

## Appeal Decision

Site visit made on 19<sup>th</sup> December 2016

**by Alison Roland BSc DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 9 January 2017**

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**Appeal Ref: APP/U5930/D/16/3161814**

**786 Lea Bridge Road, Walthamstow, London, E17 9DN.**

- 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 Miss Nasreen Abraham against the decision of the Council of the London Borough of Waltham Forest.
  - The application Ref:161754, dated 16 May 2016, was refused by notice dated 1 August 2016.
  - The development proposed is vehicle crossover.
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### Procedural Matters

1. The application gives the site address as 786 Lea Bridge Road, but the accompanying plans depict a double width cross over also facilitating vehicular access to the adjoining property No 784 Lea Bridge Road. I understand an appeal for a mirrored proposal at the latter property was turned away as submitted out of time. Nonetheless, the appeal stands as a proposal in its own right and I shall determine it on this basis.
2. The ordnance survey plan submitted with the appeal appears to depict the appeal property as No 784 Lea Bridge Road (the house numbers thereon are only partially legible). However, it is clear from all the remaining documentation that the correct appeal address is No 786 Lea Bridge Road and I shall determine the appeal on this basis.

### Decision

3. The appeal is allowed and planning permission is granted for vehicle crossover at 786 Lea Bridge Road, Walthamstow, London, E17 9DN, in accordance with the terms of the application Ref:161754, dated 16 May 2016, subject to the following conditions:
    - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
    - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Plan for 786 Lea Bridge Road & 784 Lea Bridge Road (A4); Proposed Plans for 786 Lea Bridge Road & 784 Lea Bridge Road (A4).
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## **Main Issue**

4. The main issue in this appeal is the implications of the proposal for a proposed highway scheme in the vicinity, including new crossing facilities for cyclists.

## **Reasons**

5. The Council maintain that the proposal would conflict with the "Mini Holland Scheme"; a highway scheme whereby segregated cycle lanes are proposed along Lea Bridge Road, with improved facilities for pedestrians and cyclists.
6. The appellant has supplied an extract from a plan entitled "*Scheme Proposals: Leyton Green Road to Whipps Cross Roundabout (Section G)*" and in the absence of any further information, I assume this relates to the aforementioned scheme. This depicts an improved pedestrian and cycle crossing in the location fronting the appeal site. The provision of the proposed double width crossing would potentially interfere with this.
7. However, no details of this scheme have been forwarded by the Council. It is therefore impossible for me to ascertain with any level of precision, to what extent the proposal would conflict therewith. I also have no indication of the proposed timetable for this scheme or details of its inception, including the extent of any public consultation and how it relates to any strategic or overarching objectives for the area. This being the case, I attach only limited weight to the scheme as a material consideration.
8. There is no evidence to suggest that the proposed vehicle crossing would prejudice road safety in any way. Indeed, insofar as the crossing would facilitate easier vehicular access to the existing hard standings in front of Nos 786 and 784, the use of which at present would necessitate vehicles negotiating the raised kerb and any vehicles in the parking bays adjacent, it appears to me that there would be positive benefits in this regard.
9. For these reasons, whilst the proposal would on the available evidence conflict with the proposed highway scheme, I afford little weight thereto and the benefit the proposal would bring about by affording better access to the existing hard standings adds weight in favour of the appeal. I therefore find no conflict with Policy CS7 of the Waltham Forest Local Plan Core Strategy (March 2012), or Policies DM14 and DM15 of the Waltham Forest Development Management Policies Local Plan (October 2013), which seek to promote efficient use of the highway network through amongst other things, transport infrastructure improvements and prioritising sustainable transport modes.
10. The Council suggest a condition requiring development in accordance with the submitted plans and this is necessary for the avoidance of doubt. The plans are not particularly accurate, but as the formation of the dropped kerb would be subject to the requirements of the relevant highway authority, this does not cause me concern.

*ALISON ROLAND*

INSPECTOR