



Appeal Decision

Site visit made on 17 September 2021

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2021

Appeal Ref: APP/W1905/D/21/3275664
4C Hertford Road, Hoddesdon EN11 9JT

- 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 L Wheeler against the decision of Broxbourne Borough Council.
 - The application Ref 07/21/0045/HF, dated 6 January 2021, was refused by notice dated 3 March 2021.
 - The development proposed is the construction of a dropped kerb.
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Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) the safety of other highway users and (b) the character and appearance of the surrounding area.

Reasons

Highway Safety

3. The appeal property is situated at the junction of Hertford Road and Cherry Tree Road. There is an on-street parking bay along Hertford Road adjacent to the property and on-street parking occurs along Cherry Tree Road but parking restrictions operate around the junction itself. The proposed development is the construction of a dropped kerb and crossover to provide access from Hertford Road to the front garden of the property to facilitate off-street parking.
4. Criterion (b) of Policy TM6 of the Borough of Broxbourne Local Plan (LP) refers to proposals for vehicle crossovers not adversely affecting the safety of pedestrian and highway users. Although during the site visit the observed number of movements associated with the junction was not significant, there was a consistent flow of traffic along Hertford Road and with some queuing associated with the roundabout between Hertford Road and Ware Road.
5. The proposed crossover would be sited about 4 metres from the junction which would be significantly below the 10 metre separation distance applied by the Highway Authority. Although the status of this standard has not been explained, the proximity of the crossover to the junction, together with vehicles exiting/entering the parking area, would have the potential to cause confusion

to drivers traveling along Hertford Road. Although only occurring on a temporary basis when in use, the siting of the appeal scheme would also impair the visibility of drivers exiting Cherry Tree Road and accessing/exiting the lay-by. These identified concerns about highway safety would be accentuated by the inability for a vehicle to enter and exit the proposed off-street parking area in forward gear.

6. For the reasons given, it is concluded that the proposed development would conflict with criterion (b) of LP Policy TM6 because there would be an adverse effect on the safety of other highway users.

Character and Appearance

7. The appeal scheme would result in the partial loss of an existing area of grassed verge. The extent of this loss would not be significant and the majority of the triangle of the grassed amenity area would be retained. The streetscene would remain dominated by residential development set back from the footways to the rear of front gardens.
8. On this issue it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the streetscene and, as such would not conflict with criteria (a) and (c) of LP Policy TM6. These criteria seek to avoid crossovers having a negative impact on the character of the area and the streetscene and also not to result in the loss of public greening.

Conclusion

9. Although the proposed development would not cause unacceptable harm to the character and appearance of the streetscene this matter is significantly and demonstrably outweighed by the identified adverse effect caused to the safety of other highway users. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR