



Appeal Decision

Site visit made on 26 September 2023

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2023

Appeal Ref: APP/Y5420/W/23/3318150

2 Haringey Park, Hornsey, Haringey, London N8 9JG

- 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 Mr J Liondaris against the decision of London Borough of Haringey.
 - The application Ref HGY/2022/2294, dated 18 August 2022, was refused by notice dated 12 October 2022.
 - The development proposed is crossover application.
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Decision

1. The appeal is allowed and planning permission is granted for a crossover application at 2 Haringey Park, Hornsey, Haringey, London N8 9JG in accordance with the terms of the application, Ref HGY/2022/2294, dated 18 August 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 0151_PL_000; and 0151_PL_001

Main Issue

2. The main issue is the effect of the proposal upon on-street car parking provision in Haringey Park.

Reasons

3. The appeal relates to a three-storey, semi-detached property at 2 Haringey Park, situated within a Controlled Parking Zone (CPZ). The proposed crossover would result in the loss of one existing on-street parking bay directly to the front of the appeal property, in order to provide two off-street parking spaces within the forecourt area of the appeal property.
4. The loss of this existing on-street parking bay would be contrary to Policy DM33 of the Haringey Development Management Development Plan Document (2017) (DMDPD) which, amongst other things, states that a crossover must not result in a reduction of on-street parking capacity within a CPZ.
5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. As detailed above, the proposal is contrary to Policy DM33 of the DMDPD and thus this appeal turns on whether there are material considerations which outweigh this conflict.

6. The appellant states that the property is split into four self-contained flats and existing residents currently park on the street. The use of the property as four self-contained flats increases the likelihood that a vehicle associated with the appeal property will be parked on-street at any one time, in comparison to if the property was used as a single dwelling. This is because the probability of at least one of the residents being home at a particular time is increased by there being more residents within the appeal property.
7. The proposed crossover would allow two cars to park within the forecourt area, and whilst I acknowledge that these would be for residents of the flats only, it would still likely reduce on-street car parking demand by removing those residents' cars from the street. As such, whilst the proposal would result in the loss of an on-street parking space directly to the front of the appeal property, it would likely free up two spaces elsewhere on the street, which would otherwise be taken up by the residents of the appeal property.
8. In coming to this view, I acknowledge that the loss of the existing on-street space results in the permanent loss of a space for all other residents, visitors and users of the nearby town centre. Nevertheless, for the reasons given above, the use of the property as four flats increases the likelihood that at least one of the residents would be at home, and therefore a car would likely to be parked either in this existing on-street parking space to the front of the appeal property, or in another on-street parking space elsewhere. The appeal proposal would therefore allow this resident, and another resident, or a visitor to the appeal property, to park in the forecourt area, rather than on the street.
9. In light of the above, the proposal would not only improve the parking provision for the occupants of the appeal property, but also improve on-street parking provision for neighbouring residents when two cars are parked on the forecourt area within the appeal site, as these would have otherwise been parked on the street.
10. I note the Council's comment in respect of the potential for increased pedestrian safety concerns resulting from vehicles crossing over the pavement to access the forecourt. The properties either side of the appeal site, at numbers 1 and 3 Haringey Park, both have dropped kerbs to the front and therefore pedestrians are likely to be aware of the potential for vehicles crossing the footway in this area. Furthermore, there is nothing specific about this location that would make an additional vehicle crossing unsafe.
11. Overall, whilst the proposal would result in the loss of an on-street parking space within a CPZ, the loss of one on-street space to provide two off-street spaces would not have a detrimental impact upon on-street parking. To the contrary, for the reasons given above, the proposal would likely result in an improvement to the on-street parking provision by removing two cars from the street, and this would benefit residents in the area, as well as visitors to the nearby town centre.
12. I am mindful that in the absence of an unacceptable impact on highway safety, there is no conflict with paragraph 111 of the National Planning Policy Framework, and this is a further material consideration weighing in favour of a grant of planning permission.

13. Accordingly, whilst the proposal is in conflict with Policy DM33 of the DMDPD, for the reasons detailed above I conclude that in this instance there are material considerations in favour of the proposal that outweigh this conflict.

Other Matters

14. The appeal site is located within the Crouch End Conservation Area and in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Crouch End Conservation Area.
15. The properties either side of the appeal site, at numbers 1 and 3 Haringey Park, both have dropped kerbs to the front, and the ability to park cars within their forecourt areas. The proposed dropping of the kerb to create a vehicle crossover to provide access to the forecourt area of the property at 2 Haringey Park would be in keeping with the properties either side and have a neutral impact on the character and appearance of the conservation area. The proposal would therefore preserve the character and appearance of the Crouch End Conservation Area and avoid harm to its significance.

Conditions

16. In addition to the standard time limit condition, I have attached a condition specifying the approved plans to provide certainty. No other conditions are necessary.

Conclusion

17. For the reasons set out above, and having regard to all matters raised, the appeal is allowed.

R Major

INSPECTOR