



Appeal Decision

Site visit made on 24 February 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2020

Appeal Ref: APP/Q5300/W/19/3238608

7 Brookside, Southgate N21 1JT

- 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 Anish Malde against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/01486/FUL, dated 18 April 2019, was refused by notice dated 18 June 2019.
 - The development proposed is a vehicular access and hardstanding.
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Decision

1. The appeal is allowed and planning permission is granted for a vehicular access and hardstanding at 7 Brookside, Southgate N21 1JT in accordance with the terms of the application, Ref 19/01486/FUL, dated 18 April 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 8d4/1ra, site location plan.
 - 3) No development shall take place until samples of the paving bricks proposed for use in the hardstanding have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
 - 4) The vehicle hardstanding hereby permitted shall not be used until the drainage works shall have been completed in accordance with the submitted and approved plans.

Procedural Matter

2. I have taken the description of development from the Council's decision notice. This is a more concise description than that given on the application form and I consider that it more accurately describes the appeal proposal.

Main Issue

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

Reasons

4. Brookside is a cul-de-sac with limited space available for on-street parking due to the narrow width of the road. Some properties in the road have vehicle crossovers that allow parking on-site. There is a parking bay for 5 cars opposite the appeal site, and this area includes access to a crossover serving No 18. There is a garage court accessed via a driveway to the rear of Nos 8 and 9.
5. The cul-de-sac is quite short, and at the time of my site visit was heavily parked even though it was mid-afternoon. The appeal site is located on the outside of the bend in the road, and I consider that it is clearly visible to traffic approaching the site from the junction with Eversley Park Road.
6. Due to the narrowness of Brookside and the proximity to the end of the cul-de-sac I consider that vehicle and pedestrian traffic in the vicinity of the site is unlikely to be high. The site is clearly visible in its surroundings with no significant obstructions to impair visibility. As the site is located at the end of a cul-de-sac, the speed of traffic would be such that approaching cars would have enough time to slow or stop to avoid collisions with any car using the crossover.
7. The size of the proposed hardstanding would require vehicles either to reverse onto or off the road. This would be contrary to the requirements of Policy DMD 46 of the Enfield Council Development Management Document November 2014 (the DMD). However, given the visibility of the site and limited volume of traffic that is likely to occur at the end of this short cul-de-sac, I do not consider that this arrangement is likely to materially adversely affect the safety of other highway users.
8. The Council have stated that heavy parking on Brookside would limit the manoeuvring space for users of the crossover. However, I am satisfied based on the evidence before me and what I saw on my site visit, including the distance from the appeal site to the parking bay opposite, that cars using the crossover would be able to manoeuvre reasonably easily on and off the site.
9. The Council's Highways consultee raised concerns about the size of the parking space and the manoeuvring of vehicles. The submitted plan shows that the hardstanding would be 2.4 metres wide. This is a common minimum width for parking spaces in my experience and does not include the retained garden area around the space. As there would be no other parking space next to the hardstanding that may cause conflict with users, I am satisfied that the width of the proposed space is acceptable. The length of the parking space is not given on the submitted drawing but given the depth of the front garden I am satisfied that the length of space shown on drawing 8d4/1ra would be sufficient to allow parking of even a large car without it overhanging the pavement.
10. Having regard to the above matters, I therefore conclude that the development proposed would not have a material adverse effect on highway safety. Notwithstanding the conflict with Policy DMD 46 of the DMD, the development proposed would be in accordance with Policies DMD 8 and DMD 37 of the DMD, Core Policies 24 and 30 of the Enfield Council Core Strategy November 2010 and Policy 6.13 of the London Plan March 2016. These policies require, among other things, that parking arrangements not adversely affect the quality of the street scene.

Conditions

11. No conditions have been suggested by the Council, and therefore I have considered what conditions would be appropriate in line with national Planning Practice Guidance. Both main parties have been given the opportunity to comment on the conditions.
12. I have included standard conditions relating to the commencement of development and confirmation of the approved plans for the sake of certainty.
13. I have included a condition requiring approval of the paving bricks so that the appearance of the hardstanding would be acceptable in the street scene. It is necessary for these to be approved prior to commencement of works to prevent delays in completing the development once commenced.
14. I have also included a condition requiring that the site drainage works be completed to ensure that the development does not increase the risk of surface water flooding.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

M Chalk

INSPECTOR