



Appeal Decision

Site visit made on 18 January 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2023

Appeal Ref: APP/Q5300/D/22/3308495

66 Winchmore Hill Road, Southgate, Enfield N14 6PX

- 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 Mrs Songul Matyar against the decision of Enfield Council.
 - The application Ref 22/02024/HOU, dated 7 June 2022, was refused by notice dated 22 July 2022.
 - The development proposed is construction of hardstanding and vehicular access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the banner heading above has been taken from the Council's decision notice as it is a more succinct description than provided in the planning application form, and accurately describes the development before me. The application has been made part retrospectively because the hardstanding has been constructed, and I have considered the appeal on this basis.

Main Issue

3. The main issue in this case is the effect of the proposed vehicular crossover on highway safety and on-street car parking.

Reasons

4. No.66 Winchmore Hill Road (No.66) is a two-storey semi-detached dwelling situated on the south-east side of Winchmore Hill Road, close to its junction with St Thomas Road. Winchmore Hill Road is a classified road between the Southgate Circus roundabout and Eversley Park Road/Church Hill. To the front of No.66, block paving hardstanding has been constructed and the Existing & Proposed Plan shows that this would be part landscaped such that one car parking space could be accommodated. A vehicular crossover is proposed to Winchmore Hill Road to provide access to this parking space.
5. Policy DMD 46 of Enfield's Development Management Document (2014) (DMD) states that planning permission for new access onto 'A' roads and other busy classified roads will not normally be permitted. 'Other busy classified' roads are defined as those carrying more than 10,000 vehicles per day (two-way) and there is no dispute between the parties that Winchmore Hill Road falls within

this category. The Council's Transportation Team have objected to the appeal proposal on the basis that DMD Policy DMD 46 resists all but the most exceptional applications in order to prevent danger on the highway network, considered to occur from even a single additional crossover. On my site visit (weekday, mid-morning), I observed that Winchmore Hill Road was very busy, with largely free flowing traffic.

6. DMD Policy DMD 46 further sets out criteria (a to h) against which vehicle crossovers and dropped kerbs for off-street parking will be assessed. I accept that some of these criterion (notably a, b, g and h) can be met. However, importantly, it would not be possible for vehicles to enter and exit the proposed parking space in forward gear, meaning that vehicles would need to reverse onto or from Winchmore Hill Road (criterion f). The supporting paragraph to the Policy recognises that this is particularly important because the ability to turn on site negates the need for vehicles to reverse across a footway onto busy roads, which can cause a road safety hazard. The guidance in the Council's *Revised Technical Standards for Footway Crossovers (2013)* is that the acceptability of this arrangement is likely to depend on the level of visibility along both carriageway and footway, the volume of traffic and the width of the road.
7. As described above, Winchmore Hill Road is particularly busy with a constant flow of traffic and I observed most vehicles moving at reasonable speed. Although no visibility splays are indicated on the plan submitted, No.66 is located on a straight section of Winchmore Hill Road and because of double yellow lines to the south-west and vehicular crossovers for neighbouring dwellings to the north-east, I am satisfied that there would be reasonable visibility of both the footway and carriageway. However, broadly opposite No.66 is a central right hand filter lane for St Thomas Road and there is potential for a conflict, despite the visibility, in movements between vehicles reversing from or into No.66 and users of this filter lane. Further, I observed that the bus stop markings on the opposite side of Winchmore Hill Road extend up to its junction with St Thomas Road. Buses stopping opposite No.66, would result in further conflict between manoeuvring vehicles. Such conflict in movements would have an adverse impact on safety and the flow of traffic, including the effective movement of bus services.
8. I acknowledge that there are already many examples of vehicular crossovers on Winchmore Hill Road including close to pedestrian crossings, islands and bus stops. I have been provided no further details of when these were constructed or if they pre-date the adoption of DMD Policy DMD 46. Irrespective of this, each case should be considered on its merits and the individual characteristics and constraints of a site. I also note the absence of accident data, however, the Crash Map data referred to by the appellant only includes accidents that resulted in an injury to at least one person and were reported to the police. It does not include data relating to damage to vehicles only, which you would reasonably associate with vehicles reversing or manoeuvring at lower speeds. The absence of accident data does not, therefore, persuade me that the proposed crossover is safe.
9. In conclusion on the main issue, despite the reasonable width of the carriageway and visibility from the crossover, I find it would be very difficult to safely reverse onto or from the highway in this particular location on

Winchmore Hill Road. The proposed vehicular crossover would therefore have an impact on road safety, therein conflicting with DMD Policy DMD 46 (d and f).

10. The proposed vehicular crossover would result in the loss of an on-street parking bay to the front of No.66. I saw on my site visit that Winchmore Hill Road already experiences reasonably high on-street parking demand despite the number of dwellings who have forecourt or driveway parking. Although I acknowledge that given the proximity to Southgate underground station, these spaces may not always be used by local residents, the loss of an on-street parking bay on the public highway would only serve to exacerbate parking pressure in the area. This would not be sufficiently mitigated by the proposal allowing the occupiers of No.66 to park off-street.
11. Consequently, I find the proposal would cause significant harm to highway safety and would be contrary to criterion (c), (d), (e) and (f) of DMD Policy DMD 46 and the aims of National Planning Policy Framework. It would also conflict with Policies CP24 and CP30 of the Enfield Plan Core Strategy 2010-2015 (2010) which together require development to create safe places.

Other Matters

12. I have taken into consideration the personal circumstances of the appellant that have been submitted in support of the proposed vehicular crossover. I have sympathy for the concerns regarding the use of on-street parking on Winchmore Hill Road, and recognise the benefits of being able to load and unload children into or from a vehicle on a driveway. However, whilst these matters carry some weight in favour of the proposal, in this case, they do not outweigh the harm to wider highway safety that I have identified above, and which I afford significant weight.
13. I have also had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. For the reasons set out above, it does not follow from the PSED that the appeal should succeed and the benefits of the proposal that have been set out by the appellant, do not outweigh the safety harm I have identified.

Conclusions

14. For the reasons given above, I conclude that the appeal should be dismissed.

R Jones

INSPECTOR