



Appeal Decision

Site visit made on 26 August 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 AUGUST 2025

Appeal Ref: APP/N5660/W/25/3366268

50 Groveway, London SW9 0AR

- 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 Jonathan Quin against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/01426/FUL.
 - The development proposed is construction of a new dwelling house comprising a basement level, up to three storeys above ground, associated landscaping, excavation, and civil works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A completed Section 106 agreement has been submitted to support the appeal. Having reviewed this document I am satisfied that were the appeal to have been allowed, the agreement would secure relevant mitigation in relation to transport and trees. The Council have confirmed that based on the submission of the agreement, it does not wish to pursue the second reason for refusal. Given that there is no longer a dispute between the parties on this matter, I shall not address it further.

Main Issue

3. The main issue is whether the proposed development would make efficient use of the land, with particular regard to the provision of housing.

Reasons

4. Policy D1 of the London Plan (LP) (2021) states that in planning for growth, boroughs should plan to meet borough-wide growth requirements, including housing targets. Policy D3 of the LP relates to optimising site capacity through a design-led approach. Amongst other matters, this requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth.
5. Policy H1 of the Lambeth Local Plan (LLP) (2021) seeks to maximise the supply of additional homes in the borough in order to meet and exceed the housing requirements for the borough. In relation to self-build and custom-build housing, the policy states that it will support these forms of development where it can be demonstrated that the residential density of the site has been optimised, and other policy requirements have been met.

6. Having been historically occupied by a detached house and a terrace of three houses, and more recently by a children's nursery, the appeal site is now vacant of built form. The appeal proposal seeks to re-develop the site with a single dwelling, arranged in three sections over an expansive footprint, up to a height of three storeys above ground level.
7. The appellant contends that the design of the development has specifically responded to the setting of the site to deliver a high-quality additional home to meet the appellant's specific housing needs.
8. I note that there was a previous appeal on the site for 7 residential units (APP/N5660/W/15/3002515). This appeal was determined in 2016 under a different policy regime which set out specific housing density ranges. I therefore accept its relevance to be limited to the proposal before me. Nevertheless, the Inspectors reasoning specifically identified the need for a balance between achieving housing numbers, delivering increased densities in areas with higher public transport accessibility whilst respecting the character of the area.
9. The site is within the Stockwell Park Conservation Area (CA). The CA is a relatively low-density neighbourhood characterised by detached and semi-detached villas, mostly with Neo-classical detailing, many of which are Grade II listed. Plots on the whole are relatively spacious, sitting within mature gardens which gives the CA an attractive verdant quality.
10. I understand that applications for residential development have been refused near the appeal site for reasons relating to their heritage impacts (one of which is currently subject to appeal). However, based on the site area, I am not convinced that a higher density development would implicitly be harmful to the CA, or to the setting of nearby listed buildings.
11. It is stated that the massing of the proposal has been designed so that the dwelling is read as three separate two and three storey villas, to be in keeping with the surrounding pattern of development. The finished appearance is also stated as closely referencing surrounding development. There is little in the evidence before me to suggest that these design approaches would only be successful for a single dwelling.
12. My attention has been drawn to an appeal elsewhere in London (APP/E5330/W/24/3354129) where the Inspector found no harm arising from residential units exceeding the minimum requirements set by national space standards. It appears that this scheme related to a mixed-use development of numerous residential properties and is therefore not directly comparable to the appeal scheme before me which relates to a single dwelling. In any case, the Council has acknowledged that there is no maximum footprint standard set by the development plan.
13. The Council has referred to the need for very large dwellings (5+ bedrooms) in the borough as being low, partially in reference to the Lambeth Strategic Housing Market Assessment (2017). I accept that the results of this study are now somewhat dated and may not provide an accurate representation of current housing needs. I understand that the size of the proposed dwelling (in the context of both the footprint and number of bedrooms) would address the appellant's specific housing needs. However, the development of the appeal site in the

manner proposed would entirely miss an opportunity to develop the site at a greater density and thereby contribute further to wider housing needs.

14. The delivery of one dwelling would not represent an efficient use of the site, with particular regard to the provision of housing. Whilst I acknowledge that the scheme has received support partially on the basis that it would bring relief to the growing housing density of the area, the density proposed would fail to optimise the full potential of the sites capacity to deliver housing growth in a sustainable location with excellent public transport accessibility levels. On this basis the proposal would be contrary to Policies D1 and D3 of the LP as well as Policy H1 of the LLP.

Other Matters

15. As above, the site is within the Stockwell Park CA. It is also in close proximity to a number of Grade II listed semi and detached mid-19th Century dwellings, including the Grade II listed 46 Groveway adjacent to the site and 41 and 41A Stockwell Park Road on the opposite side of the Groveway. These listed buildings have a commonality in their use, design detail and contribution to the character of the CA. The listed buildings derive much of their significance from their high architectural quality and artistic design of their principal elevations which face onto the street.
16. I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I have also had regard to the statutory duty under Section 66 of the Act which requires special regard to be given to the desirability of preserving listed buildings including in respect to their setting.
17. The form of the development proposed would have an acceptable effect on the character and appearance of the CA, with the contemporary design respecting the established character through the use of sympathetic materials and proportions. Having regard to this, the appeal proposal would preserve the character and appearance of the CA as well as the setting of the nearby listed buildings, the significance of which would not be harmed.
18. There are a number of matters which are not disputed between the parties. These include the effect of the proposal on the character of the area (as above including in the heritage context), the effect on the living conditions of neighbouring occupiers, considerations in relation to transportation and construction, and the quality of the proposed residential accommodation. These matters weigh neutrally in the planning balance rather than constituting benefits to the proposal.
19. It is clear from the evidence that the design of the proposal has followed a structured and lengthy process, including a competition between architectural practices to explore the most appropriate solution for a single dwelling on the site. There is no dispute between the parties that the design of the dwelling would be appropriate for the site.
20. The proposal would have a modern, contemporary appearance. It is proposed to be built through high quality materials which creates an inherently more sustainable approach to building through their longevity. Notwithstanding this, based on the evidence I am not persuaded that the proposal would represent the outstanding or innovative design envisaged by paragraph 139 of the National Planning Policy Framework (the Framework).

21. The appellant has outlined the pre-application engagement process that led to the submission of the application including letter drops and on-site exhibitions. It is stated that the proposal has received widespread support which is reflected through the representations received. Letters of representation have supported the proposal based on numerous factors including the high-quality design, bringing the site back into an active use and the preservation of natural features. Whilst these comments are noted, they could equally be achieved through an alternative scheme at a higher density.
22. The application submission was accompanied by a "Development Feasibility Assessment" which set out to compare the proposed development against alternative schemes for 4 and 8 dwellings. In this context, the document is clear that the proposed scheme is not a commercial venture and therefore not expected to return a profit. Whilst the assessment concludes that the alternative schemes are not commercially viable, these do not represent an exhaustive list of how the site could be developed. This document therefore does not alter my findings on the main issue above.

Planning Balance

23. The Government's objective as set out in the Framework is to support sustainable housing growth. The Framework states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes, proposals for which should be approved unless substantial harm would be caused. It also outlines support for the development of windfall sites recognising the value that small and medium sites can make to meeting the housing requirements of an area.
24. The Council confirm they can only demonstrate a 4.2-year supply of deliverable housing sites. The appellant is of the view that the Council's approval rates have contributed towards housing delivery within the borough. Regardless of the circumstances leading to the housing supply figure, it follows that paragraph 11 d) of the Framework is engaged. In this case it means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies including those relating to the effective use of land.
25. The proposal would deliver an additional dwelling in a sustainable location. It would also have other associated benefits including increased planting and the use of energy efficient and other sustainable design measures, as well as bringing a long-term vacant site into use. Even a single dwelling would contribute towards housing delivery and therefore I have given these benefits moderate weight.
26. However, an inability to demonstrate a five-year housing land supply means that it is especially important that planning decisions avoid homes being built at low densities. The failure of the proposal to optimise the most efficient use of the site would eliminate the opportunity for the site to deliver additional housing, which in turn would have a greater benefit to housing delivery within the borough. I have given the harm relating to inefficient housing delivery significant weight.
27. In the specific circumstances of this case, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed

against the Framework, taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

28. I have concluded that the proposal would conflict with the development plan as a whole and there are no other material considerations, including the provisions of the Framework, which indicate planning permission should be granted. Therefore, the appeal is dismissed.

L Gardner

INSPECTOR