
Appeal Decision

Site visit made on 5 July 2017

by **S J Lee BA(Hons) MA MRTPI**

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

Decision date: 21st July 2017

Appeal Ref: APP/Q5300/D/17/3173225
14 Wilbury Way, Edmonton, Enfield N18 1DE

- 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 Minh tam Le against the decision of the Council of the London Borough of Enfield.
 - The application Ref 16/00737/HOU, dated 9 February 2016, was refused by notice dated 30 December 2016.
 - The development proposed was originally described as "drop the kerb. Extension to the crossways 3m. With gate will be opening inwards. Drop the kerb."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on highway and pedestrian safety and the efficient operation of the transport network in the vicinity of the site.

Reasons

3. The appeal relates to a semi-detached dwelling in a predominantly residential area. The property has a hard surfaced front garden, with a gravel path to the front door. Although no car was parked on the site at the time of my visit, it would be reasonable to assume from the written evidence that it is currently used for parking and is accessed from the existing vehicular crossover that also serves 12 Wilbury Way. There is nothing in the evidence to suggest the occupants of No 14 are not able to use the existing access.
4. While my site visit can only represent a snapshot of normal highway conditions, I noted a constant and steady stream of traffic in both directions. There were a large number of parked cars on the street, which resulted in the narrowing of the carriageway and the need for vehicles, including buses, to give way to oncoming traffic. There are a number of dwellings in the vicinity of the site which have their own crossovers and utilise their front gardens for parking.
5. While the development would result in an additional crossover and access, it would not necessarily result in any change to the number of vehicular movements associated with the dwelling. If the occupiers of No 14 are already parking on the forecourt and using the shared access with No 12, there would be no actual increase in the number or intensity of vehicle movements.

6. Nonetheless, whilst the appellant argues the increased width of the crossover would allow improved manoeuvrability, he has not demonstrated how this would be achieved. There is nothing to suggest it would enable access or egress in a forward gear. This would be in conflict with Enfield Development Management Document (DMD) (2014) Policy DMD46. The Council states that the current access arrangements are safe and there is nothing before me which would lead me to a different conclusion. Reversing into or out of the new access would not be safe owing to the restricted level of visibility in both directions caused in particular by on-street parking. Altering the existing access arrangements with an alternative that is unsafe in its own right, would be inappropriate and unnecessary.
7. While there are a number of existing accesses, some of which may also require reversing, allowing an additional potential source of conflict would not be in the interests of highway or pedestrian safety. Whilst the Council has not disputed the appellant's comments over the number of accidents in the area, this does not justify allowing a vehicle access that would create an element of additional and unnecessary risk. Vehicles entering or exiting the site in reverse would also be likely to cause an additional obstruction to vehicles moving in both directions along Wilbury Way. This would exacerbate the issues that are already apparent in the area in terms of the unencumbered flow of traffic, particularly in relation to buses, which is a particular concern of Policy DMD46.
8. There were clear signs of pressure for on-street parking in the area at the time of my visit, with the majority of available spaces having been taken up. My visit took place during the late morning and it would be reasonable to assume that pressure for parking is likely to increase during evenings and weekends. The increase in width of the crossover would remove at least one space from the road and add to the cumulative effect of the existing crossovers along the street. As such, the overall length of the crossover would both exceed that set out in the Enfield Crossovers Revised Technical Standards document (CRTS)(2013) and would increase the pressure for on-street parking in an area where pressure clearly already exists.
9. Taking all above matters into account, I find that the development would have an unacceptable impact on highway and pedestrian safety and the efficient operation of the transport network. Accordingly, there would be conflict with Enfield Core Strategy (CS)(2010) Policies CP24 and DMD Policy DMD46 which seek, amongst other things, to create safe environments by ensuring crossovers do not have an adverse impact on road safety, the free flow of traffic and that vehicles can enter and exit the crossover in a forward gear. It would also exceed the maximum standards for crossovers in the CTRS and conflict with the National Planning Policy Framework which requires development to provide safe and suitable access for all.
10. I do not consider that CS Policy CP30 is directly relevant to the appeal as the effect on the character and appearance of the area has not been raised. However, this does not alter my overall conclusion.

Conclusion

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

S J Lee INSPECTOR