



Appeal Decision

Site visit made on 25 July 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/C5690/D/25/3365901

7 Kinver Road, Lewisham, London SE26 4NT

- 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 Rhian Pinder against the decision of the Council of the London Borough of Lewisham.
 - The application reference is DC/24/136299.
 - The development proposed is front garden works including new driveway, bin storage and dropped kerb and all associated works at 7 Kinver Road, SE26 4NT.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The Council has recently adopted the Lewisham Local Plan 2020-2040 (LP). As a result, the LP forms part of the development plan. It has replaced the Lewisham Core Strategy (CS) and the Lewisham Development Management Plan (DMP), which are cited in the reason for refusal. The main parties were invited to submit representations in relation to the policies of the LP although none were received.
3. Planning decisions must be based on the development plan policies prevailing at the time of determination. The policies of the CS and DMP are no longer in force. The most relevant corresponding policies in the LP are QD1, HE1 and HE2, which cover design and heritage issues. The policies within The London Plan (TLP), which are also referred to in the reason for refusal, remain part of the development plan. The guidance within the Council's Alterations and Extensions Supplementary Planning Document (SPD) is also a relevant consideration.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

5. The appeal property is a 2-storey, end terrace dwelling that is set back from the road behind a front garden and a low-level boundary wall, brick piers and an entrance gate. It falls within the Cobb's Corner Conservation Area (CA), which is predominantly residential in character. To my mind, the CA derives its significance as a designated heritage asset partly from the traditional style and architectural qualities of the buildings from the Victorian and Edwardian periods within it.

6. Along the same side of the road as the site, I saw that the highway frontages of properties include low level boundary walls, gates, fences and planting. There are several examples of properties with open driveways and off-road parking further along and on the opposite side of Kinver Road to the site, and on nearby streets. Nevertheless, in the row of properties to which No 7 belongs, boundary walls provide a sense of enclosure and some visual continuity in the streetscape, and they positively contribute to the pleasant suburban character of the CA.
7. The Council's SPD notes that gardens are particularly important to the character and appearance of conservation areas, their settings and the settings of heritage assets generally. It advises that the Council generally resists turning front gardens into areas of hardstanding and/or car parking unless it can be demonstrated that no harm will result to local character, among other things
8. The proposal is to introduce a new vehicular crossover along part of the highway frontage of No 7 to provide access from the road to an area in front of the house for off-street vehicle parking. To achieve this, a section of the existing front boundary wall would be removed to form an opening. By replacing an unbroken low-level wall with an open frontage, the proposal would establish a clear physical and visual break in the front boundary of the site. In doing so, the appeal scheme would undermine a distinctive feature of the streetscape and the CA. As a result, the character and appearance of the CA would fail to be preserved and its significance as a designated heritage asset would be reduced.
9. The appellant says that the existing front boundary wall is not an original feature of the property. Whether that is the case, the existing wall largely encloses the front garden of No 7 and it positively contributes to the character and appearance of the local area. I also saw that the condition of the existing wall is variable with some bricks along the top heavily eroded and cracks and holes in the render. Nevertheless, there is nothing before me to indicate that the only way to address these matters is to remove a large section of the boundary wall, as proposed.
10. The condition of the footways along Kinver Road is also variable with weeds growing between the paving stones. The presence of bins at the front of properties, poorly maintained gardens and litter also detracts from the appearance of the local street scene of which No 7 forms part. The introduction of raised planters and well-kept soft landscaping, as proposed, could be a catalyst for others to follow suit that could improve the appearance of the streetscape. However, these matters do not justify the removal of the front boundary wall, as sought.
11. I observed that some properties along Kinver Road and Peak Hill include off road frontage parking and open frontages to the highway including those to which the appellant has referred and provided photographs. As few background details of these cases have been provided, I cannot be sure that their circumstances are the same or very similar to those of the proposal. The Council acknowledges that off road frontage parking was approved at 14 Kinver Road albeit when the frontage boundary wall had already been removed. In any event, each development should be assessed on its own merits, which I have done.
12. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the local area. While the harm arising is less than substantial, the public benefits arising from the appeal scheme, which would mainly include improved surface water drainage from the use of

porous surface material and wildlife gains from the introduction of soft landscaping would not outweigh this harm. As such, the appeal scheme is contrary to LP Policies QD1, HE1 and HE2. Together, these policies promote high quality design and seek to ensure that new development preserves or enhances the historic environment including conservations areas.

13. The living conditions of others would not be adversely affected by the proposal. No objection is raised on highway safety grounds. The appeal scheme would enable an electric vehicle to be charged in front of the building, which would be a safer and more convenient option than on the street. The appellant indicates that this arrangement would reduce carbon emissions, and that the absence of a car parked on the road due to the new crossover would improve the appearance of the street scene. However, these considerations do not outweigh the identified harm.

Conclusion

14. Overall, the proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including those of the national Planning Policy Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
15. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR