



Appeal Decision

Site visit made on 3 September 2025 by J Kirkaldy BSc (Hons) PGDip MRTPI

Decision by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/N5660/D/25/3368888

12 Baldry Gardens, 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 Ian Kingston against the decision of the Council of the London Borough of Lambeth.
 - The application ref is 25/00591/FUL.
 - The development proposed was originally described as “formation of vehicle crossover and driveway together with alterations to existing front boundary treatment. Full description of proposed works as per Heritage Statement: - Formation of new vehicle crossover. - Formation of a new driveway to provide one off-street car parking space. - Installation of EV charger on the front elevation. - Replacement of existing concrete pavement with permeable concrete brick pavement. Installation of permeable parking grass paving in the driveway/ car parking area. - Replacement of existing brickwork and timber fences with Privet box hedging 1.0 m height. - Replacement of existing shrubs and grass in the front garden with new shrubs and grass. - Provision of bin store”.
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Decision

1. The appeal is allowed and planning permission is granted for the provision of a vehicular crossover with driveway and permeable hardstanding together with the installation of an EV charger, replacement of brickwork with privet hedging and provision of bin store at 12 Baldry Gardens, London, SW16 3DJ in accordance with the terms of the application, ref 25/00591/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 2406.2 pln01, 2406.2 pln03, 2406.2 pln05.
 - 3) No part of the development hereby permitted shall be brought into use until it has been laid out, surfaced and drained in accordance with details that shall first have been submitted to, and approved in writing by, the local planning authority, and it shall be thereafter maintained as such at all times.
 - 4) No part of the development hereby permitted shall be brought into use until the pedestrian visibility splays of 1.5m x 1.5 metres are provided. The area within the visibility splays referred to in this condition shall thereafter be free of any obstruction higher than 0.9 metres within the visibility splays and shall be retained as such.

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. The description of the proposed development set out within the above banner heading has been taken from the application form. However, for clarity and precision, the description of the proposed development set out within the above decision has been taken from the decision notice and appeal form.

Main Issue

4. The main issues are the effect of the proposal on a) the character and appearance of the area; including whether or not the proposal would preserve or enhance the character or appearance of the Streatham Lodge Estate Conservation Area and b) highway safety.

Reasons for the Recommendation

Character and appearance

5. Baldry Gardens is a relatively long and wide residential street characterised by predominately semi-detached dwellings set back from the road. The pavements are wide with trees planted in narrow grass verges. Numerous properties benefit from off street parking to the front with areas of hardstanding and minimal landscaping. There are no parking restrictions on the street, apart from on the road junctions and designated disabled parking spaces. The appeal site is a traditional dwelling, in keeping with neighbouring housing, and includes a landscaped frontage. As such, the site makes a positive contribution to the character and appearance of the area.
6. The appeal site is situated within the Streatham Lodge Estate Conservation Area (CA), whose significance appears to derive from the architectural characteristics and detailing of the area. The area is also subject to an Article 4 Direction, introduced in 2010 which relates to, amongst other matters, gates and boundary enclosures.
7. I am required by Section 72 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. In addition to the requirement under section 72 of The Act, the CA is also a designated heritage asset as defined by the National Planning Policy Framework (the Framework), which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance.
8. The Council did not raise a concern regarding the proposed EV charger or bin store, from the information before me I too find these aspects of the proposal to be acceptable.
9. The Council acknowledges there are a number of crossovers on Baldry Gardens which they suggest has resulted in harm to the character and appearance of the CA stating these mostly predate the CA designation and the Article 4 Direction.

Nonetheless, whilst it is unclear when, or if, local crossovers gained consent they form part of the character of the area. The appeal site currently has a low brick wall and planting to the front boundary. I observed during my site visit that this isn't a particularly distinctive feature of the area with many of the properties having an open frontage with shared or single vehicular crossovers to facilitate off-street car parking.

10. The proposal would result in the removal of a section of grass verge, and the partial removal of the site's low wall and front garden. This would, further add to the cumulative effect of the loss of verges, front gardens, front garden walls and vegetation that has occurred over time within the CA. However, the proposal would introduce privet box hedging along the sides and part of the front boundary that would retain identified characteristics of the CA. This would enable the proposal to harmonise with the character and appearance of the host dwelling and area and create a sense of enclosure for the front garden. Although the quantity of hard surfacing to the frontage would marginally increase in the street, it would have a negligible effect on the CA.
11. The proposal has been designed in a sympathetic way with soft landscaping. Part of the front boundary treatment and grassed area would be preserved. As such, the proposed hardstanding area would not dominate the appearance of the front garden. Accordingly, the scheme would have an acceptable effect on visual amenity and to the character and appearance of the street, thus preserving the significance of the CA.
12. LP Policy Q14, states that car parking in front gardens will not be permitted, other than in exceptional circumstances where there is the need to provide blue badge parking for the household and where specific criteria are met.
13. The appellant has not indicated they are seeking a blue badge parking space therefore the proposal would conflict with Policy Q14. However, due to the context within which the appeal site is located and the lack of harm I have identified above, I consider the proposal is acceptable in this case. Policy Q14 also states that the proposal should demonstrate no harm to visual amenity or residential outlook and an adequate boundary treatment can be maintained. It further states, soft landscaping should be retained, and shrubs should be planted to act as a screen. For the reasons set out above, I consider that the proposal would accord with these requirements and therefore comply in overall terms with LP policy Q14.
14. Consequently, the proposal would accord with Policies Q5, Q14, Q15 and Q22 of the Lambeth Local Plan (September 2021) (LP). These seek to retain boundary treatments that are characteristic of the immediate locality and which state that development will be supported if visual amenity is not unacceptably compromised and that seek to preserve or enhance Conservation Areas.

Highway Safety

15. A lack of sufficient on-street parking could lead to parking in unsafe locations, hence, harm highway safety. However, the Council has not demonstrated that the area suffers parking stress. During my site visit, mid-morning of a weekday, I observed that Baldry Gardens was fairly heavily parked on both sides of the road, although some on-street parking spaces were still available along the road and on surrounding roads. Although I would expect parking demand to be higher

during the evenings and at weekends, I see no reason within the submitted evidence, to find on-street parking stress to be high.

16. The proposed development would result in the loss of one on-street car parking space, although one off-street car parking space would be created. I am cognisant that this proposal would not result in a neutral impact on parking as the scheme would result in the loss of one public space, replacing it with a private space for the appellants own use. Nonetheless, whilst the Council assert that up to 10 metres of on-street parking capacity would be lost, I do not concur. The proposed layout plan illustrates that one on-street space would be retained, between the existing cross-overs. As such, the loss of one parking space along Baldry Gardens would not significantly affect the availability of on-street parking spaces in the wider area. Therefore, I consider that the proposal would have a negligible effect on parking provision in the area and would not cause unacceptable harm.
17. The Council has raised concern that the proposal fails to demonstrate the provision of adequate visibility splays, posing a risk to pedestrian safety. Policy Q15 of the Local Plan refers to boundary treatments flanking a vehicle crossover to not exceed 900mm in height to maintain sight lines. However, a condition could be imposed requiring visibility splays to be provided on either side of the new access and maintained as such thereafter to address this matter.
18. At the time of my site visit, I noted that Baldry Gardens was lightly trafficked with few pedestrian movements. No evidence has been submitted suggesting that vehicle speeds exceed the speed limit or that there have been recent incidents involving vehicles and pedestrians. Pedestrians and vehicle users would be aware that most of the properties along the road have off-street parking and that vehicles would be entering and exiting these spaces at a slow speed. There is also a wide pavement which would allow refuge for pedestrians whilst vehicles are manoeuvring in/out of spaces. Given the nature of the road and the existing levels of off-street parking, I am not persuaded that the proposal before me would exacerbate the existing situation leading to concerns in respect of pedestrian or highway safety.
19. For the above reasons, I conclude that the proposed development would not be harmful to highway safety and would accord with LP Policies T2 and Q14 and Policy T2 of the London Plan which seeks to improve conditions for pedestrians and create a safer environment for walking.
20. The Council's decision notice also refers to Policies T1 and T6 of the London Plan and LP Policies T1 and T6 which relate to car parking provision and sustainable transport. However, they are strategic in nature and weigh neither for nor against the proposal.

Conditions

21. I have imposed the standard conditions relating to the commencement of development and a condition requiring the development to be carried out in accordance with the approved plans this is necessary and provides clarity.
22. Conditions are required to secure details of the materials and drainage to be used for the construction of the vehicle crossover and hardstanding in accordance with LP Policy Q14, and to provide and maintain adequate

pedestrian visibility splays in the interest of highway safety and in accordance with LP Policy Q15.

Conclusion and Recommendation

23. The proposal would accord with the development plan, when read as a whole. Material considerations, including the Framework do not indicate that a decision should be made other than in accordance with the development plan.

24. Having considered all other matters raised, I therefore conclude that the appeal should be allowed.

J Kirkaldy

APPEAL PLANNING OFFICER

Inspector's Decision

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

B Plenty

INSPECTOR