



Appeal Decision

Site visit made on 16 March 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th April 2020

Appeal Ref: APP/Y5420/W/20/3244103

308 Alexandra Park Road, London N22 7BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr A Tornari against the decision of the Council of the London Borough of Haringey.
- The application Ref HGY/2019/2946, dated 28 October 2019, was refused by notice dated 20 December 2019.
- The application sought planning permission for the conversion of existing dwelling house into 3 x flats (1x 2b3P; 1x2B4P; 1X3B6P) with associated single storey rear extension, first floor roof terrace with privacy screens, associated external alterations to building including replacement of first floor rear elevation window with glazed doors; insertion of additional window at rear side elevation of first floor; alterations to front door; alterations to existing front garden and access steps; provision of refuse and recycling storage, and covered cycle parking store, to front garden without complying with conditions attached to planning permission Ref HGY/2018/3779, dated 7 February 2019.
- The conditions in dispute are Nos 2 and 4 which state that: [2] The approved plans comprise drawing nos; Alex/18/P/02; Alex/18/P/03 REV.A; Design and Access Statement. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment; and [4] Prior to the first occupation of the development hereby approved, the developer shall have entered into an agreement with the local highway authority under Section 278 of the Highways Act 1980 to remove the necessary section of redundant crossover across the footway into the site and to reinstate the public footpath at this location. The necessary Traffic Management Order (TMO) shall also be amended so that the existing on-street controlled parking bay on Alexandra Park Road is extended to cover the area fronting the redundant crossover to the front of the application site.
- The reasons given for the conditions are: [2] In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity; and [4] In order to ensure that the proposed development does not prejudice the free flow of vehicular and pedestrian traffic or the conditions of general safety of the highway and consistent with Policy 6.13 of the London Plan 2016.

Decision

1. The appeal is dismissed.

Procedural Matter

2. At my site visit I saw that works were being undertaken inside the appeal property and that the property frontage had already been remodelled, which

included steps up from the pavement to the front door of the property, a block paved driveway/parking area, a raised patio immediately in front of the building and what appeared to be a raised border and front wall alongside the boundary to 306 Alexandra Park Road.

3. The appeal proposal itself seeks a minor material amendment to the original planning permission granted by the Council. The proposed amendment is, in effect, to retain a parking space to the front of the property as there was already a parking space to the frontage prior to any works being carried out.
4. However, the works which have been undertaken do not reflect either the original planning permission layout or the details contained in the appeal application.

Main Issues

5. The main issues are the effect of the development on the character and appearance of the area and whether the parking space is of a sufficient size.

Reasons

Character and appearance

6. The appeal property is located on the south side of Alexandra Park Road and is a mid-terraced property which is set at a higher land level to the road. The street has a mixture of properties with and without off street parking to their respective frontages. Properties which include off street parking include Nos 289, 310, 312 as well as the appeal site itself. There are also lots of on-street parking bays along the road.
7. From the evidence before me, the appeal site originally had an off-street parking space before any works took place. I understand that this bay was cut out and had a raised concrete wall around the space and the Council considered that this detracted from the visual amenity of the property and the streetscene.
8. The appeal plans show that refuse & recycling storage and bicycle parking spaces could be physically accommodated at the site even with a retained car parking space. However, it is also clear that the refuse & recycling store, in particular, would be prominent in the streetscene with only a very small amount of landscaping possible to screen them. To my mind, with only this limited amount of landscaping, the necessary refuse and recycling store would be likely to have a significant adverse visual impact on the streetscene and would therefore be harmful to the overall character and appearance of the area.
9. I have also considered the whether the works already carried out (at the time of my site visit) would be an acceptable solution. However, whilst I have no doubt that there has been an improvement in the visual appearance of the site I find it significant that the works carried out do not appear to provide the necessary facilities for the future occupants of the flats such as the storage facilities for both refuse & recycling and for bicycle parking.
10. Furthermore, it is unclear where such facilities could be provided without changes to the layout of the front of the site. In the absence of any demonstration that an acceptable layout could be provided, I consider that the

as-built development does not offer an acceptable alternative to the appeal scheme.

11. For the above reasons, the proposal would harm the character and appearance of the area and would conflict with Policies 3.5 and 7.6 of The London Plan (2016); Policies DM1 and DM16 of the Haringey Development Management DPD (2017) (DPD) and Policy SP11 of the Haringey Local Plan Strategic Policies 2013-2026 (2013 – consolidated with alterations in 2017) (LP) which amongst other matters seek to ensure that development enhances and respects the quality of local places and local character, that landscaping is integrated into the development as a whole and that there is a balance between hard and soft landscaping to the forecourts of properties.

Parking space

12. The appeal plans show that a parking space 2.4 metres wide by 4.8 metres in length could be accommodated within the appeal property. From what I can ascertain, the Councils key concern appears to relate to whether all of the required facilities could be provided on the site rather than explicitly whether the parking space itself is big enough. In this respect I find that the parking space shown on the appeal plans is of an adequate size to park a motor vehicle within it, being the minimum size for a standard parking space.
13. Given that a parking space was present before the conversion works commenced, I also consider that there would not be any material increase in traffic crossing the pavement or any adverse impact on highway safety as a result of the retention of a parking space at the appeal premise. With that in mind, I find the requirements of condition 4 (as drafted) are not necessary.
14. The Council have referred to Policy 6.10 of the London Plan and Policy DM33 of the DMP in their reason for refusal. However, Policy DM33 deals with crossovers or new vehicular accesses and the adoption of new access roads, neither of which is particularly relevant to the appeal proposal particularly given the existing parking space and vehicular crossover. Furthermore, Policy 6.10 of the London Plan relates to walking and is not particularly relevant to the size of a parking space. Taking the above into account, neither are particularly relevant to the proposal before me.
15. For the above reasons the development would provide a suitably sized parking space and would accord with the transportation aims of the National Planning Policy Framework.

Conclusion

16. Whilst I have found that the size of the parking space is adequate, I am also conscious that the required refuse & recycling and bicycle parking facilities cannot be provided without giving rise to harm to the character and appearance of the area.
17. In such circumstances, I note that the original provision of (in effect) replacing the off-street parking space with an on-street space would provide a neutral impact on the availability of parking spaces in the locality. With that in mind, given the absence of an acceptable refuse & cycling and bicycle parking scheme I find that the relocation of the off-street parking space to an on-street parking space is necessary to make the overall development acceptable.

18. Therefore, taking all matters into consideration, I conclude that the minor amendment proposed is unacceptable and the appeal should be dismissed.

Chris Forrett

INSPECTOR