



Appeal Decision

Site visit made on 29 June 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th July 2024

Appeal Ref: APP/Q5300/D/24/3339342

45 Avenue Road, London N14 4DA

- 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 Mrs Carla Segel against the decision of the London Borough of Enfield Council.
 - The application Ref is 23/03717/HOU.
 - The development proposed is a vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for a vehicular access at 45 Avenue Road, London N14 4DA in accordance with the terms of the application, Ref 23/03717/HOU, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 23.45AR.PO1, 23.45AR.PO2 and 23.45AR.PO3.

Main Issue

2. This is the effect of the appeal proposal on highway safety.

Reasons

3. It is proposed to construct a new vehicle crossing from the already paved frontage of the appeal property (No 45) onto Avenue Road, a busy Classified Road with no parking restrictions. In summary, the relevant Council policies seek to resist any new accesses onto Classified Roads to prevent danger on the highway network, including through the cumulative adverse impact of many additional crossings.
4. There is intermittent on-street parking along both sides of Avenue Road. Nonetheless, the road is wide and adequate road width remains to enable large vehicles to travel along it unhindered. A number of properties along the length of Avenue Road, including many close to No 45, have vehicle crossings. Some have inadequate space on the frontage for turning to enable vehicles to access and egress in forward gear. There is no evidence to indicate that they have an adverse impact on highway safety, either individually or cumulatively, due to the road width and the presence of other vehicles parked at the roadside. Furthermore, in this situation, passing motorists would be aware of the

- potential for vehicles to carry out parking and leaving movements from both off-street and on-street locations.
5. Within this context, the site-specific considerations of the appeal proposal lead me to conclude that the proposed vehicular crossing would not unacceptably intensify vehicle movements onto the Classified Road or otherwise lead to adverse effects on highway safety, including effects on pedestrians and cyclists.
 6. The Council states that No 45 has access to existing off-street parking at the rear of the property and therefore conflicts with criterion g of Development Management Document (DMD) Policy 46 which precludes alternative vehicular crossings onto Classified Roads. However, as I observed at the site visit, this shared rear access is somewhat overgrown and its narrow width does not easily allow for vehicle manoeuvring. It has been convincingly demonstrated that this area does not easily provide a usable parking area with an appropriate access thereto for No 45.
 7. I conclude that the appeal proposal would not conflict with the highway safety objectives of Core Strategy Policies CP24 and CP25; DMD Policies DMD 45 and DMD 46, including its *Justification and guidance on implementation*; the aims of the Council's Technical Footway Guidance 2013 and the highway safety aims of the National Planning Policy Framework. In my view these policies and guidance are the most relevant to this appeal.
 8. For the reasons set out above and having regard to all other matters raised, the appeal is allowed. I have included a condition identifying the approved drawings for the avoidance of doubt and in the interests of proper planning.

Elaine Benson

INSPECTOR