
Appeal Decision

Site visit made on 4 September 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 25th September 2020

Appeal Ref: APP/Q5300/D/20/3244198
47 Eversley Park Road, Southgate N21 1JJ

- 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 Murat Aydemir against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/02435/HOU, dated 7 July 2019, was refused by notice dated 18 October 2019.
 - The development proposed is described as, 'double vehicle access with hard standing and installation of electrical car charging unit'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - highway safety; and
 - the character and appearance of the street scene and surrounding area.

Reasons

3. The host dwelling is a two-storey semi-detached house which is sited on the junction of Eversley Park Road and Holly Hill. The proposal consists of two dropped kerbs, one at the front of the property on Eversley Park Road, and the other on Holly Hill.
4. There is a dispute between the main parties as to whether Eversley Park Road is a classified road. Even if the road is not classified, from the evidence before me and my observations during the site visit, it is a bus route and was fairly busy during the site visit, although I accept that this represents a snapshot in time.
5. In any event, both accesses would be in close proximity to the junction. There is a post box and street sign in front of the property and a brick wall along one boundary of No 2a Holly Hill which impede visibility for vehicles turning into Holly Hill on approach from both directions of Eversley Park Road. Therefore, given the close proximity of the proposed access on Holly Hill to the junction, vehicles turning into this road would be unlikely to have adequate time to react to vehicles exiting from this proposed access such that the proposal would be likely to result in an increased risk of collision. Consequently, this access would result in an unacceptable impact on highway safety.

6. Likewise, given the close proximity of the proposed access on Eversley Park Road to the junction, vehicles as well as pedestrians turning right from Holly Hill to enter Eversley Park Road would be unlikely to have sufficient time to react to vehicles exiting this access to avoid a collision. Motorists exiting Holly Hill would also be likely to be more focussed on vehicles approaching from both directions of Eversley Park Road than vehicles exiting the proposed access. As such, this access would also be likely to result in an increased risk of collision and an unacceptable impact on highway safety.
7. While I note the appellants comments regarding the proposal reducing on-street traffic thereby improving visibility, given my findings above, even if this were to be the case, it would not override the harm identified.
8. Consequently, the proposed development would have an unacceptable impact on highway safety. Therefore, it would conflict in this particular respect with Policy DMD 46 of the Development Management Document Adopted November 2014 (DMD) which permits vehicle crossovers and dropped kerbs that allow for off-street parking and access onto roads where there is no adverse impact on road safety among other things. It would also conflict with Core Policy 25 of The Enfield Plan Core Strategy 2010-2025 adopted November 2010 (CS) which seeks to provide, among other things, safe routes for pedestrians, cyclists and other non-motorised modes. In addition, it would conflict with CS Core Policy 30 which promotes safe neighbourhoods among other things. Furthermore, the proposal would conflict with paragraph 109 of the National Planning Policy Framework (Framework) in this respect.

Character and appearance

9. Eversley Park Road is a residential street with a mix of house types, some of which have paved driveways. Holly Hill is primarily characterised by semi-detached dwellings, some of which also have paved driveways. While nearby vehicle crossovers may have been permitted under a different policy regime, they nevertheless are present in the street scene such that they form part of the character and appearance of the area.
10. While the Council has referred to the loss of an existing mature boundary hedge, I noted during my site visit that any hedges and soft landscaping on the site have been removed and a wall erected along the front boundary of the site. In the interests of certainty, I have assessed the proposal as indicated in the submitted drawings. In any event, given the other paved driveways in the street scene and vicinity of the site, the proposal would not appear discordant in this respect.
11. Consequently, the proposed development would not harm the character and appearance of the street scene or surrounding area. Therefore, it would not conflict in this particular respect with CS Core Policy 30 which requires all developments and interventions in the public realm to be high quality and design-led, having special regard to their context. It would also not conflict with DMD Policy DMD 37 which seeks development that has appropriate regard to its surroundings.
12. In addition, it would not conflict in this particular respect with DMD Policy DMD 46 which seeks, among other things, that there would be no negative impact on the existing character of the area and street scape as a result of the loss of a front garden or grass verges to hardstanding.

Other Matters

13. The appellant has drawn my attention to a number of appeal decisions in other parts of the district and planning permissions granted by the Council. I also noted the vehicular arrangement at No 29 Eversley Park Road during my site visit, where the surrounding street furniture and neighbouring boundary treatments in the vicinity appeared different to that near the appeal site. Further details of these cases are not before me. In addition, given that my findings on this case are specific to the particular location of this proposal, those cases do not form a direct comparison to this appeal. In any event, each case must be determined on its individual merits and these previous cases have not altered my overall decision.
14. I acknowledge the evidence regarding secure parking, and Lifetime Homes. However, the proposed development would not be a new dwelling and given the unacceptable impact on highway safety, these points do not override the harm identified.
15. I acknowledge the personal circumstances of the appellant including the evidence relating to residents of the property, who due to age related reasons find the current parking arrangements to be unsuitable for their needs. I have therefore had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity. I acknowledge the distance from the main entrance of the property to the existing garage to the rear of the site. However, there are limited further details before me to demonstrate that this proposal would be the only solution to meet the residents' needs. Therefore, while the proposed development may help people who share protected characteristics for the purposes of the PSED, given the evidence before me this would not override the unacceptable harm to highway safety that would result from the proposal. Accordingly, these matters have not altered my overall conclusion.

Conclusion

16. For the reasons given above the appeal is dismissed.

R Sabu

INSPECTOR