
Appeal Decision

Site visit made on 9 May 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 1st June 2017

Appeal Ref: APP/Q5300/D/17/3168823

49 Avenue Road, Southgate N14 4DA

- 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 Christina Ioannou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/05385/HOU, dated 22 November 2016, was refused by notice dated 17 January 2017.
 - The development proposed is a dropped kerb to enable parking on the driveway.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have amended the description of development from that set out on the application form from 'Dropped kerb so that I can park my car on my driveway' to 'Dropped kerb to enable parking on the driveway', as this removes personal references and is a clearer description of what is being proposed.

Main Issues

3. The main issues are the effect of the proposed development on highway safety and traffic flow, and on the provision of parking on the street.

Reasons

Highway safety and traffic flow

4. The appeal property lies within a row of terraced houses on a classified road, Avenue Road. The surrounding area is residential. The pavement and a grass verge separate the driveway of the house from the carriageway of the road. The driveway and front garden of the property have been paved and there is a low wall along part of the frontage.
 5. There are three mature street trees in the verge between Cricketers Close and Berkeley Court, one of which lies close to the boundary between number 49 and number 47 Avenue Road.
 6. Some properties along Avenue Road have crossovers or drives, but most of the properties within the terraced row do not. An exception is the adjacent house (number 51) which sits at the end of the terraced row and has a drive and vehicular access on to Avenue Road.
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7. From my visit I noticed that Avenue Road is on an incline as it runs past the appeal property such that vehicles on the same side of the road as the appeal property are travelling down this slope. There is also a slight curve in the road such that the appeal property is on the inside of this curve, which has an impact on sight lines.
8. Policy DMD 46 of the Council's Development Management Document 2014 (the DMD) does not normally permit new accesses on to a busy classified road which carries more than 10,000 vehicles per day. From the evidence provided it is not clear to me whether Avenue Road falls in to this category. Nonetheless, from my early afternoon site visit, I would consider Avenue Road to be relatively busy and I would expect that at peak times, it would be even busier. It is necessary therefore to consider whether the proposal would have an adverse impact on road safety in accordance with Policy DMD 46 of the DMD.
9. At the time of my visit there were 5 cars parked on that section of Avenue Road between Cricketers Close and Berkeley Court on the appeal property side of the road. Their presence and that of the street tree on the verge immediately outside the appeal site would hinder visibility especially to the right, for a driver of a vehicle emerging from the drive, even in a forward direction.
10. I accept that at some times of the day there might not be as many cars parked along the road at this point. However the potential for parking does exist and, given also the presence of the tree and the slope and curve of the road, does lead me to conclude that the proposal would have an adverse impact on road safety contrary to criterion (d) of Policy DMD 46 of the DPD which seeks to protect highway safety.
11. I also consider that the proposed development would have the potential to impede traffic flow on Avenue Road through enabling such hazardous manoeuvres, which could cause a break in traffic flow. This would be contrary to criterion (e) of Policy DMD 46 of the DMD which seeks to ensure that free traffic flow is maintained especially on those roads which carry buses, as Avenue Road does.
12. In reaching these conclusions I have taken in to account the accident statistics provided by the applicant, but they do not persuade me that there would not be a potential adverse impact on road safety should the appeal be allowed.

Parking

13. The proposed development would sterilise one current parking space outside the property. The appellant has provided photographic evidence to support her case that there are usually spaces to be found close to the appeal property, although the space was in use at the time of my visit.
14. Currently there is the potential to park in that space and its loss would put additional pressure on the remaining parking spaces on Avenue Road between Cricketers Close and Berkeley Court. These spaces serve a number of houses that do not have driveways or vehicular access to them.
15. A car could be parked at the rear of the property via an access from Cricketers Close. I do however accept the appellants concerns about the practicality of using this area especially as manoeuvring within it would appear not to be easy

and the space, which serves the terrace as a whole, is not large enough to accommodate many vehicles.

16. In the light of this, I consider that the pressure on the spaces in front of the terrace on Avenue Road would be even greater and so the proposed development would exacerbate this situation. I find therefore that the proposal would conflict with criterion (c) of Policy DMD 46 of the DMD which seeks to protect on street parking provision.

Other Matters

17. The appellant has drawn my attention to examples of crossovers which have been created in the area and some appeal decisions. However, I have determined this appeal on its merits and on the evidence before me, including the policies of the DMD. The appellant has also highlighted the absence of references to crossovers in the London Plan 2016, but I consider that the DMD provides appropriate policy detail against which to consider the proposal.

Conclusion

18. For the reasons given above I conclude that the appeal should be dismissed.

Mike Worden

INSPECTOR