



Appeal Decision

Site visit made on 11 April 2022

by Mark Philpott BA(Hons) MA MTRPI

an Inspector appointed by the Secretary of State

Decision date: 14th April 2022

Appeal Ref: APP/Q5300/W/21/3283333

27 Victor Villas, Great Cambridge Road, Edmonton, London 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 R Golding against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/00814/HOU, dated 4 March 2021, was refused by notice dated 30 June 2021.
 - The development proposed is described as 'Vehicular access to my proposed driveway of my property is required from the A10 Road. Work would involve alteration of the public pathway, cycle path, selected grass area and dropping of the kerb.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on:
 - the character and appearance of the area; and
 - highway safety and the free flow of traffic.

Reasons

Character and appearance

3. The site comprises a terraced property adjacent to the A10. The property's front garden is next to a footway, with a cycleway, grass verge and the carriageway beyond it. The garden is predominantly soft landscaped and features a low wall and a gate on its front boundary. A central reservation with hedges along it separates the opposing lanes of traffic and the properties on either side of the road.
4. The property is similar to many others in the vicinity, but some have hard landscaped front gardens and boundary treatments vary. Although the grass verge along the road has street furniture on it and there are also junctions, crossovers, bus stops and laybys beside the road, a prominent and relatively long continuous section of verge runs in front of the site. The verge and the cohesive appearance of the frontages of the properties in the locality contribute positively to the character of the area.
5. The proposal would entail the creation of a vehicular access to the site from the carriageway to provide for off-street parking. As such, much of the site's front garden and part of the verge in front of it would be replaced with hard

surfacing. Although I have no reason to doubt that the work would have a modern feel and be completed to a high quality, few of the nearby properties have off-street parking or crossovers adjacent to the highway and thus the presence of parked vehicles in the front garden would be incongruous. Furthermore, the severance of the verge into two shorter sections would harm its contribution to the area. Consequently, the proposal would harm the character and appearance of the area.

6. The proposal conflicts with Policy CP30 of The Enfield Plan Core Strategy (CS) and Policies DMD37 and DMD46 of the Council's Development Management Document (DM), which seek to maintain and improve the quality of the built and open environment, resist development that is inappropriate to its context, and permit crossovers and dropped kerbs only where there is no negative impact on the existing character of the area as a result of the loss of front gardens, grass verges or front garden walls.

Highway safety and traffic flow

7. The A10 is a major road and a key route through and beyond the borough. The section of the road in the vicinity of the site is a dualled red route clearway and subject to a 40 miles per hour speed limit. There was a relatively high volume of traffic travelling along it during my visit. Traffic flow was mostly constant; however, there were small and regular periods where there were fewer approaching vehicles. This is likely to be due to signal transitions at the junction with the B154 and from vehicles emerging onto the A10 principally from Latymer Way and Deansway between those transitions.
8. There are few private accesses onto the A10 and as such vehicles can travel along it mostly uninhibited. The proposed access would be perpendicular to the carriageway and vehicles would need to turn in and out of the site slowly. This would likely impede other vehicles approaching the site and result in an increased risk of vehicle shunting and conflicts from vehicles changing lanes. The risks would be heightened by the site's proximity to a bus stop, as approaching drivers are likely to attempt to manoeuvre around buses and vehicles moving to or from the proposed access would be an additional nearby hazard for drivers to navigate.
9. Furthermore, the site's front garden is modestly sized. Firm and substantive evidence has not been provided to demonstrate that it would be possible or practicable for vehicles to be turned within the site clear of the highway. The proposal would therefore likely result in vehicles entering or exiting the site in reverse gear. The time needed for and limited visibility for drivers of such manoeuvres would have clear safety risks for all highway users.
10. In addition, the roads off the A10 are highly visible due to their width and there being gaps between the properties on either side of each junction. In contrast, the proposed access would be less apparent due to its width, its position in front of a row of properties, and as there are street trees in the verge on approach to the site. None of the accesses off the A10 near the site are directly comparable to the one proposed. Moreover, the proposal would create a new access and thus result in additional risks to safety and impacts on traffic flow.
11. I note that some vehicles in the vicinity of the site may move slowly in the nearside lane whilst travelling to and from the roads off the A10, the bus stop and the nearby layby. However, most vehicles, and particularly those in the

offside lane, likely travel continuously along the A10 at speed due to its strategic nature. Moreover, those vehicles would likely change lanes to overtake those entering or exiting the A10. As such, the slow speeds of some vehicles do not indicate that the proposal would be acceptable.

12. Additionally, there is a service road to the rear of the property. Whilst I saw that it lacks street lighting and has an uneven surface and water pooling on it, parked vehicles and garages were nonetheless present along it. Accordingly, there is some prospect for parking to the rear of the site, which would obviate the need for a new access onto the A10.
13. The proposal would harm highway safety and prejudice the free flow of traffic in the vicinity of the site. It conflicts with CS Policies CP24 and CP30, and DM Policy DMD46, which promote improvements to the road network, and only permit crossovers and dropped kerbs if there would be no adverse impact on the free flow and safety of traffic, vehicles could enter and exit the highway in a forward gear, and there are no alternative opportunities for safe access.

Other Matter

14. It has been put forward that older and disabled people will rely on car travel more than others and thus may require off-street parking near dwellings. I have had due regard to the Public Sector Equality Duty (the Duty) contained within section 149 of the Equality Act 2010. The proposal would improve accessibility to the dwelling, which would likely meet the needs of prospective occupiers with limited mobility. However, it does not follow from the Duty that the appeal should succeed, as the benefits do not outweigh the harm that I have found.

Conclusion

15. For the reasons given above, the appeal should be dismissed.

Mark Philpott

INSPECTOR