The Planning Inspectorate

Appeal Decision

Site visit made on 14 February 2023

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st March 2023

Appeal Ref: APP/Q5300/D/22/3292536
402 Bury Street West, Edmonton N9 9JU

- 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 Guy Miller against the decision of the Council of the London Borough of Enfield.
- The application Ref 21/04492/HOU, dated 1 December 2021, was refused by notice dated 2 February 2022.
- The development proposed is described as '2.4m crossover to allow off-street parking on front driveway. Required to allow the use of a fully electric vehicle.'

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description given on the original application form.

Main Issue

3. The main issue is the effect of the proposed development on highway safety.

Reasons

4. The area is predominantly residential in character, containing terraced, semi-detached and detached dwellings. Properties have a mix of front garden treatments, with a variety of landscaped and paved frontages. The appeal property is a semi-detached dwelling, which is set back from the highway behind a paved frontage. Vehicular access is available to the rear of the site via a private track.

5. Bury Street West is a busy classified road, with a 30mph speed limit. The road is relatively straight in the vicinity of the appeal property and on-street parking to the front of the property is unrestricted.

6. There is not enough information before me to confirm whether vehicles would be able to manoeuvre within the site and exit in a forward gear. In any event, should 2 cars be parked side by side then this would prevent vehicles from turning on site and vehicles would have to reverse onto the highway. Even taking into consideration the relatively straight road, visibility for vehicles reversing out of the appeal site would be obscured by on-street parking.

7. Although vehicles could reverse into the site, this cannot be guaranteed. It would also require manoeuvring within the road, which would interrupt the free

flow of traffic. Given the busy road conditions this would increase the risk of accidents. Regardless of whether vehicles exit the site in a forward or reverse gear and having regard to speed restrictions, visibility would be obstructed by vehicles parked on the highway, which would lead to conditions which would be prejudicial to highway safety.

8. Whilst the width of the site and lack of front boundary treatment, means that vehicles exiting the site would have a clear view of the pavement. Vehicles entering the site from the highway, whether in reverse or forward gear, would have visibility of the pavement and pedestrians obscured by on-street parking. Consequently, the proposed development would cause an additional hazard to pedestrians.

9. Although parallel parking on the roadside may disrupt traffic flows, this is a very different manoeuvre and would not require vehicles to traverse the pavement. Parallel parked vehicles would also have greater visibility of traffic on the highway. I do not consider that the proposal would lessen the intensity of vehicular movements compared with on-street parking or reduce interruptions to the highway network.

10. I agree with both parties that there would be no conflict with parts a, b and h of Policy DMD 46 of Improving Enfield Development Management Document 2014 (DMD). In respect to part g, there is limited evidence before me to demonstrate why the rear access could not facilitate electric vehicle charging and provide a safer alternative. However, the submission of such evidence would not alter my decision. It is acknowledged that the proposal would enable the appellant to conveniently charge an electric vehicle on their driveway. Such technology is supported by local and national planning policies. Nevertheless, I do not consider that this benefit outweighs the harm that I have identified.

11. Although the proposal would result in the loss of an existing on-street parking space, this would be replaced by parking to the front of the dwelling, which would mitigate this loss.

12. Limited information has been submitted on the extent that the road is used by bus services. Regardless of whether the road is a bus route or not, my findings regarding highway safety still stand.

13. Whilst I noted on my site visit that there are properties near the appeal site that have off-road parking to the front, there is limited information before me on the status of these driveways. However, some of these properties have wider plots, where there is more room to manoeuvre on site. The continuous presence of vehicular crossovers also restricts on-street parking and visibility is therefore better in these examples. Nevertheless, the presence of existing driveways does not justify the harm that I have identified to highway safety.

14. Overall, I conclude that the proposed development would be harmful to highway and pedestrian safety. The proposal would be contrary to Core Policies 24 and 30 of The Enfield Plan Core Strategy 2010-2025 adopted in 2010 and Policy DMD 46 of the DMD, which requires that developments do not have an adverse impact on road safety. Furthermore, it would be contrary to the Council's Revised Technical Standards for Footway Crossovers (excluding Heavy Duty Crossovers) dated 2013, which seeks to minimise any adverse impact on road safety and congestion.

15. In addition, the proposed development would fail to comply with the National Planning Policy Framework 2021, which seeks to resist development where there would be an unacceptable impact on highway safety.

Other Matters

16. I note the letter of support from a third party. However, there is no evidence of a notable concern regarding passing on the road at present. In any event, the removal of one on-street parking space would have limited impact in an area where on-street parking is prevalent.

Conclusion

17. For the reasons given above, having regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

A James

INSPECTOR