

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: 12th August 2022

Appeal Ref: APP/Q5300/D/22/3299122

5 Wilson Street, Southgate, N21 1BP

- 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 Dylan Kent against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/04400/HOU, dated 1 December 2021, was refused by notice dated 25 March 2022.
 - The development proposed was described as '*A new vehicle crossover will provide access to an off-street parking space for a single vehicle. The proposals will allow the use of an existing electric vehicle charging point. The proposed parking space will be 4.8m in length and 2.5m in width, accessed via a new 2.5m wide crossover onto the western side of Wilson Street.*'
-

Decision

1. The appeal is dismissed.

Main Issue

2. The appeal site is located within the Winchmore Hill Green Conservation Area. The Council is satisfied that the proposal would not impact on the character or appearance of the Conservation Area. I have no reason to disagree and am satisfied that the area's significance as a heritage asset would be unaffected. The main issue therefore is the effect of the proposal upon the highway network in terms of safety and on-street parking.

Reasons

3. The appeal property is a two-storey, linked semi-detached property. Wilson Street is a no-through road and along this stretch it is principally residential and, with the exception of No 5 and its attached neighbour, is lined with terraced properties to one side and more contemporary residential flats opposing. The appeal property has an 'L-shaped' footprint with a large part deeply recessed and spanning the full width of the plot. As a consequence, there is a gap between the flank wall of its forward most part and the flank wall of the neighbouring end-terrace at No 7. The proposal includes utilising this space for an off-street parking area and accessed from a new crossover onto

Wilson Street. This would involve breaking through a continuous parking bay to this side of the road which operates as a controlled parking zone.

4. The appellant has demonstrated through swept path analyses that, subject to a break in the controlled continuous parking bay, cars of various sizes could access the proposed parking space within the confines of the road's width. I accept that this manoeuvre could be achieved within a reasonable period of time without any likely disruption to the free flow of traffic, given the low levels of vehicle movements that have been demonstrated to occur along Wilson Street. Furthermore, such a manoeuvre would be very little different to a vehicle parking parallel on the road.
5. The appellant has demonstrated that a vehicle exiting the site in forward gear could achieve reasonable pedestrian visibility to avoid conflict with those using the pavement, and wider visibility of road users in accordance with Manual for Streets and Manual for Streets 2. However, access to the parking space could be achieved either in forward or reverse gear and there would be no ability for a vehicle to turn on the site. The appellant's own consultant's Technical Note Ref 2107-040/TN/02A recognises that if a vehicle was to access the site in a forward gear, then it would be required to reverse out of the space and that this would pose a safety issue to other road users, pedestrians, and cyclists. I entirely concur with this viewpoint.
6. A driver reversing out of the space would have no acceptable sight of anyone using the pavement. The car would then need to reverse onto the carriageway, likely to be between parked cars to either side, where sight of other road users would be difficult, to say the least. Such a manoeuvre, which would not be comparable with vehicles using any of the other access points to Wilson Street that have been drawn to my attention, would be inherently dangerous but yet there would be no means to prevent this from happening. How access to the parking space would be achieved would be at the whim of any individual driver and could be influenced by any number of factors at any time on any particular day. In my view a car driving into the space in forward gear would be a strong possibility at times. The proposal would therefore have the potential to pose a significant risk to highway safety.
7. I recognise that the proposal would delete at least one on-street parking space and I acknowledge that local residents feel concerned about parking stress in the area. However, the appellant has submitted the results of a parking beat survey that was undertaken using established methodology. Whilst this showed that parking within Wilson Street itself was at capacity, parking spaces were available overnight more widely in the locality and within reasonable distances. I am therefore not persuaded that the proposal would unreasonably exacerbate parking stress in the area.

Conclusion

8. 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 contribute to national electric vehicle targets. It would also address the appellant's difficulties in being able to charge their vehicle from home. However, these benefits do not outweigh the potential harm that I have identified to highway safety. In this regard there would be clear conflict with Policies DMD 46 and

DMD 47 of the Council's Development Management Document (DMD), adopted in 2014, which respectively deal with vehicle crossovers and dropped kerbs, and road access points more generally, both of which seek to ensure that there is no adverse impact on highway safety. There would also be conflict with Core Policy 30 of the Council's Core Strategy 2010 (CS) insofar as it seeks to promote safe neighbourhoods. The proposal would also conflict with the National Planning Policy Framework's objectives for promoting sustainable transport by failing to achieve safe and suitable access to the site.

9. The Council's reason for refusal includes reference to a number of other policies. I can identify no specific conflict with the technical requirements for parking standards or layouts required by DMD Policy 45, or the strategic requirements of CS Policy 25 dealing with the provision of pedestrian and cycle routes in the borough. Neither can I find conflict with strategic requirements of Policies T3, T4, T5, T6 and T6.1 of The London Plan 2021 as they relate to public transport, capacity of the transport network, cycle networks, residential parking controls and infrastructure for electric vehicles. Nevertheless, the harm and conflict with local and national policy that I have identified leads me to conclude that the appeal should fail.

John D Allan

INSPECTOR