



Appeal Decision

Site visit made on 13 January 2025

by J D Westbrook BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th January 2025

Appeal Ref: APP/Q5300/D/24/3355749

18 Halstead Gardens, London, N21 3DX

- 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 Ms Ellie Uzun against the decision of Enfield Council.
 - The application Ref is 24/01669/HOU.
 - The development proposed is the construction of a front boundary wall with sliding gate, construction of additional vehicular access and widening of existing dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a front boundary wall with sliding gate, construction of additional vehicular access and widening of existing dropped kerb at 18 Halstead Gardens, London, N21 3DX, in accordance with the terms of the application, Ref 24/01669/HOU, and the plans submitted with it, 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: AP101.

Procedural Matter

2. Much of the proposed development, including the boundary wall and widened vehicular access, has already been carried out such that the application is of a largely retrospective nature.

Main Issue

3. The main issue in this case is the effect of the proposed development on highway safety along Halstead Gardens.

Reasons

4. No 18 is a semi-detached house on the northern side of Halstead Gardens. It has a two-storey side extension that includes a garage. The front garden is largely paved to create a parking area for two cars. There are three 1 metre high brick pillars along the front boundary which demarcate a pedestrian access to the front door and the opening to the parking area. There are 0.7 metre high brick walls along the two side boundaries at the front of the property. Along the front entrance to the parking area is a drainage channel and metal runners which appear to be a base for sliding gates.

5. Halstead Gardens is a quiet residential road. Most of the dwellings have off-road parking to the front of the property and there are no parking restrictions along the road. The prevailing character of the property frontages is one of modest front gardens with low walls, or of open parking areas. At the time of my visit, the appeal property appeared as characteristic within its surroundings. Most properties have single crossovers for access to front parking areas though some, including No 18, share a double crossover with adjacent dwellings. The proposal would involve extending the width of the dropped-kerb crossover in front of No 18 to serve the whole of the parking area, and installing 0.5 metre high sliding gates across the frontage.
6. Policy DMD47 of the Council's Development Management Document (DMD) indicates that new development will only be permitted if the access which serves the development is appropriately sited and is of an appropriate scale and configuration and there is no adverse impact on highway safety and the free flow of traffic.
7. The Council's Revised Technical Standards for Footway Crossovers (RTS) has, as its primary considerations, the need to ensure, so far as practicable, safe access to and egress from premises and the need to facilitate, so far as practicable, the passage of vehicular traffic in highways. It lays down a number of requirements for vehicular crossovers. With regard to footway visibility, the proposed development would meet the requirements relating to wall heights and consequent sight lines and, in any case, pedestrian footfall would appear to be very low. Similarly, Halstead Gardens is a quiet residential road with generally low traffic flows. The appeal property is sited close to a right angle bend in the road meaning that vehicle speeds are also likely to be very low. On this basis, I do not consider that the proposed development, in itself, would be harmful to highway safety along the road.
8. The Council notes that the proposed crossover would be wider than the maximum stated in the RTS and that it would result in the loss of an on-street parking space. However, it would result in additional off-street parking with the potential also for short-term visitors' parking on the road to the front of the property. In any case, I have no details or evidence to indicate that there are actual on-street parking pressures along the road, and there did not appear to be any such pressures at the time of my visit.

Conclusion

9. In conclusion, I find that the proposal would not be harmful to highway safety along Halstead Gardens, and that it would not conflict with Policy DMD47 of the DMD or with the primary considerations of the RTS. I allow this appeal.

Conditions

10. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.

J D Westbrook

INSPECTOR