



Appeal Decision

Site visit made on 1 February 2024

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 April 2024

Appeal Ref: APP/Q5300/W/23/3324059

37 Hydethorpe Avenue, Enfield, Edmonton N9 9RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Yusuf Kartal against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 23/00480/FUL.
 - The development proposed is described as the “change of use of the dwelling to a house of multiple occupancy (Sui Generis), loft conversion and addition of a rear dormer.”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of this application, a revised National Planning Policy Framework (the Framework) was published on 19 December 2023 and updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the Framework, and I am satisfied that no party's interests would be prejudiced by my taking this approach.
3. The description of development in the banner heading above has been taken from the planning application form, which differs from that on the Council's decision notice and the appellant's appeal form. Part E of the appellant's appeal form states that the description of development has not changed. Neither of the main parties have provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original planning application form.

Main Issues

4. The main issues are:
 - the effect of the proposed development on highway safety, having regard to on-street parking provision in the area, and
 - whether the proposed development makes adequate provision for cycle storage.

Reasons

Highway Safety

5. The appeal site, 37 Hydethorpe Avenue, is located in a predominately residential area, close to a school. Not all properties within the locality have

access to off-street parking provision. There are some parking restrictions in the surrounding area, including to the front of the appeal site. During my site visit, I observed on-street parking along Hydethorpe Avenue and surrounding streets. The site lies in an area with a Public Transport Accessibility Level (PTAL) rating of 1b and is not located within a Controlled Parking Zone.

6. The proposed development seeks to change the use of No 37 to create a house of multiple occupancy (HMO) for up to 7 people. No 37 benefits from 2 off-street parking spaces, which are to be retained. The appeal scheme does not propose any additional off-street parking provision. The appellant contends that two off-street parking spaces, in addition to cycle parking, are sufficient to meet the maximum parking standards, as stipulated in Policy T6.1 of the London Plan March 2021 (LP).
7. The use of PTAL ratings is the established approach to assessing accessibility, as set out in the LP and Policy DMD 45 of the Enfield Development Management Document Adopted November 2014 (DMD). While the appeal site is close to Edmonton Green Tube and Railway station, several bus stops providing regular services and Edmonton Green Shopping Centre, it nevertheless lies within PTAL 1b. As such, this indicates that the appeal site has relatively poor access to public transport.
8. The location of the site within PTAL 1b would suggest that future occupiers are more likely than not to own their own car to gain access to local services and for commuting. Moreover, there is nothing before me which could control future occupiers from owning a vehicle. While private car ownership may be generally low among HMO residents, there is limited substantive evidence before me to demonstrate this.
9. Consequently, having regard to the number of future occupiers to be accommodated by the proposal, the appeal scheme is likely to generate parking demand in excess of the maximum standards. Future occupiers are therefore likely to park their vehicles on the street.
10. While it is alleged there is sufficient capacity to accommodate any on-street parking generated by the appeal scheme, very limited substantive evidence to demonstrate this has been submitted. The Council have also provided limited evidence in respect of this matter.
11. While I observed sections of unrestricted highway in the area and some on-street parking availability, my visit was only a snapshot in time, during a quieter part of the day. The lack of off-street parking for some residential properties and proximity of the school are likely to contribute towards the demand for on-street parking in the area. Further evening demand would be likely to come from residents returning from work. Interested party comments also raise issues in respect of existing on-street parking pressure within the vicinity of the appeal site.
12. Limited substantive evidence has been submitted to demonstrate that there is sufficient capacity to safely accommodate the additional demand for on-street parking that would result from the appeal scheme. In the absence of such evidence and having regard to the existing demand for on-street parking, the proposed development is likely to increase on-street parking in the vicinity of the appeal site.

13. For the reasons given, I conclude that the proposed development would have a harmful effect on highway safety, having regard to on-street parking provision in the area. This is contrary to Policies T2, T4, T6 and T6.1 of the LP, Core Policies 24 and 25 of the Enfield Plan Core Strategy 2010-2025 Adopted November 2010 (CS) and Policies DMD 45 and DMD 48 of the DMD.
14. Collectively, these seek, among other things, that development proposals reduce the dominance of vehicles on London's streets, mitigate against cumulative impacts of development on the road network capacity, do not have a detrimental impact on highway safety and are considered against the parking standards in the London Plan, the public transport accessibility of the site and existing parking pressures in the locality. It would also conflict with the Framework which, among other things, states development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.

Cycle Storage

15. The Council state that a minimum of 7 long-stay cycle parking spaces are required in connection with the appeal scheme. The appellant does not dispute this. While no details of adequate cycle parking or storage are indicated on the submitted plans, the appellant has provided storage details within their appeal statement. The appellant also confirms that cycle storage could be provided to the front or rear of the property.
16. In the absence of substantive evidence to the contrary, it is not clear whether there is sufficient space to the frontage of No 37 to provide the proposed cycle storage in addition to the two off-street parking spaces. However, there is sufficient space within the rear garden of No 37 to provide adequate cycle storage for the number of long-stay cycle parking spaces required.
17. While this arrangement would require cycles to be transported internally through No 37, this would not be overly onerous for future occupiers. Access through the property is relatively level and, based on the plans submitted, would be through communal areas. The details of the cycle storage, including its location, could therefore be secured by condition.
18. I therefore conclude that the proposed development would make adequate provision for cycle storage. This accords with Policies T2 and T5 of the LP, Core Policies 24 and 25 of the CS and Policies DMD 45 and DMD 47 of the DMD. Collectively, these seek, among other things, to ensure development proposals increase cycling use, secure appropriate levels of cycle parking and provide secure parking in safe, convenient and accessible locations. It would also accord with the Framework which seeks, among other things, to ensure that appropriate opportunities to promote sustainable transport modes can be taken up.
19. The Council have referred to Policy DMD48 of the DMD within their reason for refusal. This policy relates to the assessment of the transport implications of new development. As this policy does not refer to cycle storage it is not relevant to the main issue.

Other Matters

20. The appeal scheme would help towards boosting the supply of homes and adding to the mix of dwelling types in the area. However, given the scale of the

proposed development, even cumulatively, these benefits attract limited weight.

21. I have had regard to the other elements of the proposed development, to which the Council raised no issues. Having regards to the amount of development proposed, the relationship with neighbouring properties and the design, I see no reason to disagree.

Conclusion

22. For the above reasons, I conclude that while the proposed development would make adequate provision for cycle storage, the harm I have identified in respect of highway safety, having regard to on-street parking provision in the area, is determinative. Therefore, the appeal proposal would conflict with the development plan as a whole. There are no material considerations, including the Framework, that indicate I should conclude other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

S Pearce

INSPECTOR