



Appeal Decision

Site visit made on 18 November 2025

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2025

Appeal Ref: APP/C5690/D/25/3373181

15 Jerningham Road, Lewisham, London SE14 5NQ

- 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 Mrs Meagan Hicks against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/25/139970.
 - The proposed development is described as a new dropped kerb vehicular access and permeable driveway.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council adopted the Lewisham Local Plan in July 2025 ('LLP'). As it replaces the Lewisham Core Strategy (2011) and the Lewisham Development Management Local Plan (2014), which are referred to in its decision notice, and as it now forms part of the development plan, I requested relevant policies from the Council and gave the appellant an opportunity to comment.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the host property and the area, including whether it would preserve or enhance the character or appearance of the Telegraph Hill Conservation Area ('the THCA'); and
 - the safety and convenience of highway users.

Reasons

Character and appearance

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing their character or appearance.
5. Having regard to the Telegraph Hill Conservation Area Character Appraisal ('the CACA') and my own observations, the THCA predominantly comprises a mix of open spaces and a regular pattern of mainly residential streets, with nineteenth century houses based on standardised designs, and with architectural detailing and

materials typical of their era. The properties are set back from the tree-lined roads, often behind front gardens, with low walls or railings on their frontages. These elements all contribute to the THCA's significance. Section 5 of the CACA states that the loss of original front boundary walls and hard-surfacing of front gardens is detrimental to the area's character.

6. The host sits within a cohesive terrace, whose form, style and detailing are typical of Jerningham Road. Other than a gap for a pedestrian access, it has a low brick wall with piers along its front boundary, and a garden between there and its lightwell.
7. Three of the six properties in this terrace have parking forecourts, including neighbouring No 13. The appellant cites other such examples on the road, some of which were granted planning permission by the Council, and two of which, at Nos 49B and 53, were allowed at appeal¹. However, I understand that some, including all those in this terrace, pre-date the Council's Article 4 Direction, whose purpose is to prevent further incremental harm from unsympathetic alterations. The works at No 49B also apparently took place before the Article 4 Direction was introduced, and the Council points out that a crossover and associated works at No 107 was dismissed at appeal having regard to that property's context².
8. In any event, notwithstanding those decisions, I observed that no properties in the neighbouring terrace from Nos 1 to 11 (odds) have parking forecourts; and that, whilst some front gardens in Jerningham Road have been converted to provide off road parking, that is not a prevailing characteristic of the area, or of this part of the road. In my view, soft landscaping in front gardens and front boundary enclosures make a significant contribution to the character and rhythm of this part of the streetscene.
9. In that context, the proposed driveway on a significant proportion of the host's front garden, the removal of most of the low front boundary wall, and the presence of a parked car, would give the front of this property a stark and unenclosed appearance, which the narrow side strips of planting and two retained trees would do little to alleviate. Even if the existing boundary wall is not original, it contributes to the area's character, and whilst the garden is unkempt, it provides some greenery, and it could be enhanced in the future. The scheme would therefore result in the loss of features which contribute to the THCA's significance.
10. As depicted on drawing No 007/PR/206 Rev B, the boundary to the front of the lightwell would comprise a low wall and piers, constructed in matching London stock brickwork with a stone capping, and Victorian style black metal railings with finials. Further details of that boundary treatment, which would be set well back from the highway, could be required by a planning condition should the appeal be allowed. On that basis, it would not harm the THCA.
11. Nevertheless, for the above reasons, the scheme would fail to preserve or enhance the character or appearance of the THCA. It would therefore conflict with Policy HC1 of the London Plan (2021) ('LP'), which requires proposals to conserve the significance of heritage assets; and with LLP Policy HE2 Part B a) which only supports development which preserves or enhances the character or appearance

¹ APP/C5690/W/16/3153217 and APP/C5690/D/19/3235750

² APP/C5690/D/22/3291391

of conservation areas, having regard to matters such as open space and gardens, boundary features, and streetscape views.

12. It would also conflict with LLP Policy QD9's requirement for high quality design which respects a site's setting and detailing; and with the Lewisham Alterations and Extensions Supplementary Planning Document (2019) ('SPD'), which advises at part 6.7 that the Council will generally resist turning front gardens, which are particularly important in conservation areas, into hardstanding or car parking, unless it can be demonstrated that there would be no harm to local character.
13. In accordance with the National Planning Policy Framework ('Framework'), I have applied great weight to the conservation of this designated heritage asset. However, given the limited scale of the proposal in the context of the THCA as a whole, the harm caused to it would be 'less than substantial'. As required by Framework paragraph 215 and LLP Policy HE2 Part B b), I will therefore weigh it against the scheme's public benefits. I return to this later in my decision.

The safety and convenience of highway users

14. Given the driveway's limited dimensions, there would be no space for vehicles to turn around within it, and they would need to reverse in or out over a pavement, which is used by pedestrians, including school children accessing a nearby school. Sightlines for drivers would also be partially obstructed by nearby highway trees and on-street parking.
15. However, the vehicular movements associated with the use of a single parking space serving one house would be very limited. Moreover, Jerningham Road is straight and wide, illuminated by streetlamps, and subject to speed cushions and a 20mph limit; and I have no evidence that existing accesses have resulted in significant highway incidents.
16. Given its roughly 4.1 metre depth, the proposed off-road parking space would be too short for many cars. However, the appellant has provided a list of models that could fit within that space without overhanging the pavement. Thus, whilst I have not been presented with an enforceable mechanism to ensure that only vehicles of a specified size could use the space, and I accept that not all drivers park responsibly, I do not consider that the scheme would result in a significant risk of parked vehicles obstructing people using the pavement.
17. Although the area experiences on-road parking pressures, the reduction in publicly available roadside parking as a result of the scheme would be very limited, and a private off-road space would be provided, with potentially a second roadside space alongside the dropped kerb. There has been consultation on a local controlled parking zone, but I have not been made aware of the outcome.
18. For the above reasons, and based on the evidence before me, I conclude that the scheme would not result in significant harm to the safety and convenience of highway users. It would not therefore conflict with LP Policies T4 and T6, or LLP Policies TR1 and TR3 which, amongst other things, require proposals to not adversely impact the effective functioning and safe use of the public realm, including walking routes, and to not increase road danger.
19. Neither would it conflict with the Framework's stance on avoiding unacceptable impacts on highway safety; or with the similar advice at part 6.7 of the SPD.

Other considerations

20. I have no cogent evidence that the scheme would reduce the prospect of the host property being converted to flats, which would in any event require planning permission. Even if the scheme would enhance property values, that is not a material planning consideration.
21. The proposed use of permeable resin bound gravel to prevent or limit surface water run off would not address the harm that the scheme would cause, and the provision of an off-road parking space would be a private benefit, particularly in the context of the loss of a short section of publicly accessible roadside parking.
22. However, the scheme would provide more secure parking for the occupants who cite instances of damage to their vehicle when parked on the road, and there would be a very modest environmental public benefit from the provision of a single electric vehicle charging point, in accordance with policies which aim to shift from carbon fuel reliant modes of transport, reduce harmful emissions and improve air quality.

Planning Balance and Conclusion

23. I have found that the scheme would not cause significant harm to the safety or convenience of highway users but, mindful of the statutory duty, it would fail to preserve or enhance the character or appearance of the THCA.
24. Having regard to the Framework, harm to the significance of designated heritage assets requires clear and convincing justification. In this case, there would be no such justification, and the scheme's very modest public benefits would not outweigh the harm that it would cause to the THCA.
25. The scheme would therefore conflict with the development plan when considered as a whole. Material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. For these reasons, and having regard to all other matters raised, including representations both in support and opposed to the proposal, the appeal is dismissed.

Chris Couper

INSPECTOR