



Appeal Decision

Site Visit made on 21 September 2021

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

an Inspector appointed by the Secretary of State

Decision date: 8th November 2021

Appeal Ref: APP/Q5300/W/21/3269565

97 Palmerston Road, Southgate N22 8QS

- 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 D Powelly of Kane Keep Trust against the decision of London Borough of Enfield.
 - The application Ref 20/03163/FUL, dated 30 September 2020, was refused by notice dated 7 December 2020.
 - The development proposed is described as, 'creation of a proposed new dropped kerb and single parking space'.
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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 effect of the proposed development on the character and appearance of the area with regard to trees.

Reasons

Highway safety

3. The site lies near the junction of Palmerston Road and Whittington Road. There is a dispute between the main parties as to whether the proposed dropped kerb would be within 10m of the existing junction and how this distance is measured in accordance with the Council's guidance.
4. I note that vehicles could exit the access in forward gear and the pedestrian visibility from the proposed access. However, as I observed during my site visit, the site also lies a short distance from the junction of Palmerston Road with Belsize Avenue. There is signage in the vicinity of the junction indicating no entry to Belsize Avenue and that Palmerston Road is a no-through route to the north. Therefore, given the overall proximity to the junction and the signage in the area, motorists approaching the junction would be more likely to be focussed on their next manoeuvre than vehicles exiting the proposed access. This would result in an increased risk of collisions.
5. In addition, the evidence before me does not appear to account for vehicles parked opposite the site which would reduce the usable width of the road and affect the manoeuvre to turn right from the access. Therefore, even if the

proposed dropped kerb would be 10m from the junction, it would be likely to increase the risk of collision with vehicles approaching from the junction and an unacceptable impact on highway safety.

6. I note the number of likely trips to and from the access and the evidence regarding parking stress and car ownership. I also acknowledge that it may be the case that there are no other options for vehicular access to the site. However, for the foregoing reasons, these points have not altered my findings on this main issue.
7. Consequently, the proposed development would unacceptably impact highway safety. Therefore, it would conflict with the aims of Policy CP24 of The Enfield Plan Core Strategy 2010-2025 Adopted November 2010 (CS) which seeks improvements to the road network. It would also conflict with Policies DMD37 and DMD46 of the Development Management Document Adopted November 2014 (DMD) which seek ease of movement and dropped kerbs which have no adverse impact on road safety among other things.
8. Since CS Policy CP30 does not specifically relate to highway safety, it is not directly relevant to this main issue.

Character and appearance

9. The area surrounding the site is characterised by two storey traditional dwellings, many with paved driveways and dropped kerbs. The proposal would result in the relocation of a street sign and an additional crossover in the area. However, given the other crossovers and street signs in the area, these alterations would not appear incongruous.
10. From the evidence and my observations during the site visit, the trees indicated on the site plan have been removed. Therefore, the proposal would not have an effect on the character and appearance of the area in this respect.
11. Consequently, the proposed development would not harm the character and appearance of the area. Therefore, it would not conflict with the aims of DMD Policies DMD80 and DMD81 which relate to trees and landscaping. It would also not conflict with the Framework in this respect.
12. Since CS Policy CP31 relates to heritage assets it is not directly relevant to this main issue.

Conclusion

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

R Sabu

INSPECTOR