
Appeal Decision

Site visit made on 2 July 2019

by S Shapland BSc (Hons) MSc MILT

an Inspector appointed by the Secretary of State

Decision date: 22 July 2019

Appeal Ref: APP/Y5420/D/19/3228866

41 Cranley Gardens, Hornsey, London N10 3AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dr Robert Weinberg against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2019/0552, dated 24 January 2019, was refused by notice dated 21 March 2019.
 - The development proposed is the installation of vehicle crossover on a classified road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - highway and pedestrian safety; and
 - the character and appearance of the surrounding area.

Reasons

Highway and pedestrian safety

3. The appeal site fronts Cranley Gardens which is a classified road with a 20mph speed limit characterised by high levels of on-street parking. The proposal is for the formation of a new vehicular crossover, which would serve a new parking space in the front garden of the appeal site.
4. The existing mature hedgerow which form the boundary treatment of the appeal site restricts visibility in both directions. Given the height and location of these hedges any drivers leaving the appeal site in a forward gear would be unable to see any pedestrians walking on the footway until the front of their vehicle was overhanging this footway. This would be significantly worse if a driver chose to reverse out of the site, with the limited visibility meaning they would be unable to see pedestrians until they had almost completed their manoeuvre.
5. The location of the mature street tree within the footway outside the appeal site would mean that the proposed vehicle crossover would be constructed at an angle. The location of this tree and the amount of on-street parking which I

observed on site would also restrict visibility of the road for vehicles leaving the site. This would therefore have an unacceptable impact on highway safety.

6. The appellant has drawn my attention to a number of similar vehicle crossovers on Cranley Gardens which have been approved by the planning authority. This includes the adjacent property at No 39. I understand that these crossovers were approved before the current development plan document was adopted. Their presence alone would not justify allowing this appeal and consequently I can therefore only afford these examples limited weight in the determination of this appeal. The appellant has also cited an appeal decision on Treeside Place. I have not been presented with the full details of that scheme and so cannot be certain that the circumstances are the same. In any case all applications and appeals must be determined on their own merits and that is what I have done in this case.
7. Accordingly, the proposal would result in unacceptable harm to highway and pedestrian safety. This conflicts with policies DM2 and DM33 of the Haringey Development Management DPD 2017 (HMDMPD) and policy SP7 of the Haringey Local Plan 2017 (HLP). Collectively, these policies seek, amongst other things, that development promotes road safety and safe access for all pedestrians and vehicles.

Character and appearance

8. Properties adjacent to the appeal site on the southern side of Cranley Gardens have a relatively uniform pattern of boundary treatments. This is characterised by mature hedgerows enclosing the front gardens. This uniformity provides for a visually pleasing street scene.
9. The proposal would require the removal of a section of the front hedgerow. As the proposal does not require the complete removal of this hedgerow, the majority would remain and therefore still provide a positive contribution to the street scene. As such I do not find that the removal of a section of the front hedgerow would have a significant impact on the overall character and appearance of the surrounding area.
10. Consequently, I find that the proposals would not harm the character and appearance of the surrounding area. As such there would be no conflict with policy DM1 of the HMDMPD and policy 7.4 of the London Plan 2016 which together seek, amongst other things, to ensure that development must ensure a high standard of design which contributes to the character of the area.

Conclusion

11. I have found that the proposal would not have a detrimental effect on the character and appearance of the area. However, this does not outweigh the harm to highway and pedestrian safety and for this reason I conclude that the appeal should be dismissed.

S Shapland

Inspector