



Appeal Decision

Site visit made on 9 January 2024

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH February 2024

Appeal Ref: APP/Q5300/W/23/3323524

112 Hedge Lane, Enfield, Southgate N13 5ST

- 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 Constantin Stamatiou against the decision of the Council of the London Borough of Enfield.
 - The application Ref: 22/04092/HOU, dated 7 December 2022, was refused by notice dated 13 March 2023.
 - The development proposed is a dropped kerb vehicle crossover for 2 vehicles. All surface water will be directed to a drainage channel which discharges to a soak-away area such as a flower border, lawn or purpose-built soak-away within the property boundaries.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the free flow of traffic and highway safety.

Reasons

3. No.112 Hedge Lane is a two storey end of terrace dwelling located next to a shared pathway and in a residential area. It is part of a row of 8 dwellings which have in the main, pleasant front gardens with lawns and shrubs. None of these dwellings have vehicular access via a crossover from Hedge Lane. Hedge Lane is a classified principal road.
4. The front garden of the appeal building is separated from Hedge Lane by a footway and grass verge, which includes a small street tree. On-street parking is available in front of the appeal site and there is access to garaging at the rear of the row of dwellings. There is a pedestrian crossing for Hedge Lane near 106 Hedge Lane which provides access to Hazelwood Recreation Ground.
5. The criteria for new vehicular crossings to provide access to parking space are set out in the Council's Revised Technical Standards for Footway Crossovers. The proposed development conflicts with the requirements of these standards. Creating the new access would result in the loss of a street tree, however that is an immature specimen which could be replaced nearby. More importantly, there would be no manoeuvring space for vehicles using the new parking spaces in the front garden of 112. This means that drivers would either have to

reverse in or out of the spaces, and thereby likely to create a hazard on Hedge Lane for passing vehicles, including buses and cyclists. The proposal would be detrimental to the free flow of traffic on Hedge Lane because of the resultant vehicle turning movements and would potentially result in a danger to pedestrians using the footway as vehicles reversed in or out of the parking spaces. The proposed crossover would also exceed the maximum width of 4.8 metres stated in the Council's standards.

6. I note that, although the proposal is for a single new crossover, it would be contrary to Transport for London's general policy of resisting all but the most exceptional access proposals affecting classified roads, such as Hedge Lane. That is to prevent danger on the highway network, including through the potential cumulative adverse impact of many additional crossings. No evidence has been submitted to demonstrate that any exceptional circumstances exist for the crossing and there appears to be the opportunity for vehicular access to the rear of the property.
7. I find that the proposed vehicular crossing and its use by vehicles would have a significant adverse effect of on the free flow of traffic and highway safety. It would therefore fail to comply with policy DMD46 of the Enfield Development Management Document which indicates that permission for a new access onto 'A' and other classified roads will not normally be permitted. It would conflict with Enfield Core Strategy policies CP24, CP25 and CP30 and objectives in the National Planning Policy Framework regarding the need for safety of the road network, including for cyclists and pedestrians.

Conclusion

8. I have taken all other matters raised into account. However, for the reasons given above, I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR