



Appeal Decision

Site visit on 25 February 2020

by William Cooper BA (Hons) MA CMLI

As he appointed by the Secretary of State

Decision date: 2nd March 2020

Appeal Ref: APP/Q5300/D/19/3242005

166 Chase Road, Southgate, Enfield N14 4LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr Sathasivam Logeswaran against the decision of the Council of the London Borough of Enfield.
 - The application Ref: 19/02628/HOU, 19 July 2019, was refused by notice dated 25 September 2019.
 - The development proposed is construction of hardstanding and dropped kerb to allow vehicular crossover.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of proposed development in the banner heading above is taken from the appeal form and decision notice as it is more precise than that shown on the application form.

Main Issue

3. The main issue is the effect of the proposed development on highway safety.

Reasons

4. The appeal site comprises a semi-detached dwelling located within a row of dwellings which front onto Chase Road. The property is located within a mainly residential area. There is vehicular access to garages and car parking space to the rear of the property. A primary school is located a short distance to the north.
5. Policy DMD46 of the Enfield Development Management Document (2014) (DMD) sets out that new access onto 'A' roads and other busy classified roads will not normally be permitted. Footnote 6 to Policy DMD46 defines 'A' roads and other busy classified roads as roads carrying more than 10,000 vehicles per day (two-way). The footnote adds that applications will be assessed on an individual basis and will be subject to traffic flow surveys if such data does not already exist and is available for the Council to use. Policy DMD46 adds that vehicle crossovers and dropped kerbs onto such roads will only be permitted where, amongst other things, the following apply: there is no adverse impact on d) highway safety and e) the free flow and safety of traffic on the adjoining

- highway, and in particular on the effective movement of bus services; and f) vehicles can enter and exit the crossover in forward gear.
6. It is not disputed that Chase Road is a classified road. The appellant considers that it is unlikely to be as busy as some 'A' roads in the area. Be that as it may, whilst not an 'A' road, from what I saw during my site visit, Chase Road is an apparently busy road with a substantial traffic flow - including cars, emergency services vehicles and frequent bus services - which runs between Oakwood underground station, and facilities and shops in Southgate. Whilst my visit was a 'snapshot' in time, I note that the Council's Transportation team considers Chase Road eligible to fall under Policy DMD46. Substantive traffic survey data specifically for Chase Road is not before me to demonstrate otherwise. Taking the above together, I consider that Chase Road is a sufficiently busy road for Policy DMD46 to be engaged.
 7. The site is located near a school and partly in front of a pedestrian refuge island which is in the middle of the road. The site is also situated towards the brow of the hill at the higher end of Chase Road. Whilst there are double yellow line parking restrictions on the stretch of road between the front of Nos 162 to 170 Chase Road, in the vicinity of the pedestrian island, there is on-street parking either side of them. This restricts sight lines of the location of the proposed crossover and drop kerb, to and from approaching traffic. Together, the above factors amount to a 'pinch point' on the busy Chase Road. The proposed dropped kerb and crossover would lead onto this pinch point. Judging by the available space and some parking in the area, vehicles are likely to enter or exit the site across the crossover onto Chase Road in reverse.
 8. The above factors together lead me to find that the proposal would adversely affect highway safety, including for vulnerable pedestrians, and be prejudicial to the free flow of traffic, including public transport.
 9. I note the presence of other crossovers in the vicinity of the appeal site. Judging by the somewhat worn appearance of some, it is quite possible that they predate the adoption of Policy DMD46 in 2014. In any case, the proposal has its own circumstances and I assess it on its own merits.
 10. In conclusion, the proposal would harm highway safety. As such, it would conflict with Policies DMD37 and DMD46 of the DMD, and Core Policies 24 and 30 of the Enfield Core Strategy (2010). Together the policies seek to ensure that development supports the achievement of safe and inclusive highways and neighbourhoods.
 11. Policies 7.4 and 7.6 of the London Plan (2016)¹ do not specifically cover highway safety and so are not engaged in this case.

Conclusion

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

William Cooper

INSPECTOR

¹ The London Plan: The Spatial Development Strategy for London, Consolidated with Alterations since 2011, March 2016.