

Appeal Decision

Site visit made on 29 March 2017

by J D Westbrook BSc(Hons) MSc MRTPI

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

Decision date: 3 April 2017

Appeal Ref: APP/Q5300/D/17/3168422

77 Victoria Road, London, N9 9SU

- 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 Mrs Bibi Mohammed against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/02923/HOU, dated 28 June 2016, was refused by notice dated 17 October 2016.
 - The development proposed is the construction of a drop kerb for off-street parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on highway safety along Victoria Road by way of impact on on-street parking and the free flow of traffic.

Reasons

3. No 77 is a mid-terraced house situated on the eastern side of Victoria Road. Victoria Road is a well-used classified road with no parking restrictions along its length, apart from at road junctions. Most of the houses have dwarf or low front walls, though some have no front boundary treatments and there is evidence of car parking on some front garden areas. The proposal at No 77 would involve the construction of a dropped kerb some 5 metres wide, leading to a parking area comprising paving slabs across the whole width and depth of the front garden area of the property. The parking area would be between some 4.9 metres and 5.3 metres deep.
 4. Nos 80 and 82, in the vicinity of the appeal property appear to use the front garden areas for parking although there is no evidence that these are officially sanctioned off-street parking spaces. The only front parking area with any direct evidence of an official status is at No 87, where there is a white line denoting no parking across the property frontage. At the time of my site visit, during the afternoon, there was virtually continuous, unbroken parking along both sides of Victoria Road, indicating high on-street parking demand.
 5. Policy DMD46 of the Council's Development Management Document (DMD) indicates that vehicle crossovers and dropped kerbs that allow for off-street parking and access onto roads will only be permitted, amongst other things,
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where there is no increase in on-street parking pressures in areas already experiencing high on-street parking demand; there is no adverse impact on the free flow and safety of traffic on the adjoining highway; vehicles can enter and exit the crossover in forward gear; and it has been shown that there are no alternative opportunities for safe access to the property (for example to the rear or side).

6. In this case, there would appear to be the possibility of car parking at the rear of the property, within the long rear garden area. Certain other houses having access along the same rear back lane as the appeal property have garages or parking areas in the back gardens. The proposed parking area at the front of No 77 would not be capable of allowing vehicles to enter and exit in a forward gear and, given the busy nature of the road and the continuous parking along both sides, I consider this to be harmful to the free flow of traffic along the road.

Other Matter

7. The proposal as submitted would allow for two vehicles to park on the front paved area, and this would bring one of the cars extremely close to the front door, with detrimental implications for both pedestrian access to the house and also the capacity to position and manoeuvre refuse bins within the front paved area. It could also potentially result in danger to pedestrians using the footpath in the vicinity of the appeal.

Conclusion

8. In conclusion, I find that the proposal would be significantly detrimental to highway safety along Victoria Road by way of increased on-street parking pressures and harm to the free flow of traffic. It would conflict with Policy DMD46 of the DMD.

J D Westbrook

INSPECTOR