
Appeal Decision

Site visit made on 19 June 2017

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

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

Decision date: 5 July 2017

Appeal Ref: APP/W5780/D/17/3173461

241 St Barnabas Road, Woodford Green, Essex IG8 7DL

- 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 Mr Michael Sterry against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 5071/16, dated 13 November 2016, was refused by notice dated 10 January 2017.
 - The development proposed is the lowering of kerb for access to new parking area to the front of 241 St Barnabas Road.
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Decision

1. The appeal is allowed and planning permission is granted for the lowering of kerb for access to new parking area to the front at 241 St Barnabas Road, Woodford Green, Essex IG8 7DL in accordance with the terms of the application, Ref 5071/16, dated 13 November 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 approved drawing Plan 001.
 - 3) Notwithstanding condition No 2), no development shall take place until scale drawings of the proposed cross over and associated works have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the proposed vehicular access is brought into use.

Preliminary Matter

2. The Council consider that the drawings which accompanied the application do not provide enough information to assess the scheme accurately. The appellant's plan takes the form of a dimensioned sketch. Nevertheless, given the relatively straightforward nature of the proposed development I have found that there is sufficient detail to enable the effects of the proposal to be adequately evaluated and have determined the appeal on that basis.

Main Issues

3. The main issues raised by this appeal are the effects the proposed development would have on highway safety and the living conditions of
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occupiers of other residential properties on the street with particular regard to its effects on on-street parking and whether adequate visibility would be provided.

Reasons

4. The appeal site is a mid-terraced property with a front garden. A back lane provides access to garages at the rear of many of the houses on St Barnabas Road in the vicinity of the appeal site. The proposal seeks to create a new vehicular access onto the classified St Barnabas Road. Many other properties along the street have similar vehicle cross over arrangements enabling cars to be parked in front of the houses.
5. When visiting the site I noted that around two thirds of the properties in the row of houses which lie between Lilian and Fairview Gardens on St Barnabas Road on either side of the appeal site, have vehicle cross overs. Whilst I have no details about the circumstances which led to their formation, the Council have not suggested that any of these are unlawful in any way. The Council have not referred to any inherent safety issues with the many similar vehicle crossings which exist in the vicinity of the appeal site.
6. An area of the street outside the site could currently be used for on-street parking. As a result of the proposal this would be less likely to be used as to do so would block the new access. The proposal would enable at least one of the occupiers' vehicles currently parked on the street to be parked within the site. This would have at least a neutral effect in that particular respect.
7. I can appreciate that cumulatively and over time the proliferation of such crossings would reduce the amount of on-street parking in the area. This may increase inconvenience for occupiers and their visitors in finding parking spaces. However, the limited scale of the appeal proposal, the large number of existing cross overs in the immediate vicinity of the site and elsewhere along St Barnabas Road, and the lack of any substantive evidence as to the harm this would cause as opposed to a generalised concern, leads me to consider that the proposal's effects on on-street parking would be limited.
8. Therefore, even though the occupiers of the appeal property may have access to alternative parking arrangements to the rear (as do other properties nearby which also have front accesses), the proposal's effects in this respect would not cause unacceptable inconvenience to other occupiers to such an extent that would harm their living conditions or have any unacceptable safety implications. The preponderance of similar, existing accesses in the vicinity does not lend support to the Highways Authority's concerns over a precedent being set by the appeal proposal.
9. The footway is relatively wide adjacent to the site. The majority of footway users would not only have a good view of any vehicles moving in and out of the site but would also be familiar with such crossings having passed other similar arrangements along the street. Even with vehicle crossing points in close proximity to one another, there would be sufficient space for footway users to wait whilst vehicles were to enter or leave the property.
10. Furthermore, in all likelihood drivers entering or leaving the property, whether in forward or reverse gear, would be likely to do so slowly, carefully and

infrequently. I am also mindful of advice in Manual for Streets¹ relating to vehicle exits at the back edge of the footway that “the absence of wide visibility splays at private driveways will encourage drivers to emerge more cautiously.” Therefore, even if the visibility splays the Highways Authority consider necessary cannot be provided in both directions within the site, this leads me to consider that the arrangements would not pose an unacceptable risk to the safety of footway users.

11. In the absence of any material harm to pedestrian or vehicular safety the proposal would not conflict with development plan² Policy BD1 which requires development to accord with a number of criteria including that of creating a safe environment. Policy T5 seeks car and cycle parking in accordance with council standards and, amongst other matters, sets out requirements for the consideration of development which reduces off-street car parking. The proposal would result in an increase in off-street car parking and Policy T5 is silent with regards to developments’ effects on on-street car parking. The proposal would consequently not be in conflict with that Policy.

Conditions

12. It is necessary to specify the approved plan as this provides certainty. Any concerns the Council have over the level of detail on that plan can be addressed by requiring scale drawings of the proposed vehicle crossing.

Conclusion

13. For the above reasons the proposal would not materially harm highway safety or the living conditions of occupiers of other residential properties on the street and would comply with the development plan. The appeal is therefore allowed.

Geoff Underwood

INSPECTOR

¹ Manual for Streets, HMSO, 2007.

² London Borough of Redbridge Borough Wide Development Policies Development Plan Document, 2008.