
Appeal Decision

Site visit made on 30 December 2020

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 January 2021

Appeal Ref: APP/Q5300/D/20/3261715
58 Ordnance Road, Enfield EN3 6BW

- 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 Zeynep Aydin against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/02386/HOU, dated 26 July 2020, was refused by notice dated 5 October 2020.
 - The development proposed is to form crossover for vehicular access to the front court of the house.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposal on highway safety for users of Ordnance Road and on the character and appearance of the local area.

Reasons

Highway safety

3. The proposal includes a dropped kerb to provide a vehicle crossover along the highway frontage of the appeal property, which is a dwelling that faces Ordnance Road. The new crossover would provide access from the highway to a new hard surface area in front of No 58 for off-street vehicle parking.
4. The area in front of No 58 would be sufficient in size to accommodate a parked vehicle although a driver using the new crossover would need to reverse into or out of the proposed parking space onto the adjacent highway. That manoeuvre would be likely to be close to parked vehicles at the kerb-side given that there is unrestricted parking along this part of Ordnance Road, that I saw was well used. Reversing into or out of the site onto what I observed was a busy road close to parked vehicles would be far from ideal given the restricted visibility of oncoming road users. I also noted that a telegraph pole just to one side of the site would also hinder the visibility of road users approaching along the nearside carriageway. Views of a vehicle reversing out of the site by approaching road users would also be likely to be obscured by parked cars.
5. Even though the number of vehicle movements using the new crossover would be modest, the appeal scheme would be likely to result in motorists slowing down and either turning into or out of a busy road with restricted visibility in

reverse. While parked vehicles on the new hard standing would not overhang the adjacent footway, cars emerging from the site may also obstruct pedestrians by waiting on the footway for a gap in the traffic. This arrangement would present an obvious highway danger.

6. I saw several examples of properties with dropped kerbs and off-street forecourt parking along Ordnance Road including the properties on either side of the site. Some of these existing accesses also rely on vehicles reversing onto or from the highway. I am unaware of the detailed circumstances of these arrangements and so I am unable to conclude that the Council has been inconsistent, discriminatory or unfair in its approach to considering proposals for vehicle crossovers in the local area. Most of the examples that I saw reinforce my concerns with regard to highway safety and so do not necessarily set a desirable precedent. These cases do not persuade me that the proposal, which would pose a significant safety hazard, should therefore be accepted.
7. On the first main issue, I conclude that the proposal would pose an unacceptable risk to highway safety for the users of Ordnance Road. Of the policies cited by the Council that are most relevant to this issue, the appeal scheme would be contrary to Policy DMD 46 of the Development Management Document (DMD). This policy states that vehicle crossovers and dropped kerbs to allow for off street parking will only be permitted where vehicles can enter and exit in forward gear and where there is no adverse impact on road safety. The proposal would also conflict with the National Planning Policy Framework, which seeks to ensure that developments include safe and suitable access.

Character and appearance

8. Permeable paving would replace the part grassed area at the front of No 58 to facilitate vehicle parking. This garden, while modest in size, makes a positive contribution to the setting of the main house and the street scene primarily by visually softening the existing built form. With the front garden largely covered by a new hard surface with an open frontage to the road, the proposal would diminish the value of this green space, to the detriment of the area's visual character, as would the proposed loss of a kerb side tree.
9. While the appellant states that the roadside tree could be retained, its central position within the new crossover would obstruct its use by vehicles unless the specimen were relocated or replaced with one in a different position. New flowerbeds, as proposed, would not satisfactorily mitigate the harmful visual impact of the proposal. That other nearby front gardens are hard surfaced and used for parking does not justify the proposal since additional harm cannot be justified on the basis that some harm already exists.
10. On the second main issue, I conclude that the proposed development would materially harm the character and appearance of the local area. As such, it conflicts with Policies 6.13 and 7.4 of the London Plan, Core Policy 30 of The Enfield Plan: Core Strategy 2010-2025 and DMD Policies DMD 37 and DMD 46. Together, these policies broadly aim to ensure that new development achieves high quality design and that vehicle crossovers, dropped kerbs and the loss of a front garden to hard standing do not result in the loss of street trees or negatively impact on the character of the area and the streetscape.

Other matters

11. The proposal would result in a more convenient and accessible alternative to the appellant than parking further away from the house. As the appellant has small children and an elderly mother with health conditions, I can appreciate that walking from a parked vehicle some distance away from the property, sometimes also carrying heavy shopping bags could be a stressful experience and one that poses a challenge. I am sympathetic to these personal circumstances. However, these matters do not outweigh the significant harm that I have identified in relation to both main issues.
12. The Council raises additional concern that the proposal, if allowed, would lead to a loss of on-street parking. However, only one space on the adjacent highway would be removed to make way for the new crossover. To my mind, the loss of on street parking would be modest and insufficient in itself to withhold planning permission if the appeal scheme were otherwise acceptable.

Conclusion

13. For the reasons set out above, and taking into account the absence of objections from others, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR