of the site.

Urban greening

9. Policy G5 of the London Plan says that major development should contribute to the greening of London. It recommends that new residential schemes should achieve an Urban Greening Factor score of at least 0.4.
10. Considering that the appeal proposal is to build two parking spaces in an area originally earmarked for green space, it would be reasonable to assume that the Urban Greening Factor Score would decrease as a result of the revised plans. However, the Council say that the original planning permission demonstrated a score of 0.407, whereas the appellant has submitted a report which says that the newly revised proposal has a score of 0.42. This raises some uncertainties and I do not find the evidence in relation to this matter entirely conclusive.
11. Nonetheless, on the basis that the appellant has provided a full methodology in the form of a consultant's report, I accept that the requirements of Policy G5 of the London Plan are met. There would be no conflict with Local Plan Policy EN1 with regard to this matter as it reflects the London Plan.
12. I therefore conclude on this issue that the proposal would have an acceptable effect on urban greening.

¹ Lambeth Local Plan 2020–2035

² The London Plan, March 2021

Character and appearance

13. The street scene immediately outside the site in Abbotswood Road is relatively green and open for an inner-city environment. Apart from the school playing field across the road, many of the houses in the street have small front gardens. Lawns, trees and bushes are common features here.
14. The proposed development was designed to enhance the amount of greenery on a visually prominent street corner. It is clear that the proposed parking areas would reduce the amount of vegetation visible from Abbotswood Road compared to the original scheme. More hard surfacing would also be seen from the pavement. However, the changes would only affect a small part of the frontage. In the context of the wider street scene, it seems to me the parking spaces would be relatively minor features. The visual qualities of the area would be maintained.
15. I therefore conclude on this issue that the proposal would have an acceptable effect on the character and appearance of the area. There would be no conflict with Policies Q5, Q6, Q7, Q9 and Q14 of the Local Plan. In different ways, these seek appropriate standards of design.

Conclusion

16. Although the proposal would be acceptable in terms of urban greening and also in terms of character and appearance, it would conflict with policies which promote pedestrian movements over vehicle use. The proposal would therefore conflict with the development plan as a whole. I am not aware of benefits that would outweigh this policy conflict. Consequently, the appeal is dismissed.

C Cresswell

INSPECTOR