



Officer Report

Application Number:	HGY/2023/2927
Application Type:	Full planning permission
Address:	13 Bounds Green Road, Wood Green, London, N22 8HE
Proposal:	Application of hardstanding to front garden with landscaping alterations (retrospective).
Case Officer:	Roland Sheldon
Valid Date:	31/10/2023
Applicant:	Mr Aksler
Agent:	Mr Sruli Lieberman

RECOMMENDATION

Refuse

1. Site location

The application site contains a two-storey mid-terrace property in use as 2 self-contained flats on the southern side of Bounds Green Road, N22. The surrounding uses are predominantly residential. The site is located within the Trinity Gardens Conservation Area. The building is locally listed.

2. Description of Proposal

The proposal seeks retrospective planning permission for the application of hardstanding within the front garden of the property.

3. Relevant Planning and Enforcement history

The most recent applications for this site are summarised as follows:

Planning history:

HGY/2006/1056: Erection of single storey rear extension –Refused 20/07/2006

HGY/2020/1037: Certificate of Lawfulness for the existing use of 13 Bounds Green Road as six self-contained flats – Refuse 02/09/2020

Planning enforcement history:

DEP/2020/00381: Change of Use - Flat Conversion – Enforcement notice issued for conversion of two flats into 5 self-contained flats /Prosecution 14/07/2023

ENF/2023/0023: Case opened following B.control application being received regarding refurbishment of property. Following a site visit, building control outlined works were in association with conversion back into 2 self-contained units – case closed 08/02/2023.

ENF/2023/0303: The fence height to the front of the property and Installation of a UPVC door and paving to the front of the property, within a Conservation area – case open

4. Internal & Statutory Consultation

The following were consulted regarding the application:

- LBH Conservation: No comments received
- LBH Transportation: No comments received.

5. Local Representations

The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses: 1

Objecting: 1

Supporting: 0

The following issues were raised in the received representation:

- The space is already being used for the parking of large commercial vehicles, in front of a bus stop, tree and lamp post. The only access, other than to mount the kerb, is via the dropped kerb for Nodes Funeral Directors (Number 15) which entails crossing the pavement at a 40 degree angle and several manoeuvres to enter the parking space. The footfall on this section of the pavement is high at certain times of the day due to its proximity to the bus stop, 2 schools, medical centre and the route to shops and underground station.

6. Assessment of Planning Considerations

The main planning considerations raised by the proposed development are:

1. Design, layout and impact on heritage;
2. Parking and highways.

Design, layout and impact on heritage

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account.

Policy DM34 states that the Council will only permit parking on front gardens where:

a) A minimum of 50% of existing soft landscaping area is being retained. All proposals must appropriately manage flood risk in line with other plan policies. Any hard standing should incorporate the use of a permeable material.

b) All proposals will be considered having regard to their impact on the historic environment, in line with Policy DM9.

The works have already been undertaken to apply hardstanding to the front garden of the property. At present, the entire front garden is treated with large Indian paving slabs. The proposal would seek to retain approximately half the current proportion of hardstanding, with the other half treated with soft landscaping. No details have been provided with regards to the specific details of the soft landscaping scheme, and no details of the proposed boundary treatment have been provided.

The front gardens of properties within the run of properties nos. 7-11 Bounds Green Road are defined by low white picket fences with gates, with some boundary hedge planting. Nos. 7 and 9 are both Grade II listed buildings, whilst numbers 11-13 are locally listed.

Previously the host building had a small width poor quality low height vertical panel fence with a poor quality area of soft landscaping, occupying the majority of the front garden area, and a concrete pedestrian path to the front door entrance.

The applicant was requested to submit details of the soft landscaping scheme during the assessment, but no details were received within the agreed timescale.

However, the proposal would reinstate soft landscaping to approximately half of the front garden, and details could be required by condition to be submitted to, approved and subsequently implemented within a certain timescale.

However, details of a front boundary treatment were also requested, in part to ensure that the development was respectful of the character of the wider locality, the character and appearance of the conservation area, and adjacent heritage assets. The applicant did not agree to submit these details, and none were received within the required timescale.

A site visit was undertaken by the Case Officer on 03.04.24 which noted that a light-brown timber horizontal panel with arched head low boundary fence had been applied to half of the frontage of the front garden and side boundary shared with the funeral directors. A small commercial vehicle was parked in the front garden. The fencing was not shown on the proposed plans, and no elevations have been submitted. As such, it does not form part of the planning application.

However, the closed horizontal panel design of the fencing is not characteristic of the consistent white picket fence treatment of this particular group of buildings, which are subject to grade II and local listings.

The absence of a satisfactory front boundary treatment results in an unsatisfactory impact on the character and appearance of the host building and the wider run of Grade II and locally listed properties to which it belongs, which are characterised by white picket fences and gates. The proposal is therefore harmful to the setting of the adjacent heritage assets, and the Trinity Gardens Conservation Area, contrary to policy HC1 of the London Plan 2021, policies SP11 and SP12 of the Haringey Local Plan 2017, and policies DM1 and DM9 of the Haringey Development Management DPD 2017.

Parking and highway safety

Policy SP7 promote road safety and pedestrian movement and require development proposals to demonstrate no significant effect on highway and traffic conditions. Policy DM33 of the Haringey Development Management DPD (2017) refers to crossovers, vehicular access and adopting roads. The policy sets out that the Council will only support a proposal for a crossover or new vehicular access where it is demonstrated that the proposal does not result in:

- a A reduction in pedestrian or highway safety; or
- b A reduction of on-street parking capacity within a Controlled Parking Zone; or
- c A visual intrusion to the street scene

In this particular instance, no crossover exists or is being proposed for the site. However, it has been observed that the front garden area has been used since the application of hardstanding, for off-street parking by commercial vehicles. In order to enter the site by vehicle, it is only possible by mounting the curb immediately after the bus stop and street tree and manoeuvring into the space on the public footway, or via the crossover of the funeral directors of no. 15 Bounds Green Road and manoeuvring into the front garden.

Undertaking these manoeuvres emerging from the site due to restricted visibility and the presence of a bus stop is viewed to be prejudicial to the safe and efficient operation of the highway network as well as being harmful to pedestrian safety, as such contrary policy SP7 of the Haringey Local Plan 2017 and policy DM33 of the Haringey Development Management Plan 2017.

Taking the above into consideration, the proposal is unacceptable with regards to parking and highways considerations.

Conclusion

The proposal facilitates illegal off-street parking in this front garden, with associated awkward manoeuvring emerging from the site as well as restricted visibility, in turn being prejudicial to the safe and efficient operation of the highway network as well as to pedestrian safety, In the absence of satisfactory front boundary treatment the works here results in an unsatisfactory impact on the character and appearance of the host building and the wider run of Grade II and locally listed properties to which it belongs, which are characterised by white picket fences and gates, as such harmful to the character and appearance to this part of the conservation area and these heritage assets.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be refused for the reasons set out above.

7. CIL Applicable

N/A – no floorspace created.

8. Recommendation

The application is recommended for refusal for the following reasons:

Refusal Reasons:

1. The proposal facilitates illegal off-street parking in this front garden, with associated awkward manoeuvring emerging from the site as well as restricted visibility, in turn being prejudicial to the safe and efficient operation of the highway network as well as to pedestrian safety, contrary policy SP7 of the Haringey Local Plan 2017 and policy DM33 of the Haringey Development

Management Plan 2017.

2. The absence of a satisfactory front boundary treatment results in an unsatisfactory impact on the character and appearance of the host building and the wider run of Grade II and locally listed properties to which it belongs, which are characterised by white picket fences and gates. The proposal is therefore harmful to the setting of the adjacent heritage assets, and the Trinity Gardens Conservation Area, contrary to policy HC1 of the London Plan 2021, policies SP11 and SP12 of the Haringey Local Plan 2017, and policies DM1 and DM9 of the Haringey Development Management DPD 2017.