
Appeal Decision

Site visit made on 15 March 2017

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 23rd March 2017

Appeal Ref: APP/Q5300/D/17/3166803

266 Hedge Lane, Southgate, London, N13 5DB

- 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 Erdogan Demiralay against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/03865/HOU was refused by notice dated 17 October 2016.
 - The development proposed is the widening of an existing vehicular access.
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Decision

1. The appeal is allowed and planning permission granted for the widening of an existing vehicular access at 266 Hedge Lane, Southgate, London, N13 5DB, in accordance with the terms of the application, Ref 16/03865/HOU, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos. 1278-00, 1278-10, and 1278-20.

Main Issue

2. The main issue is the effect on the safe and efficient operation of the highway network in the vicinity of the appeal site.

Reasons

3. The A111 is a classified road with a wide single-width carriageway, unrestricted on-street parking and wide footways. Permission was granted in 2012 for a vehicular access to the adjacent dwelling at no. 268, and a dropped kerb was created that also partially extended across the front of no. 266.
 4. The proposal is to widen the existing dropped kerb in front of no. 266 to allow vehicles to pass in and out without encroaching onto no. 268. Moreover, the Council has erected 2 bollards at the back of the footway that block vehicular access from the remainder of no. 266's open frontage.
 5. Nos. 266 and 268 have a deep frontage that comprises hardstanding for both dwellings with no side boundary between them. There is sufficient space in
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depth at no. 266 for parking and turning of vehicles to allow entry to the carriageway in a forward direction, and there is good visibility in both directions.

6. The proposal would extend the dropped kerb by about 3.25m, although the full amount would be unnecessary to allow a vehicle to pass without encroaching onto no. 268. The proposal would entail the removal of one parking space on the street and at the same time would allow parking on the frontage of no. 266. There would be no net loss of parking provision, and in this respect there is no conflict with criterion c. of Policy DMD 46 of the Development Management Document (DMD).
7. There is no material evidence to indicate that there is safe access to the rear in accordance with criterion g. of Policy DMD 46. I find no conflict with any of the criteria set out in Policy DMD 46, which indicates where permission would be granted for a new vehicular crossover onto a classified road.
8. I find no substantive evidence of loss of parking provision or any addition to existing parking demand in the area. Nor is there any material evidence of additional risks to the safe and efficient operation of the highway network in the vicinity of the appeal site. There are other dropped kerbs in the vicinity, but there is no compelling evidence before me to indicate that there would be an unacceptable cumulative impact from the widening of the access.
9. In these respects, I find no conflict with Core Policy 24 of The Enfield Plan Core Strategy 2010 -2025, which seeks to improve safety on the road network, or with Core Policy 25, which seeks to provide safe, convenient, and accessible routes for pedestrians, cyclists and other non-motorised modes. I note that Policy DMD 45 relates to car parking standards and layout and is not directly applicable to this appeal.
10. The development plan policies are broadly compatible with paragraph 32 of the National Planning Policy Framework, which says that decisions should take account of whether safe and suitable access to the site can be achieved. I find no conflict with the Framework in this respect.
11. Standard conditions are necessary to cover commencement and compliance with the approved plans. I have taken into account all other matters, including all the policies in the Framework and other national planning policy and guidance, but I find none that warrant dismissal of this appeal.

Sue Glover

INSPECTOR
