



Appeal Decision

Site visit made on 26 August 2025

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Appeal Ref: APP/U5360/D/25/3369859

29 Meynell Crescent, Hackney, London, E9 7AS

- 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 Mr T Sprange against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2025/0894.
 - The development proposed is creation of dropped kerb and vehicle crossover.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr T Sprange against the Council of the London Borough of Hackney and this is the subject of a separate Decision.

Procedural Matters

3. An application for the retention of hardstanding to the rear and its use for purposes incidental to the dwellinghouse (including but not limited to vehicle parking) was granted in March 2025¹.
4. An application for the creation of a dropped kerb and vehicle crossover and alterations to existing vehicle gates was refused in June 2023².
5. Noting the above, whilst there is permission for the use of hardstanding to the rear of the appeal dwelling for, amongst other things, vehicle parking, the appeal property does not benefit from permission for a dropped kerb or a vehicle crossover.
6. The appellant asserts that the proposed development is “acceptable” because in refusing a previous application (see above), the Council was “silent on the crossover.” The appellant considers that the Council has acted inconsistently in this regard. I note that there is no detailed information before me to demonstrate that the Council has found the proposed crossover to comprise “acceptable” development. I also note that the previous application, which was different to the application the subject of this appeal, was refused.

¹ Reference: 2024/2717.

² Reference: 2023/0912.

Main Issues

7. The main issues in this case are the effect of the proposed development on the character and appearance of the Victoria Park Conservation Area; whether the proposal comprises a sustainable form of development, having regard to planning policy; and the effect of the proposal on highway safety.

Reasons

Character and appearance

8. The appeal property is a double-fronted end of terrace dwelling located in a prominent position at the corner of Meynell Crescent and Meynell Road. It has a small triangular-shaped garden to the side and a smaller triangular-shaped garden area to the rear.
9. The front of the dwelling is set back from Meynell Crescent behind a short garden area. The side and rear garden area is separated from Meynell Road by a tall brick wall within which there is a gate adjacent to the small rear garden area. This rear garden area benefits from the planning permission granted in March 2025, referred to above.
10. The appeal property is located in a residential area, largely characterised by the presence of terraced dwellings set back from the road behind low walls and short garden areas and with gardens to the rear. The appeal dwelling faces towards a large area of public parkland.
11. The appeal property is located within the Victoria Park Conservation Area, characterised by the presence of well-preserved Georgian, Victorian and Edwardian period properties, some comprising grand villas, some set within terraces of dwellings of similar appearance, together with occasional modern dwellings of architectural interest. Further, the presence of gardens, street trees and the nearby public parkland, the setting-back of dwellings from the street and a rhythmic pattern of development derived from rows of similar period properties, all combine to provide for an attractive sense of uniformity and a historic, green and spacious local character.
12. Further to the above, during my site visit I observed that along Meynell Crescent and Meynell Road within the vicinity of the appeal dwelling, there is an absence of vehicle crossovers. This is a factor that contributes to the sense of uniformity in this part of the Victoria Park Conservation Area.
13. The proposal would involve the creation of a dropped kerb and vehicle crossover. In the absence of any other dropped kerbs leading to parking areas in the immediately surrounding area, I find that the proposal would draw attention to itself as an alien form of development that would appear obtrusive and out of keeping with its surroundings. This would be to the detriment of the area's attractive sense of uniformity.
14. In the above regard, the appellant draws attention to other dropped kerbs elsewhere. Each of these are located some considerable distance away from the appeal site and none are within a directly comparable immediate setting. Furthermore, I viewed dropped kerbs and vehicle crossovers in the wider vicinity during the course of my site visit and noted that, unlike boundary walls and fences, they did not make a positive contribution to local character.

15. Taking the above into account, the proposal would detract from and would not conserve the appearance of the Victoria Park Conservation Area. Having regard to paragraph 215 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of the Victoria Park Conservation Area would be less than substantial.
16. This needs to be balanced against any public benefits the development may bring. No public benefits would arise that would outweigh the harm identified.
17. Consequently, I find that the proposed development would harm the character and appearance of the Victoria Park Conservation Area, contrary to the National Planning Policy Framework; to London Plan (2021) Policies D3 and HC1; to Hackney Local Plan (2020) Policies LP1 and LP3; and to the Council's Residential Extensions and Alterations Supplementary Planning Document (2009), which together amongst other things, seek to protect local character.

Sustainable development

18. Local planning policies seek to promote public transport and reduce car usage. The proposed dropped kerb and vehicle crossover would be located such that they would effectively replace an on-street parking space with a private parking space. This would result in the loss of a shared parking space. This would result in the loss of a shared public facility and no public benefit would be derived from the creation of a private parking space.
19. Furthermore, whilst the proposed development does not involve a new dwelling or comprise redevelopment of the existing dwelling, I am mindful that residential development in the area should achieve a maximum parking provision of 0.25 spaces per dwelling and that the provision of a private parking space for a single dwelling would be in excess of this.
20. Taking all of the above into account, I consider that the proposed development would not comprise a sustainable form of development having regard to planning policy. The proposal is contrary to the National Planning Policy Framework; to London Plan (2021) Policy T6.1; and to Local Plan Policies LP43 and LP45, which together amongst other things, seek to promote sustainable development. However, in this case, I am mindful that the proposal is not for a new or redeveloped dwelling and that the harm arising in this specific regard is not so significant as to justify dismissal of the appeal on its own, albeit it is something that does add weight to the conclusion below.

Highway safety

21. The appeal property is located on a prominent corner of two streets providing vehicular, pedestrian and cycle routes within a large, densely developed urban area and between residential areas and parkland. In this regard, I am also mindful of the Council's reference to the nearby presence of nurseries and religious facilities.
22. During my site visit, I noted that the proposed dropped kerb would be located adjacent to speed bumps and a designated cycle access route. I also observed Meynell Road to be heavily parked and that the presence of parked vehicles close to the proposed vehicle crossover would inevitably result in a constrained access and obscure visibility for vehicles seeking to utilise the proposed vehicular crossover.

23. Further to the above, a vehicle entering or leaving the appeal property via the proposed vehicular crossover would need to either reverse into the property or reverse out of it. I find that this would result in the need to manoeuvre across a well-used pavement, where pedestrians including children would likely to be more mindful of reaching the nearby park, or other destinations, than they would of the potential of a car crossing the pavement in an area where such manoeuvres are, for the reasons set out earlier in this decision, unusual due to the general lack of vehicular crossovers.
24. Further, the presence of parked cars would reduce all-round visibility adjacent to a cycle lane. Given this and all of the above, I find that the introduction of a dropped kerb and vehicular crossover in the location proposed would result in an unacceptable risk to pedestrians, cyclists and other road users.
25. Taking all of this into account, I find that the proposed development would harm highway safety, contrary to the National Planning Policy Framework; to London Plan Policy T4; and to Local Plan Policies LP41, LP43 and LP44, which together amongst other things, seek to ensure highway safety.

Conclusion

26. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR