



Appeal Decision

Site visit made on 27 June 2017

by Gwyn Clark BSc DipTP MRTPI

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

Decision date: 14 July 2017

Appeal Ref: APP/W5780/D/17/3173006
379 Ilford Lane, Redbridge, Ilford IG1 2SJ

- 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 Sivakolunthu Kathirgamanathan against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 5411/16, dated 3 December 2015, was refused by notice dated 16 January 2017.
 - The development proposed is dropping of kerb for the driveway.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon highway safety.

Reasons

3. The proposed access would serve a hard surfaced area at the front of 379 Ilford Lane. At its closest it would be positioned around 4.4m from the junction of Ilford Lane with Elstree Gardens. It would lie within the zone covered by double yellow lines that prevent parking in the vicinity of the junction, for reasons of highway safety.
4. It was clear from my site visit that car parking space in the wider area is extremely limited. An additional off street car parking space could be a positive benefit to the appellant. Also at this junction pavements are wide and the speed of vehicles negotiating the junction is low. There is also a restriction on the size of vehicle that can enter Elstree Gardens unless for loading purposes.
5. However, in the space available at the front of the house it would be impossible for a vehicle to turn around and leave in a forward gear. To access the parking space, therefore, a vehicle would either have to reverse into the space or reverse onto the road. This would introduce an unexpected and dangerous manoeuvre at the junction. It would lead to the potential for sightlines to be obstructed in both directions and for Elstree Gardens to be blocked unexpectedly at a point where there is turning traffic and a heightened risk of accidents occurring.
6. The side flat-roofed extension of No 379 stands at the back of the footpath along Elstree Gardens. As a consequence the driver of a vehicle leaving the car

parking space would have no visibility of the presence of pedestrians on the footpath until the front of the car had manoeuvred onto the pavement. Site lines would be even more compromised if a vehicle was reversing out. This is an unacceptable risk to the safety of pedestrians.

7. The fact that similar access arrangements to that proposed can be found close by does not lessen the risk that I have identified. Notwithstanding that I have no evidence of the circumstances in which they were permitted.
8. It is asserted that the garage associated with the appeal dwelling is not large enough to be accessible to cars. There is not, however, any evidence before me to support this assertion or to demonstrate that the garage could not be enlarged, or a suitable parking area provided in its place, as necessary.
9. I conclude, therefore, that the appeal proposal would have an adverse impact upon highway safety. The Council's decision rests primarily on the appeal proposal's conflict with Policy T5 of the Borough Wide Primary Policies Development Plan Document (the DPD). This policy, however, concerns parking standards, rather than highway safety and, as such, does not appear to be directly relevant to the appeal scheme.
10. Nonetheless, the notice makes reference to DPD policy BD1 and Redbridge Core Strategy policy 3. These seek, among other things, to ensure that all forms of development create safe and secure environments, and are designed to meet, and are accessible to, the needs of all. Furthermore, paragraph 35 of the National Planning Policy Framework is clear that developments should create safe and secure layouts, which minimise conflicts between traffic and cyclists or pedestrians. The appeal proposal would be at odds with these requirements.

Conclusion

11. I find that the appeal proposal would conflict with the development plan when taken as a whole. For the reasons given above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Gwyn Clark

INSPECTOR