



Appeal Decision

Site visit made on 22 September 2020 by C McDonagh BA (Hons) MA MRTPI

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2020

Appeal Ref: APP/Q5300/D/20/3253039

78 Winchmore Hill Road, London N14 6PX

- 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 Mrs Christoulla Photiou against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/00643/HOU, dated 23 February 2020, was refused by notice dated 23 April 2020.
 - The development proposed is described as "Extension of dropped kerb at the front of the property. There is a single drop kerb but we would like to extend it where the grass area is".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effects of the proposal on the character and appearance of the area, and on the safety and convenience of users of Winchmore Hill Road (WHR).

Reasons

Character and appearance

4. The appeal property, a traditional semi-detached property, is set back from the road behind a wide paved driveway which fills the width of the plot. Soft landscaping at the front of the dwelling is limited. The existing vehicular crossover is 2.57m wide, which the proposal seeks to widen to 6.15m. This would require the removal of part of the grass verge outside the appeal property.
5. Despite many other houses in the area having off-street parking, most of the grass verges have remained intact and they, along with street trees and the remaining garden areas, make a positive contribution to the street scene by visually softening the appearance of the road, driveways and footpath. The loss

of part of this verge would therefore harm the character and appearance of the area.

6. The appellant states the crossover would remain approximately 2m from the tree in line with the Revised Technical Standards for Footway Crossovers (excluding Heavy Duty Crossovers) (Technical Standards). This advises a separation distance of at least 1.5m or 4x the diameter of the tree trunk, whichever is greatest. It also requires that construction does not affect the major roots of the tree or otherwise impede its future growth.
7. The tree is a mature tree and there is no evidence before me that it is in decline or nearing the end of its life, or that it has outgrown its location. However, the tree is not indicated on the proposed plan and I cannot therefore be certain how far the crossover would be from the tree trunk. Moreover, there is no arboricultural assessment before me to determine the location of the roots. As such, I share the Council's concern that the tree could become damaged during excavations to facilitate the wider crossover and as such result in its loss. The loss of the tree would cause further harm to the character and appearance of the area.
8. I note that there are other instances in the area where wider crossings have been installed and there has been a loss of soft landscaping as a result. I do not know the particular circumstances that led to the approval of these developments. Nevertheless, even though the area of verge to be lost in this instance is limited, it seems to me that the incremental changes as a result of the loss of driveways and verges to hardstanding, cumulatively have a significant effect on the character and appearance of the area.
9. To conclude, the loss of the verge and potential loss of the tree would harm the character and appearance of the area. This would not accord with Policies DMD46 of the Enfield Development Management Document (DMD), CP24, CP25 and CP30 of the Enfield Plan Core Strategy (CS) and 6.10 of the London Plan (LP). Collectively these seek to ensure there is no negative impact on the existing character of the area and street scape as a result of the loss of grass verges to hardstanding.

Safety and convenience of users of WHR

10. The site is located on a busy classified road. Technical Standards states the maximum width of a crossover is 4.8m. This is in order, amongst other things, to maintain pedestrian safety on the footway from vehicles entering or exiting the site. The proposal would exceed this by a significant amount.
11. Given the width and existing use of the driveway, the amount of vehicular movements would not increase if the appeal were allowed, and they would be undertaken at a low speed. I note the appellant states that visibility is good from the driveway to the footway and, although there is nothing on the plans to indicate the level of visibility in either direction, I observed on the site visit the road is straight and there are low walls to the front of most properties. On that basis, pedestrians would be able to see both emerging vehicles and vehicles waiting to enter the site. Similarly, there is no reason why drivers would not be aware of pedestrians on the pavement in the vicinity of the site. Whilst drivers may have to wait slightly longer for a pedestrian to cross in front of the driveway, it is unlikely to be for a significant amount of additional time such that would cause disruption or danger to other road users. Moreover,

whilst I have taken the technical standards into account there is no evidence before me to demonstrate that an increase in the width of the crossing would cause any significant harm to pedestrian or highway safety.

12. To conclude on this issue, on the basis of the evidence before me, the proposal would not harm the safety and convenience of users of WHR. It would therefore be in compliance with Policies DMD46 of the DMD, CP24, CP25 and CP30 of the CS and 6.3, 6.9, 6.10 and 6.13 of the LP. Collectively, these seek to ensure vehicular crossovers do not cause adverse impacts on the highway safety.

Other Matter

13. I note that some personal information was submitted in support of the original application. However, whilst I acknowledge that widening the crossover would make manoeuvring into and out of the drive easier, I am not persuaded on the basis of the evidence before me that a crossing of the width proposed is necessary.

Recommendation

14. For the reasons given above and having had regard to all other matters raised, including the letter of support, I recommend that the appeal should be dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR