



Appeal Decision

Site visit made on 30 April 2025 by S Wilson LL.B. MSc MRTPI

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 21st July 2025

Appeal Ref: APP/N5660/D/24/3356779

46 Baldry Gardens, Lambeth, London SW16 3DJ

- 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 Mr S Kaye against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/02636/FUL.
 - The development proposed is installation of vehicle crossover and hardstanding for parking.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. During the application process the description of development changed from that on the application form. I have not been provided with any confirmation that this change was agreed by the parties. Therefore, I have used the original description which is, in any case, sufficient for the purposes of identifying the works to which the appeal relates.

Main Issues

The main issues are:

- Whether the proposed development would preserve or enhance the character or appearance of the Streatham Lodge Conservation Area (CA).
- The effect of the use of the proposed access on highway safety and parking.

Reasons for the Recommendation

Character and Appearance

4. The CA is characterised by a network of streets featuring early 20th century housing that was erected on the site of a gentry house named Streatham Lodge and its extensive grounds. Its significance is derived from its well-preserved pattern, consistent scale and form, wide streets with footways, grass verges and mature trees and soft landscaped front gardens, all of which give the area a distinct

suburban character. The housing is semi-detached two storey houses with a third gable storey and with bay windows at ground floor.

5. 46 Baldry Gardens (No 46) is a period two storey semi-detached property which is located within the CA. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. No 46 has a front garden with soft landscaping and front boundary wall. The vegetation to the front elevation softens the urban context and the boundary wall signals the spatial relationship of separation between No 46 and the street as a whole. Both elements contribute positively to the character and appearance of the CA. Baldry Gardens itself is a wide street featuring verdant grass verges, street trees and footways on both sides, elements which positively contribute to the character and appearance of the CA.
6. The proposed vehicular crossover and hardstanding parking would remove the front boundary wall, the soft landscaping of the front garden and a part of the verdant grass verge that separates the road from the footway. Consequently, the removal of these elements of the characteristic street scene and replacement with hardstanding would fail to preserve or enhance the character or appearance of the CA.
7. There are several existing dwellings in the vicinity, predominantly on the opposite side of Baldry Gardens, which have developed parking to the front gardens. Where that has occurred, those developments interrupt the verdant grass verge, remove the soft landscaping of the front gardens, and blur the distinct spatial separation of the front garden by the removal of the boundary treatment. The cumulative effect is a stark urbanisation of the street scene that is particularly noticeable on the opposite side of Baldry Gardens to the appeal site. As such, the proposal would further diminish the contribution that the grass verges and front landscaping makes to the character and appearance of the CA.
8. The appellant has further drawn my attention to a nearby and similar scheme on the same side of the road to the appeal property at number 52 Baldry Gardens; however, that was approved under a different iteration of the development plan, and I therefore differentiate it from the current appeal.
9. Given the scale and location of the proposed development, the harm to the significance of the CA would be less than substantial in terms of the National Planning Policy Framework (2024) (the Framework). Nevertheless, it is a matter of great importance and weight. I am required to balance this harm against the public benefits of the proposal. In this instance, the public benefits associated with the proposal, to include employment opportunities during construction, would be very limited in nature and would not outweigh the harms identified above to which I attach great weight in accordance with the Framework.
10. Accordingly, the proposal would conflict with Policies Q5, Q14, Q15, and Q22 of the Lambeth Local Plan (2021) (the Local Plan), and the relevant paragraphs of the Framework, insofar as they seek to preserve or enhance the character or appearance of the historical environment and protect local distinctiveness.

Highway Safety and Parking

11. The proposed development would remove an area of on street parking. There is no evidence provided that Baldry Gardens is a parking stress area or in a Controlled Parking Zone. At the time of my visit, which I appreciate is a snapshot in time, there were multiple vehicles parked on the street; however, there were multiple places available to park. As such I do not find the proposal harmful in terms of loss of parking.
12. Details before me indicate the formation of a driveway/parking space to the front elevation for the appeal property with one parking space, retention of the pedestrian gate post and the retention of the side boundary treatments including posts.
13. It is indicated that the amount of space for vehicle parking at the proposed dwelling, would be limited and would not allow for vehicles to enter and exit in a forward gear. Given the limited space to manoeuvre, it would require occupiers to reverse across the footway to enter the parking or to reverse out across the footway and into the highway.
14. The approved plans show the removal of the existing front boundary wall, but the retention of the pedestrian gate and posts and the side boundary wall and post. The appellant's appeal statement sets out that the post to the east boundary would be removed; however, that is not reflected in the plans submitted to this appeal upon which I must base my decision. The retention of the boundary elements above 900mm would adversely impede pedestrian visibility sight lines and would make access and egress manoeuvres dangerous due to the competing vehicular and pedestrian traffic and reduced visibility. Furthermore, there is no demonstration that adequate pedestrian visibility splays would be achieved.
15. To make matters more challenging, vehicles could be parked on the highway close to the site, which would be likely to further restrict visibility. The appellant maintains that the reduced speed restriction at this location would make access and egress of the highway safer than locations without such a restriction in place. However, these manoeuvres would be dangerous due to the competing vehicular and pedestrian traffic, the restricted visibility when reversing and the attention required to navigate all these competing pressures at this location.
16. With the above in mind, the proposal would be harmful to the safe use of the highway. It would thus conflict with Policy T1 of the Local Plan and Policy T6 of the London Plan (2021) and would fail to accord with the relevant paragraphs of the Framework, insofar as they seek to protect the highway network, and that development does not have an unacceptable impact on highway safety.

Conclusion and Recommendation

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

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR