



Appeal Decision

Site visit made on 17 October 2024

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2024

Appeal Ref: APP/Y5420/D/24/3351095

37 Cranley Gardens, Hornsey, Haringey, London N10 3AB

- 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 Nicholas Collins against the decision of The London Borough of Haringey Council.
 - The application Ref is HGY/2024/1128.
 - The development proposed is the formation of a vehicular crossover and creation of car parking space in front garden with bin storage enclosure and installation of an electric vehicle charging point.
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Decision

1. The appeal is allowed and planning permission is granted for the formation of a vehicular crossover and creation of car parking space in front garden with bin storage enclosure and installation of an electric vehicle charging point at 37 Cranley Gardens, Hornsey, Haringey, London N10 3AB, in accordance with the terms of the application, Ref HGY/2024/1128, 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: 1171 – 100 P00.

Preliminary Matters

2. As the description of development varies between documents submitted for the purpose of this appeal, I have used the one from the Council's decision notice as this accurately and concisely describes the proposal and was used by the appellant for their statement.

Main Issues

3. The main issues are the effect of the proposal on:
 - The character and appearance of the local area and
 - Highway safety

Reasons

Character and Appearance

4. The appeal dwelling is a two storey semi-detached house in an area made up of similar properties fronting a wide street with generous footways. The front garden is currently given over to a mixture of paving and planting beds, with tall hedging to its highway boundary. The proposal is for the creation of a single car parking space in the front garden, with a footway crossover. Within the street there are numerous existing examples of parking provision in front gardens, although the majority retain their front gardens with a variety of degrees of hard to soft landscaping. Overall, this mix results in a verdant character to the local area.
5. Policy DM34 of the Haringey Development Management DPD 2033 (2017) states, amongst other matters, that the Council will only permit parking on front gardens where a minimum of 50% of the existing soft landscaping area is being retained. The proposal would have approximately 13.23 sqm of soft landscaping compared to approximately 15 SQM as existing, meaning that substantially more than 50% of the existing area of soft landscaping would be retained and would be in accordance with the requirements of this policy.
6. The proposal would result in a loss of the tall hedge on the front of the property. However, the proportion of soft landscaping proposed would successfully soften the proposal in terms of its effect on the character and appearance of the locality, thereby reflecting the balance of hard to soft landscaping in the area more generally.
7. For these reasons I do not find that the proposal would result in an absence of sufficient soft landscaping provision that would result in an unacceptable impact on the character and appearance of the locality. Rather, I find that the proposal would successfully integrate the parking provision within an area with sufficient landscaping that would reflect the existing verdant character of the area.

Highway Safety

8. The appeal dwelling is located directly opposite the junction where Ellington Road joins Cranley Gardens, both streets with 20mph speed limits. I note that speed humps have recently been installed on Cranley Gardens and that the average speed of vehicles using the street prior to this was measured as 22mph. Although I have not been provided with any post installation average speed measurements, I find that it is reasonable to assume that these have had their intended result and that the average speed of passing vehicles is likely to be 20mph or less at this point, particularly where vehicles will slow to negotiate the junction.
9. The swept path analysis provided by the appellant shows that the vehicle would need to reverse into the proposed parking area at this point. However, this does not appear to be significantly more complicated as a manoeuvre than those required to parallel park in either direction on the carriageway at the same location.
10. I note that there are other properties with parking spaces in their front gardens parking and footway crossovers located opposite junctions of streets with Cranley

Gardens. There is nothing before me that would indicate that either these, or other crossover locations, have resulted in any reported collisions. I also note the reasons given by the Inspector for an allowed appeal for a vehicle crossover at 144 Cranley Gardens in this regard.

11. The proposal would have relatively limited visibility splays and would also potentially have to regularly access the carriageway between parked cars. There is also an existing street tree and lighting column in the footway in front of the appeal property. However, these items of street furniture would be set back away from the area of the proposed crossover and are not of a proximity or scale that would have a significant visibility for drivers exiting the proposed off street parking area.
12. Consequently, and given that the proposed crossover would not result in an oblique movement of a vehicle accessing the carriageway from the parking area, and the relatively low speed of passing vehicles at this point, I find that the proposal would result in sufficient visibility for vehicles exiting the proposed parking area in a forward direction, a requirement for classified roads of this type. As a result, I do not find that the proposal would have any significant detrimental effect on the safety of those using the highway at this point, including those using the more vulnerable modes of cycling and walking.
13. For the reasons given above, I find that the proposal would not result in any significant harm to the character appearance of the local area or to highway safety. It would therefore accord with Policies SP11 of Haringey's Local Plan Strategic Policies Document 2013 – 2026 (2017), Policies DM1, DM33 and DM34 of the Haringey Development Management DPD (2017), Policies D3, T1 and T2 of the London Plan (2021) and Sections 9 and 12 the National Planning Policy Framework (2023). Collectively these seek development that ensures the quality and character of places and safe and sustainable transport outcomes.

Conditions

14. I have had regard to the conditions suggested by the council, however the suggested condition requiring submission of material and drainage details of the existing is wholly unnecessary and fails to meet the requirements for conditions set out in the NPPF and PPG. The approved plans include the specification of proposed permeable paving and drainage, and I have, along with the standard condition relating to the timing of implementation attached a condition that requires compliance with the approved plans in the interests of suitable drainage and good design.
15. The Council's suggested conditions that reference the construction and payment for the highway crossover are informatives and also not necessary conditions.

Conclusion

16. The appeal is allowed.

Victor Callister

INSPECTOR