

Appeal Decision

Site visit made on 24 March 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 18 April 2017

Appeal Ref: APP/Q5300/D/17/3167810

181 Nightingale Road, Edmonton, London, N9 8QJ

- 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 Emine Volkan against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/04149/FUL dated 20 July 2016 was refused by notice dated 28 November 2016.
 - The development proposed is a dropped kerb for a crossover for one parking space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway safety including the availability of on-street parking.

Reasons

3. The appeal site comprises of a two storey mid-terrace dwelling located on the eastern side of Nightingale Road. The road is a classified road (B137) and gently curves in the vicinity of the site. The area is predominantly residential, although there are other uses in the area, including a school. Many of the residential properties have off-road parking provision to the front via vehicular crossovers and also to the rear.
 4. The proposal seeks permission to provide a new vehicular crossing to facilitate parking on an area to the front of the dwelling. The appellant has set out the difficulties in parking within the area associated with the nearby school and from vehicles parked on the highway being advertised for sale. At the time of my visit, on-street parking was heavily subscribed and there was very little such on-street provision available. The Council have raised concerns that the proposal would, as a result of the loss of on-street spaces, lead to increased parking pressures. They have cited the loss of two parking spaces although the appellant disagrees with this position and states that currently one vehicle is able to park. Although I have not been provided with the length of on-street parking currently available to the front of the appeal site and No. 179, from my site observations, I agree with the appellant, that this area is only currently able to accommodate one car. Nevertheless, with the introduction of the
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proposed dropped kerb, and given that No. 179 already has an existing crossover, I consider that this parking space would be lost as there would not be sufficient space for an average size car to park between the crossover at No. 179 and the intended one at the appeal property. Consequently, I consider the reduction in an on-street parking space would lead to an increased demand for parking, as there would be less parking available on-street for other road users such as residents and other visitors to the area.

5. The proposed crossover would require vehicles to either reverse into the parking area or reverse onto the highway. Whilst I recognise that a number of neighbouring properties have vehicle crossovers that are used on a daily basis, Nightingale Road is a busy road which has a high level of traffic travelling in both directions, including buses. The formation of this vehicular access would lead to vehicles travelling along Nightingale Road, slowing down or stopping to allow for a vehicle to enter or exit the appeal property. This would hinder the free flow of traffic and adversely affect road safety.
6. I conclude therefore that the proposal would have an adverse impact on highway safety including the availability of on-street parking and it would be contrary to Policy DMD 46 of the Council's Development Management Document, which seeks to prevent vehicle crossovers and dropped kerbs where, amongst other matters, it would result in an increase in on street parking pressures in areas already experiencing high on-street parking demand and where it would adversely impact on the free flow and safety of traffic. The proposal would also be contrary to Paragraph 32 of the National Planning Policy Framework, which seeks, amongst other matters, safe and suitable access. Although reference has been made to the Revised Technical Standards for Footway Crossovers (2013) and to The London Plan, I have not been provided with details of these documents or other referenced policies.

Other Matters

7. I note the difficulties encountered by the appellant and her family in parking far away from their house, that there has been an instance where the appellant's vehicle has been damaged, and also that fly-tipping has occurred due to a car not been parked on the hardstanding area to the front. Whilst I acknowledge these factors, they do not outweigh the adverse harm to highway safety that I have found.
8. The appellant has made reference to neighbours that applied for dropped kerbs at the time that pavement refurbishments were taking place. These were approved, but the appeal application two months later was refused. Whilst I sympathise with the appellant to this suggested inconsistency, I have not however been made aware of any specific cases or their circumstances and in any event, I am required to determine this appeal on its own merits.

Conclusion

9. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR