

Appeal Decision

Site visit made on 11 October 2016

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 October 2016

Appeal Ref: APP/Q5300/D/16/3156749

7 Nightingale Road, London N9 8AJ

- 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 K Sukhdeo against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/02566/HOU, dated 8 June 2016, was refused by notice dated 17 August 2016.
 - The development proposed is described as '*I would like to apply for planning permission for a vehicle crossover in front of my property on 7 Nightingale Road N9 8AJ, I have contacted the highways dept from Enfield Council and they wrote back to me and said I need planning permission*'.
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Decision

1. The appeal is dismissed.

Procedural matter

2. I have used the site address as set out on the appeal form in the heading above rather than that used on the application form.

Main Issue

3. The main issue for the appeal is the effect of the proposed development on the safety and convenience of users of the adjacent highway network.

Reasons

4. The appeal property is the middle of a terrace of 3 dwellings situated on the Classified B137 Nightingale Road, close to the junction with Clifford Road. I saw at my site visit that the front garden of the property has a hardsurfaced area and that on-street parking bays are marked out on the pavement to the front of the property. I also noted that the neighbouring dwellings to either side have front driveways and parking with dropped kerb access. The Highway Authority describe the B137 as a busy road which accords with what I saw at my site visit, when I observed traffic queuing back along the opposite side of Nightingale Road from the light controlled junction with the High Street.
 5. The addition of the vehicular crossover onto Nightingale Road would lead to an increase in vehicle manoeuvres on this busy street, with vehicles slowing, stopping and turning into and out of the parking area. The area to the front of the appeal property appears insufficient to accommodate a turning area for vehicles, meaning that vehicles would not be able to enter and exit the site in forward gear. This would require reversing manoeuvres to take place, either
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on to or off the road. Although the appeal property is on the outside of a bend with a relatively wide footway and the on-street parking spaces to the front of the property would be lost as a result of the proposal, visibility for vehicles exiting the site would also be affected by parked vehicles in the remaining spaces. Consequently, the appeal proposal would give rise to intermittent temporary obstructions on the highway through additional vehicle manoeuvres to the detriment, safety and convenience of users of the adjacent highway network.

6. I have considered the effect of the appeal proposal on parking and note that the overall effect in terms of parking provision would be neutral. I have also considered the comments by the appellant that due to parking demand in the area, he is unable to park outside of his house. I have also taken into account the fact that the neighbouring properties have dropped kerb accesses and the comments by the appellant regarding fairness. However, I am not aware of the circumstances for the accesses to the neighbouring properties, such as when they were formed and given the harm found in the current circumstances, I do not consider that they should provide an example of what should be followed now.
7. The appeal proposal would therefore harm the safety and convenience of users of the adjacent highway network. Of the policies cited by the Council, the appeal proposal is contrary to Enfield's Development Management Document Adopted November 2014 Policy DMD 46, which is concerned with vehicle crossovers and dropped kerbs and includes that planning permission will not normally be permitted for new accesses onto busy classified roads and will only be permitted where listed criteria are met including that vehicles can enter and exit the crossover in forward gear.

Conclusion

8. For the above reasons and having considered all matters raised, I consider that the appeal should be dismissed.

Philip Lewis

INSPECTOR