



Appeal Decision

Site visit made on 1 February 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH February 2022

Appeal Ref: APP/Q5300/D/21/3281059
49 Hedge Lane, London, N13 5SJ

- 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 Colin Bailey against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/01696/HOU, dated 24 April 2021, was refused by notice dated 13 July 2021.
 - The development proposed is extend the vehicle access by 1.3m to total 4.8m while dropped kerb is being carried out next door (51 Hedge Lane).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development proposed is taken from the application form. The description of the proposed development on the Council's decision notice is described as "Widening of existing vehicular access."

Main Issue

3. The main issue in this case is the effect of the proposed development on highway safety.

Reasons

4. The appeal property is a bay-fronted, two storey end of terrace dwelling located within in a predominantly residential area close to Hedge Lane's junctions with Lightcliffe Road, River Avenue and New River Crescent. The dwelling has an attached single storey garage to the side, which adjoins a similar garage to the side of No 47 Hedge Lane.
 5. The area is characterised by the presence of similar, bay-fronted, two storey terraced housing facing Hedge Lane, a busy principal road. Dwellings are set back from the wide pavements of Hedge Lane behind short front garden areas.
 6. Close to and on the same side of the road as the appeal property, several of these front garden areas have been converted into front parking areas, with direct access over the pavement and onto the road via dropped kerbs. However, during my site visit I observed that elsewhere along Hedge Lane nearby to the appeal property, many front garden areas have been retained.
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7. The whole of the front of the appeal property is paved and there is a dropped kerb, providing a single point of access to Hedge Lane.
8. The presence of the attached garage to the side of the property results in its frontage being wider of most other dwellings along Hedge Lane, albeit its immediate neighbour, No 47, has a similarly wide frontage. Consequently, whilst the width of the access across the pavement and onto Hedge Lane via the dropped kerb only provides for a single vehicle, there is scope to park more than one vehicle at the front of the appeal property.
9. It is proposed to widen the access from the appeal property directly onto Hedge Lane. This would significantly increase the scope for vehicles to drive across the pavement between the front of the appeal property and Hedge Lane. The appeal property is located adjacent to a busy road, close to three junctions, most notably that with River Avenue, just a few houses away.
10. During the time of my site visit, I observed Hedge Lane to be busy and noted numerous vehicles entering and leaving River Avenue; and leaving Lightcliffe Road and New River Crescent, both of which are one-way streets. I also noted numerous pedestrians walking along Hedge Lane and attempting to cross the area's roads. The proposed development would provide increased scope for vehicles to enter and exit the property onto and from Hedge Lane, across the pavement, potentially at the same time.
11. Vehicles would need to do this across a pavement nearby to three road junctions. It was clear to me during my site visit that Hedge Lane in this vicinity comprises a relatively busy pedestrian and vehicle thoroughfare as pedestrians seek to reach the wider area's services amenities and road users seek to progress their journey along Hedge Lane or to turn at nearby junctions.
12. Consequently, I find that any increase in the number of vehicles manoeuvring or crossing over the pavement outside the appeal property, whether in forwards or reverse gear, and entering onto or exiting from Hedge Lane, would result in an unacceptable increase in risk to the safety of pedestrians and other road users in this area.
13. Taking all of the above into account, I find that the proposed development would be harmful to highway safety, contrary to the National Planning Policy Framework; to London Plan (2021) Policies T4 and T6; to Core Strategy¹ Policies CP24 and CP25, and to DMD² Policy DMD46, which together amongst other things, requires development to take account of highway safety.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ The Enfield Plan Core Strategy (2010-2025).

² Enfield Development Management Document (DMD) (2014).