
Appeal Decision

Site visit made on 27 July 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11TH August 2022

Appeal Ref: APP/Q5300/D/22/3296425

36 Hedge Lane, Southgate, N13 5SH

- 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 Thanh Chiem against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/04395/HOU, dated 23 November 2021, was refused by notice dated 21 January 2022.
 - The development proposed was described as '*Construct a dropped kerb out 36 Hedge Lane to allow parking in the driveway outside the property*'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on highway safety and drainage.

Reasons

Highway Safety

3. The appeal property is a mid-terraced dwelling with a shallow frontage and within a residential area comprising similar style properties. Hedge Lane is a busy, classified road.
4. The property has an existing hard-surfaced forecourt. The proposal is to lower the kerb at the roadside to create a pavement crossing for a car to park on the frontage parallel to the highway. An electric vehicle charging point is also proposed to enable a parked car to be charged within the curtilage of the property.
5. Parking parallel to the road normally requires considerably more space than the size of a typical parking bay. This is often illustrated by a swept path analysis to show the tracking of a vehicle as it manoeuvres. No such information is provided. With a proposed opening in the front boundary wall at a width of 4.2m and with a full width to the frontage at just over 6m that is restricted by boundary enclosures to each side, the size of the space available would provide little margin to enable a vehicle to easily park. I appreciate that the frequency

of traffic movements would be low, and that they would occur at low speeds, however the manoeuvre would not be straightforward and would be across a pavement and potentially adjacent to a car parked on the roadside in front of No 36, where, and beyond to the east, I saw there to be no roadside parking control. Due to the limited space and potential for restricted visibility, there would be risk that a car either attempting to access or leave the appeal site would seriously compromise pedestrian safety along the footpath and the safety of drivers and cyclists passing on Hedge Lane. The absence of any accident records in the vicinity of the appeal site does not indicate that the proposal would be safe.

6. Policy DMD 46 of the Council's Development Management Document, adopted in 2014, deals with vehicle crossovers and dropped kerbs and states that planning permission for new access onto "A" roads and other busy classified roads, as in this case, will not normally be permitted. The potential adverse impact on road safety means that the proposal would also fail to comply with the specific criterion d of Policy DMD 46 which, amongst other things, is required to be satisfied where a vehicle crossover and dropped kerb is deemed to be acceptable. There would also be conflict with Core Policy 30 of the Council's Core Strategy 2010 insofar as it seeks to promote safe neighbourhoods and the National Planning Policy Framework's objectives for promoting sustainable transport by failing to achieve safe and suitable access to the site.

Drainage

7. The hardstanding for the proposed parking space already exists. The appeal that is before me relates to a planning application for a means of access to the highway. There is no evidence to demonstrate that this alone would affect drainage on the highway. I can therefore find no conflict with any of the development plan policies that are listed in the decision that relate to drainage.

Conclusion

8. Notwithstanding my findings with regard to drainage, for the reasons given, I find that the proposal would pose a significant risk to highway safety. I appreciate that the proposal would facilitate an electric vehicle charging point within the curtilage of the property and I am mindful that this would make a contribution to national electric vehicle targets. However, neither this, nor any other matters raised, lead me to conclude other than that the appeal should fail.

John D Allan

INSPECTOR