



Appeal Decision

Site visit made on 27 July 2021 by Ms S Maur

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2021

Appeal Ref: APP/Q5300/D/21/3273217

Site Address: 26 Victor Villas, Great Cambridge Road, Edmonton N9 9UP

- 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 Shukri Himallari against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/00161/HOU, dated 18 January 2021, was refused by notice dated 6 April 2021.
 - The development proposed is a vehicular access.
-

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.

Procedural Matters

3. The description in the banner heading has been taken from the decision notice as it adequately and succinctly describes the development proposed.

Main Issues

4. The main issues are the effect of the development on:
 - (i) the character and appearance of the area;
 - (ii) highway safety; and
 - (iii) drainage.

Reasons for the Recommendation

Character and appearance

5. The appeal site relates to a terraced house adjacent to Great Cambridge Road. The front boundary meets the footway, cycle lane, a gently sloped grass verge and raised kerb. The front garden is largely paved, appears open at the front, with only a very low boundary and is bounded on either side by brick walls. The houses immediately nearby are not host to any form of vehicular access or car parking. There is front parking for the two properties adjacent to the access track, leading into an area for garages and parking at the rear of the properties. Those vehicular accesses and parking areas are seen in the context of the track which is different in character to the dwellings located away from the access track.

6. The proposal is for a vehicular access into a garden at the front of the dwelling to allow for off-road car parking. The existing paving would be used for the hardstanding and walls and a pedestrian gate is proposed.
7. The vast majority of the surrounding terrace dwellings do not feature vehicular crossovers on this side of the carriageway. Although there are examples of vehicular access in the area, they are seen in a different context and typically associated with larger plot sizes and are located next to a side road or access track. Otherwise, the grass verge is uninterrupted, and this is a positive characteristic of this area. Interrupting this would result in an unsympathetic intervention. The associated carparking in the front garden would be harmful to the otherwise largely open nature of the front gardens which are free from parked vehicles. The proposal would therefore disrupt the established appearance of the site and would cause significant harm to the character and appearance of the area.
8. Although the submitted drawings lack detail on walls and gates, this information could be secured with a condition. It is evident that an appropriate solution could be found for this particular matter. This, however, would not mitigate the significant harm caused to the character and appearance of the area through the provision of the access and associated parking.
9. For the reasons outlined above, the vehicular access would result in significant harm to the character and appearance of the area. This would be contrary to Policies DM8, DM37 and DM46 of the Development Management Document 2014 (DMD) which aims to prevent the loss of front gardens and grass verges to hardstanding and seeks to ensure that development be appropriate to its context and locality without adversely affecting the quality of the street scene.

Highway safety

10. The site is adjacent to the busy classified A10 Great Cambridge Road, separated from it by a gentle grass slope. The carriageway has a speed limit of 40mph, and I noted, during the site visit that vehicles typically travelled at about this speed and that there was a relatively continuous flow of traffic.
11. The proposal is for a vehicular access into a driveway at the front of the dwelling for off-road car parking. The formation of a vehicular access would lead to vehicles slowing, stopping, and turning onto or from Great Cambridge Road. The area is relatively free from private single accesses allowing for limited interruption to the flow of traffic. The addition of this access would inhibit the free flow of traffic and thus adversely affect highway safety on the classified road.
12. The hazard to highway users would be amplified by the close location of the bus stop and the associated high frequency bus routes. This is likely to result in a higher probability that vehicles will need to manoeuvre around busses close to the appeal site where vehicles manoeuvring into or out of the appeal site would add further distraction. In addition, vehicles will likely be required to either enter or exit the proposed access in reverse and thus visibility of oncoming traffic would be reduced. This would further increase risks to highway safety. The limitations at the appeal site are generally greater than those associated with the existing accesses along the road.
13. For the above reasons the vehicular access would cause harm to the highway safety of the area and would be prejudicial to the free flow of traffic on the

classified road. This would be contrary to Policies DMD45 and DMD46 of the DMD which states that planning permission for new access onto "A" roads and other busy classified roads will not normally be permitted and would only be permitted if there is no impact on road safety and on the free flow of traffic on the adjoining highway and that parking areas must have adequate site lines and allow for appropriate manoeuvrability. In addition, they require the effective movement of bus services and that vehicles can enter and exit the crossover in forward gear.

14. The proposal would also be contrary to Policies T1 and T2 of the London Plan (2021) which seeks to ensure any impacts on the transport network are mitigated and the dominance of vehicles on London's streets are reduced. In addition, there would be conflict with the National Planning Policy Framework which prevents development that has an unacceptable impact on highway safety.

Drainage

15. The existing garden is largely hard surfaced. There is currently no existing drainage from the hard surfaced area. The provision of the access, within the application site, would not increase the hard surfacing, therefore the effect on surface water drainage would not increase to any significant degree. In any event, planning conditions could be put in place to secure drainage details. Therefore, the development would not result in a harmful effect on drainage. The proposal would therefore accord with Policy DMD59 of the DMD, which requires new development to avoid and reduce the risk of flooding; and not increase the risks elsewhere.

Other Matters

16. The site is located in an area with a relatively low PTAL rating indicating that access to public transport is less than ideal. There are a number of high frequency bus routes near the site which would allow for access to the wider transport network. However, even if that were not the case, the harmful effects identified above, would outweigh the private benefits to the appellant associated with the provision of parking to the front of their dwelling.
17. In the reasons for refusal, the Council has referred to a number of policies within the development plan which do not have direct relevance to the appeal scheme. However, any lack of conflict with those policies does not minimise the resulting conflict with the development plan when it is considered as a whole.

Conclusion and Recommendation

18. Although harm would not arise in respect of drainage, this is a neutral matter in the overall consideration of this appeal; it does not mitigate or outweigh the harm that would arise. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR