



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/22/3308858

23 High Street, Southgate, Enfield N14 6LA

- 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. Anita Woolf against the decision of Enfield Council.
 - The application Ref 22/01855/HOU, dated 25 May 2022, was refused by notice dated 29 July 2022.
 - The development proposed is construction of hardstanding in connection with vehicular access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application was not made retrospectively, but I observed on site that the block paving and a drainage channel has been constructed to the frontage of the appeal property. Accordingly, I have determined the appeal of this basis.

Main Issue

3. The main issue in this case is the effect of the proposal on highway safety and the character and appearance of the host dwelling and Southgate Green Conservation Area.

Reasons

Highway safety

4. No.23 High Street (No.23) is a two-storey cottage forming part of a short terrace of four C19th dwellings located on the west side of High Street. Across the frontage of No.23 block paving has been constructed with a channel drain at the back edge of the pavement. This would enable one off-street car parking space to be accommodated, accessed via a dropped kerb to High Street.
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. There is no dispute between the parties that High Street is a classified 'A' road (A1004). 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.
6. I observed on my site visit (weekday, mid-morning) that High Street is a busy road, with largely free flowing traffic. There are double yellow lines from the junction of Ellington Court and High Street across the frontage of No.25 High Street, but to the front and south of No.23 are on-street parking bays. Rather than allowing off-street parking in such circumstances (as suggested by the appellant), DMD Policy DMD 46 sets out criteria (a to h) against which vehicle crossovers and dropped kerbs for off-street parking will be assessed.
 7. The appellant's evidence is that the proposals would allow vehicles to turn adequately and enter and exit the site in forward gear. I have not been provided with any information in respect of turning circles, but given the relatively narrow width of the frontage of No.23 and length of a typical vehicle, it would not conceivably be possible to enter and exit the hardstanding in forward gear. This means that vehicles would need to reverse onto or from High Street to access the parking space (criterion f). The supporting paragraph to the DMD Policy DMD 46 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 width of the road.
 8. I saw on site that because of the slight bend in the road and on-street parking, the visibility from the proposed vehicle access looking southbound is particularly poor. Further, the road at this point is relatively narrow and the need to reverse from or onto High Street would have an adverse impact on the flow of traffic; vehicles already on the carriageway would need to stop and wait to allow a reversing manoeuvre. There would also be potential for conflict with vehicle movements associated with the access to Shakespeare House directly opposite which serves a reasonable number of parking spaces.
 9. I recognise that 'Manual for Streets' (Department for Transport and DCLG, 2007) encourages some flexibility in street design, but this should not be at the expense of high safety. I am not persuaded, nor do I have any evidence before me, that the proposal, by removing a vehicle from parking on-street, would help improve highway safety. To the contrary, for the reasons above, I find it would be very difficult to safely reverse from or onto the highway in this particular location on High Street and this would not be outweighed by the convenience of distance to the dwelling for any user. Notwithstanding the limited movements associated with a single parking space, on the first main issue, I conclude that the proposal would have an impact on road safety, therein conflicting with DMD Policy DMD 46 (d and f).
 10. In addition to the conflict with DMD Policy DMD 46, the proposal would conflict with the aims of the National Planning Policy Framework (the Framework), Policy T4 of the London Plan (2021) (LP) and Policies CP24 and CP30 of the Enfield Plan Core Strategy 2010-2015 (2010) (CS) which require development to create safe places.

Character and appearance

11. No.23 High Street (No.23) is located in the Southgate Green Conservation Area, which has an Article 4 Direction in place which has removed Class F permitted development rights associated with the provision of hard surfaces within the curtilage of a dwellinghouse. No.23 and its wider terrace is identified in the *Southgate Green Conservation Area Character Appraisal (February 2015)* (CACA) as making a positive contribution to its character and appearance.
12. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) gives a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the CA. Paragraph 199 of the Framework further advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation.
13. The CACA identifies that the significance of the CA is, in part, its distinctive and pleasant 'village-centre' like atmosphere derived from the plan form and layout centred on The Green, but also the attractive mix of residential and commercial frontages on a consistent building line. Picket fences and front gardens are identified as positively contributing to the CA and many individual buildings remain close to their original appearance, which includes the terrace at No.19 to 25 High Street.
14. The low picket fence between No.23 and its adjoining neighbours has been retained, but the original picket gate and front garden has been replaced with grey block paving, with a channel drain running the width of the frontage. This has resulted in a hard, urban appearance to the frontage of the host dwelling, to the detriment of the original character of the C19th cottage, its neighbours at Nos. 19 and 21 High Street, and the wider CA.
15. I note that the end terrace at No.25 High Street has a fully paved forecourt and dropped kerb. However, the Council's evidence is that this has occurred without planning permission and I have no evidence to dispute this. In any event, the existence of change that has caused harm to character and appearance should not justify another. Finally, I accept that the harm would be part mitigated by the installation of picket style gates, but planting along the front of the house (as suggested by the appellant) would not be sufficient to mitigate the loss of the front garden, and therein harm I have identified. Nor, do I consider there to be sufficient space available for this to be realistically achievable.
16. I therefore find that the construction of the hardstanding would cause less than substantial harm to the CA, a designated heritage asset. Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal. I do not find, however, the removal of a single on-street parking bay to be a public benefit that would outweigh the harm to the character and appearance resulting from the loss of the front garden. No other public benefits have been advanced by the appellant.
17. On the second main issue, I conclude that the proposal would cause harm to the character and appearance of the host dwelling and the Southgate Green Conservation Area. It would therefore conflict with LP Policy HC1, DMD Policies DMD 37 and DMD 44, CS Policies 30 and 31 and the Framework, which together require development to be of high quality design, appropriate to its context and locally distinctive or historic patterns of development, and

proactively preserve or enhance heritage assets. It would further conflict with DMD Policy 46 criterion (a), which requires vehicle crossovers and dropped kerbs to have no negative impact on the existing character of an area as a result of the loss of a front garden.

Other Matters

18. I have taken into consideration the personal circumstances of the appellant submitted in support of the proposals. I acknowledge there would be a personal benefit to the appellant in being able to always park closer to their home. However the current circumstances of the appellant would not change should the appeal be dismissed and the benefits to the appellant would not outweigh the harm to wider highway safety (to all users) and the character and appearance of the CA that I have identified above, and to which I afford significant weight.

Conclusions

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

R Jones

INSPECTOR