
Appeal Decision

Site visit made on 8 August 2019

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2019

Appeal Ref: APP/Q5300/D/19/3228571
105 Carterhatch Lane, Enfield, EN1 4JZ

- 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 Miss Christalla Constantinou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/00282/HOU, dated 17 January 2019, was refused by notice dated 14 March 2019.
 - The development proposed is the construction of a vehicular access with a hardstanding.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description on the Council's decision notice as an accurate summary of the proposal. The application form does not refer specifically to the creation of a vehicular crossover, although the proposed plan shows a crossover, and it would appear necessary to enable access to the hardstanding.

Main Issue

3. The main issue in this case is the effect of the proposed vehicular access and hardstanding on highway safety along Carterhatch Lane.

Reasons

4. No 105 is a mid-terraced house situated on the northern side of Carterhatch Lane. Carterhatch Lane is a busy main road and bus route. That section of the road in the vicinity of the appeal property has pedestrian refuges at regular intervals, and the space between the refuges has white markings to indicate that vehicles should not cross the central area. There are double yellow lines on both sides of the road for much of the area around the appeal site, and there is a mini-roundabout some 30 metres to the east of the property. Between the pavement and the carriageway is a tarmac area which appears to be marked out for parking purposes.
5. The hardstanding at the front of the property has already been constructed with concrete blocks, and it covers the whole of what was previously the front garden. It is some 5.4 metres wide and over 8 metres deep. The kerb to the front of the property is very low, as is the case with most of the nearby properties, although some would appear to have crossovers at road level.

6. The Council contends that the proposed vehicular access and hardstanding would lead to vehicles turning slowly onto Carterhatch Lane, or slowing or stopping and turning slowly off Carterhatch Lane. In addition, due to the small size of the hardstanding vehicles would not be able to both enter and exit the site in forward gear. The proposal would therefore be prejudicial to the free flow of traffic and would adversely affect highway safety on the classified road.
7. 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 where there is no adverse impact on the road safety, there is no adverse impact on the free flow and safety of traffic on the adjoining highway - and in particular on the effective movement of bus services, and vehicles can enter and exit the crossover in forward gear.
8. The appellant notes that a large number of dwellings in the immediate vicinity of the appeal property already have vehicular access and hardstandings. From my site visit it would appear that almost all properties along the northern side of this section of road have access and hardstandings, though the Council notes that most of these were granted permission prior to adoption of the current policy in the DMD, and that since 2001 it has refused permission for other similar proposed developments in close proximity to the appeal site.
9. The proposed crossover at No 105 would be 4.8 metres wide and the hardstanding is wide enough for the parking of two vehicles. There is no crossover or hardstanding at the adjoining No 107 to the west, while No 103, to the east, has a wider plot with a garage. The access at No 103 is only wide enough for one vehicle and the plot may be wide enough for a vehicle to turn and thus enter and exit in forward gear. No 101 also has a crossover, but has a large parking area which appears to be large enough for vehicles to turn.
10. The road outside of No 105 begins to narrow as it nears the mini-roundabout and the vehicular access and hardstanding would effectively allow two vehicles to enter and exit the road, without the ability to turn within the plot. I consider that this results in harm to highway safety at a point where the road narrows and vehicles are preparing to enter the mini-roundabout. It is a busy road and bus route and this adds to the potential danger.
11. The appellant states that the vehicular access and hardstanding is necessary for the convenience of her brother, who is a blue badge holder and has difficulty walking. Moreover, he has recently had to give up driving and now shares a car with his carer. I have sympathy with this situation, but there is a parking space immediately outside the property, on the tarmac beyond the pavement, and the situation does not appear to necessitate the creation of a wide crossover and what is effectively two parking spaces on the hardstanding.
12. In conclusion, I find that the vehicular access and hardstanding are harmful to highway safety along this side of Carterhatch Lane, and that they conflict with Policy DMD46 of the DMD.

J D Westbrook

INSPECTOR