

Appeal Decision

Site visit made on 7 April 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 02 May 2017

Appeal Ref: APP/W5780/D/17/3168338

309 The Drive, Ilford, Essex IG1 3PW

- 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 Mrs Tehmeena Lala against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 4594/16, dated 19 September 2016, was refused by notice dated 29 November 2016.
 - The development proposed is a dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb at 309 The Drive, Ilford, Essex IG1 3PW in accordance with the terms of the application Ref 4594/16, dated 19 September 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: The drawing entitled 'Your Sketch', which includes the dimensions of the new vehicle crossover, and the Location Plan that shows the site edged red.

Main issue

2. The main issue is the effect of the proposed development on parking and highway safety for users of The Drive.

Reasons

3. The appeal property is a mid terrace dwelling that faces The Drive, which is a busy road with on-street parking along parts of the highway. Like the attached property to one side of the site, which is 307 The Drive, the appeal dwelling has an existing dropped kerb that extends across part of its highway frontage. For both Nos 307 and 309, the vehicle crossover provides access to off-street parking within the forecourt of the dwelling. Between these vehicle crossovers the kerb is raised, along which there is sufficient space for a small to medium sized vehicle to park parallel to the road.
 4. The proposal is to elongate the existing dropped kerb in front of the site so that it connects with that of No 307, thus providing a single vehicle crossover that
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extends across almost the entire highway frontage of both properties. As a result, an on-street parking space would be lost on a highway that I saw was well used for this purpose. While the Council expresses 'major concern' about the resultant reduction in available on-street parking, few details have been provided to show precisely how the reduced capacity for parking in this area would cause or exacerbate local parking problems or exactly what the likely consequences for highway safety might be in this particular case.

5. For motorists currently exiting the site or No 307, a parked vehicle on the raised kerb in front of No 309 would partly obstruct views of oncoming users of The Drive. It may also partly block views of approaching footway users for drivers entering the forecourt of Nos 307 or 309 from the adjacent highway. By removing the opportunity for on-street parking in front of the site, the proposal would remove that obstruction, thus improving visibility for drivers using the extended vehicle crossover. Similarly, the absence of a parked vehicle in front of Nos 307 and 309 would enhance views of a vehicle emerging from the site for other highway users. By improving visibility in these ways, the proposal would represent a significant benefit to highway safety particularly as a driver turning into or out of the site would do so involving busy road, possibly in reverse.
6. Vehicles entering or leaving the site using the extended dropped kerb might obstruct people using the adjacent footway. However, that prospect would be little different to the current arrangements. Taken together with the relative infrequency and short duration of such manoeuvres and the low speeds involved, pedestrian safety would not be unduly compromised.
7. The Council raises concern that the proposal, if permitted, could set an precedent for similar schemes that in turn would result in long sections of crossover and smaller areas of footway on which pedestrians could wait safely. It may also further reduce on-street parking capacity. However, each proposal should be assessed on its own merits and in my opinion this concern does not in itself justify withholding planning permission.
8. The Highway Authority also states that it will not support crossovers widths in excess of that required for the purpose of accessing the parking space to which it relates. While I understand the general proposition that long crossovers might increase the potential for greater vehicle and pedestrian conflict no harm would result in this case. Highway safety may well be improved as a result, which is to be welcomed.
9. On the main issue, I therefore conclude that the proposal would not harm parking or highway safety for users of The Drive. Accordingly, it does not conflict with Policies BD1 and T5 of the Council's Borough Wide Primary Policies Development Plan Document insofar as they require that development create safe and secure environments and broadly aim to protect highway safety.
10. The Highways Officer additionally states that the proposal would be detrimental to the amenity of local residents although it is unclear exactly what harm the Council considers would be caused or to whom. If a parking space on the highway were to be removed, it may disadvantage some local residents who park on the road. However, I have seen no compelling evidence to show that the proposal would aggravate any difficulties of local parking or significantly

inconvenience others to the extent that living conditions would be materially reduced. Insofar as the appellant is concerned, the appeal scheme would remove the potential for nuisance that can arise from drivers parking inconsiderately along the raised kerb with the vehicle partly overhanging and thus blocking access to the forecourt. While there are other ways to address this problem through for example traffic enforcement, a consequence of the proposal would be to also improve living conditions for the appellant.

Conclusion and conditions

11. For the reasons given above, I conclude that the appeal should be allowed subject to conditions. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings and to require that the development be carried out in accordance with them as this provides certainty. Given the nature of the proposal, it is not necessary to also require that the external materials match those of the existing building. Therefore, a condition to this effect, as suggested by the Council, has not been imposed.

Gary Deane

INSPECTOR