



Appeal Decision

Site visit made on 8 December 2021

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 February 2022.

Appeal Ref: APP/N5090/D/21/3283932

23 Harcourt Avenue, Edgware HA8 8YL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of an application for planning permission.
 - The appeal is made by Mr I Ahmed against the Council of the London Borough of Barnet.
 - The application Ref 21/1569/HSE dated 21 March 2021 was refused on the 28 July 2021.
 - The development proposed is a 4.2 metre wide dropped kerb.
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Procedural Matter

1. The Council describe the proposal as a new vehicular access to provide off street parking. This more accurately describes the proposed works.

Decision

2. The appeal is allowed and planning permission is granted for a new vehicular access to provide off street parking at 23 Harcourt Avenue, Edgware HA8 8YL, in accordance with the terms of application ref: 21/1569/HSE dated 21 March 2021 and subject to the following conditions:
 - 1) This permission shall be begun before three years from the date of this permission.
 - 2) This permission shall relate to the following approved plans: Location Plan, Plan no. A/BARNET/2021/DK/01 (existing and proposed front driveway layout).
 - 3) Development shall not commence until details / samples of the materials to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be constructed in accordance with the approved details.

Main Issue

3. The main issue is the effect on the character and appearance of the street scene.

Reasons

4. The appeal site comprises a semi-detached property within a row of similar semi-detached and terraced properties along a residential street. The street has a pleasant 'green' character with wide grass verges to the front of properties on the western side, including the appeal site, and hedges to front gardens to other nearby properties and to those on the opposite side of the

road. The small front garden of the appeal property which lies between the dwelling itself and the grass verge is 'open' and has been hardsurfaced with permeable block paving. Some properties in the immediate vicinity have off-street parking to the front or side of the dwellings, though the Council has clarified that the one at No. 27 is unauthorised. At the time of my site visit a number of cars were also parked on street, partly straddling the pavement.

5. The proposal would involve the loss of a large part of the wide grass verge that is located to the front of the property, between it and the pavement, leaving two narrow strips of grass either side. This would result in an increase in the amount of hardsurfacing in this part of the street scene.
6. However, the remainder of the wide grass verge which runs along the front of the adjoining properties to the south of the appeal site would remain which together with the existing hedges to the front of these properties and those of the properties opposite the appeal site, would retain a predominantly 'green' character to the street scene.
7. The Council has referred to its Domestic Vehicle Crossover Policy (2019), the relevant extracts of which indicate that consideration should be given to the impact on the green amenities of the street scene including grass verges, hedgerows and flowerbeds. Applications affecting grass verges in excess of 2 metres depth 'will not be considered'. The Council's 'crossover' team objected to the proposal on grounds that the loss of the grass verge would damage the appearance of the highway. However, the Council also states that if the Housing Department, who maintains the land and whose permission is also required, approves the proposal, then an application 'would be processed'. It would appear that this is a separate process though it is unclear whether such approval has been given. Notwithstanding this, I have found in respect of the appeal proposal that, for the reasons set out above, there would not be an unacceptably harmful impact on street scene character.
8. I therefore find that the proposal would complement the character and appearance of the street scene. As such it would comply with Policies CS1 and CS5 of the Core Strategy (2012) (CS), Policies CS1.B, CS1.D and DM01 of the Development Management Policies DPD (2012) and Policies D3 and HC1 of the London Plan (2021) which seek to ensure that development is of the highest standard of urban design to create accessible safe and attractive environments, that respects local context and distinctive local character. It would also satisfy the Council's Residential Design Guidance SPD (2016) which in general terms seeks to ensure that development respects the character of the street scene.

Conclusions

9. The Council has suggested conditions to refer to the approved plans and to require details of the materials to be used in the development. I consider these are both necessary in the interests of proper planning, visual amenity and to provide a sustainable form of development. Overall, therefore, for the reasons set out, I conclude that this appeal should be allowed and planning permission granted.

P Jarvis

INSPECTOR