



Appeal Decision

Site visit made on 13 August 2025 by Sara Manson DipTP

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/Q5300/D/25/3367187

33 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 Ms Eva Evagora against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/00708/FUL.
 - The development proposed is the installation of a dropped kerb.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. The appeal property is a mid-terraced dwelling located on a classified road where traffic flow is regular. It is near to the junctions with Cricketers Close and Farmleigh. The area is characterised by a variety of house types, all set back from the highway behind a mature, tree-lined verge and pavement. A number of properties, including the appeal site, have replaced front gardens with hardstanding to facilitate off-road parking. Some have dropped kerbs, others are unmodified.
5. The proposal would introduce a vehicle crossover at the front of the property to allow for the paved area to be used as a parking space. During a lunchtime site visit, I observed vehicles passing the site constantly, which likely intensifies during peak hours, and parked cars close to the appeal site. Buses also operate along Avenue Road.
6. No supporting evidence (e.g. a swept path diagram) has been provided to suggest that a vehicle can enter and exit the appeal site in a forward gear. In practice therefore, multiple manoeuvres would be required, increasing the risk of conflict with other vehicles or pedestrians through the limited visibility associated therewith. With the added impedance to the free flow of traffic when a vehicle stops in the carriageway to reverse in. This would be exacerbated by the constantly active nature of the highway.

7. Visibility out of the appeal site is further compromised by mature trees lining the pavement and numerous parked cars. Although the road is wide, this does not eliminate the risk of conflict during vehicle movements. No detailed data on recorded accidents on Avenue Road has been provided. Even if it is accurate to suggest there has not been any historically, this does not address concerns about potential hazards due to limited visibility when reversing onto or off a busy highway. The absence of past incidents does not guarantee future safety.
8. Aside from No. 45 Avenue Road, other examples of dropped kerbs with associated parking are either historic or lack express planning permission. I am also mindful of both previous appeal decisions¹ for similar proposals at this appeal site being dismissed due to highway safety concerns and being consequently contrary to the current development plan.
9. Even if I were to agree with the Inspector's conclusions in 3339342, reversing onto Avenue Road poses unacceptable safety risks for the reasons I have set out. Furthermore, the current proposal differs in that the site is closer to and almost opposite the junction with Farmleigh, exacerbating potential hazards. Its proximity to both junctions increases the likelihood of vehicular and pedestrian conflict and further compromises highway safety.
10. Accordingly, the proposal would be contrary to Policy DMD46 of The Enfield Development Management Document (2014), Policy CP30 of The Enfield Plan Core Strategy (2010) (CS) and guidance contained in the National Planning Policy Framework, which require, amongst other things, new development to have regard for highway safety. I have not referred to Policy CP24 of the CS as this is more strategic in nature and less applicable to site-specific safety assessments.

Other Matters

11. The Public Sector Equality Duty under section 149 of the Equality Act 2010, with particular regard to eliminating discrimination, advances equality of opportunity, and fosters good relations for individuals with protected characteristics, including age and disability.
12. The appellant reports mobility issues and notes difficulty accessing on-street parking during busy periods. It has not however been demonstrated that the appeal scheme is the only viable solution. No compelling evidence has been provided to show that alternative options for securing a parking space for the blue badge holder have been explored. Whilst I therefore give considerable weight to the appellant's needs and subsequent consideration under the above duty and act, dismissal of the appeal in the public interest, highway safety in this case, is a proportionate response given these other considerations.
13. The appellant raises concerns about factual inaccuracies in the site's planning history on the Council's website, suggesting this undermines confidence in the decision-making process. However, I have based my decision on the submitted information, including the Council's delegated report, which to my knowledge accurately reflects the appeal site's planning history and more importantly gives a sufficiently thorough explanation of the reasons they refused planning permission.

¹ APP/Q5300/D/14/2228128 and APP/Q5300/D/15/3140671

Conclusion and Recommendation

14. For the reasons given above, the appeal proposals would conflict with the development plan and material considerations do not indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

Sara Manson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR