
Appeal Decision

Site visit made on 27 April 2022

by Mark Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2022

Appeal Ref: APP/Q5300/D/22/3291334

458 Lincoln Road, Enfield EN3 4AH

- 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 Ms Allaha Mahmud against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/03183/HOU, dated 18 August 2021, was refused by notice dated 2 November 2021.
 - The development proposed is described as 'proposed hardstanding at front of dwelling, drop kerb for access to driveway at front of house'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on:
 - highway safety, pedestrian and vehicular movement and parking provision in the vicinity of the site; and
 - the character and appearance of the area.

Reasons

Highway matters

3. The site relates to a mid-terrace property which includes a modestly sized front garden and is accessed from Lincoln Road. The garden is mainly hard surfaced and has a pedestrian gate and a small brick wall along its front boundary. Some nearby properties feature private vehicular accesses and off-street parking spaces with crossovers and dropped kerbs. Notwithstanding this, most properties do not feature off-street parking provision. Parking mainly occurs on-street, with vehicles partially mounted on the footways to either side of the carriageway.
4. Lincoln Road is classified, features two-way traffic and is subject to a 30 miles per hour speed limit. During my visit a high number of vehicles travelled along it. A pedestrian crossing point is a short distance away and immediately beyond that is a roundabout junction with High Road.
5. The proposed vehicular access and off-street parking space would be roughly perpendicular to the carriageway. According to the drawings, it would be around 4.2 metres in length and 3.4 metres wide. The Highway Authority indicates that parking spaces should be at least 4.8 metres by 2.4 metres in

size, which is supported by its crossover standards¹. Although small cars could be parked clear of the footway, this would not be the case for many moderately sized or larger cars. Such vehicles would likely overhang the footway and obstruct pedestrian movement. The appellant may currently own a small car, but there can be no certainty that this would always be the case. Indeed, it has been indicated that the appellant may purchase a car in the future.

6. Furthermore, there would be insufficient space for vehicles to be turned within the site and thus reversing would be required to either enter or exit it. Due to the time required for and limited visibility of drivers undertaking such manoeuvres, and as reversing vehicles would likely encroach onto the carriageway lane wherein vehicles would be accelerating from the junction, there would be an increased probability of collisions in comparison with parking on-street. In addition, it is probable that vehicles would continue to be parked on-street nearby, which would limit intervisibility for drivers of vehicles egressing from the site and those travelling along the highway. Traffic flow is also likely to be impeded by vehicles entering and exiting the site.
7. Additionally, there are many similar front gardens in the site's vicinity. Although each proposal must be considered on its own merits, approval of this scheme could be used in support of similar ones. The cumulative effect of additional vehicular accesses would exacerbate the issues identified.
8. I acknowledge that drivers and passengers seated behind them are likely to enter the carriageway to access and exit vehicles parked on-street. In contrast, those entering and exiting vehicles parked off-street do not need to enter the carriageway. However, as the carriageway is largely straight, there are relatively good sight lines for those entering or exiting vehicles parked on-street. Additionally, the Highway Authority has not indicated that the existing on-street parking arrangement is unsafe. The benefits of drivers and passengers accessing and exiting vehicles parked in the proposed space clear of the highway are outweighed by the scheme's adverse impacts.
9. The appellant has highlighted examples of off-street parking spaces in the vicinity. However, I cannot be sure of the circumstances which led to that work being carried out. Furthermore, the proposal would provide a new access onto the road and thus result in additional safety risks. Therefore, the presence of similar development nearby does not indicate that this proposal is acceptable.
10. The Council alleges that the proposal would reduce on-street parking capacity. However, there are no obvious reasons before me which indicate that the occupiers of and visitors to No 458 would be unable to park on-street in front of the proposed access. As such, I am unconvinced that the proposal would result in an unacceptable reduction in on-street parking. Accordingly, the proposal does not conflict with Policies T6 or T6.1 of the London Plan (LP), which relate to parking provision.
11. I note that on-street parking is prolific in the area and LP paragraph 10.6.1 sets out that the dominance of vehicles on streets is a significant barrier to walking and cycling. Additionally, the appellant indicates that an electrical vehicle charging point could be installed to serve the proposed space. However, these matters do not indicate that the harm identified is justified.

¹ Revised Technical Standards for Footway Crossovers (excluding Heavy Duty Crossovers), April 2013

12. The proposal would harm highway safety and prejudice pedestrian and vehicular movement in the vicinity of the site. It conflicts with Policy CP25 of The Enfield Plan Core Strategy (CS) and Policies DMD45 and DMD46 of the Improving Enfield Development Management Document (DM). Amongst other things, these policies seek safe, convenient and accessible routes; set out standards for the layout and design of parking spaces; and only permit crossovers where there would be no adverse impact on road safety and traffic flow, vehicles would be able to enter and exit the highway in a forward gear, and vehicles would not overhang footways.

Character and appearance

13. The property is like many others along the road. However, there are also several nearby properties which have unbound frontages and front gardens that are predominantly hard surfaced. Additionally, as identified above, some off-street parking is evident along the road. While vehicles would look cramped if they overhung the footway, the resulting property would nevertheless be compatible with the prevailing character and appearance of the locality.
14. The proposal would preserve the character and appearance of the area. It accords with CS Policy CP30 and DM Policy DMD37, which seek to maintain and improve the quality of the built and open environment and resist development that is inappropriate to its context. The Council alleges that the proposal conflicts with LP Policy T2. However, I find no direct conflict with it in respect of this main issue, as it relates to 'healthy streets' rather than character and appearance matters specifically.

Other Matters

15. The appellant has put forward that when their car is parked on-street it is at risk of damage from vehicles travelling along the road. Survey data has also been referred to, which indicates that vehicle thefts are more likely to occur where vehicles are parked on-street than on driveways. Full details of the survey data have not been provided. However, there is nothing before me which suggests that the appellant is at any particular risk of these issues in comparison with other residents who park vehicles along the road. These matters do not outweigh the harm that the proposal would cause to highway safety and the movement of vehicles and pedestrians.
16. It has also been advanced that refusing the proposal would maintain or further deprivation of the local community. However, firm evidence to substantiate a correlation between off-street parking provision and deprivation, or which indicates that the proposal would bring about tangible benefits for the wider community, has not been provided. In any case, this matter does not outweigh the harm identified.

Conclusion

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

Mark Philpott

INSPECTOR