
Appeal Decision

Site visit made on 9 August 2017

by M Seaton BSc (Hons) Dip TP MRTPI

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

Decision date: 14 August 2017

Appeal Ref: APP/W5780/D/17/3172402

69 Goodmayes Lane, Ilford, IG3 9PD

- 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 Sharmeen Islam against the decision of the London Borough of Redbridge.
 - The application Ref 5840/16, dated 19 December 2016, was refused by notice dated 9 February 2017.
 - The development is for a proposed carriage way crossing (formation of a vehicular access).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the highway safety of pedestrians and road users.

Reasons

3. The appeal site is occupied by a two-storey dwelling set on a road exhibiting a mix of residential, commercial and community uses. The dwelling is set back from the road by virtue of a combination of front garden and an area of existing hardstanding upon which a small car was parked. The premises are located on a comparatively busy road with parking both observed as occurring informally on street with cars partly on the pavements, and on hardstandings and forecourts within the front gardens of dwellings.
 4. I have had regard to the presence of other established vehicular accesses along the street. I also observed that as a consequence of the limited depth of gardens and forecourts that insufficient space was available to park more than a small car perpendicular to the road (as is the case on the appeal site), without overhanging the pavement and resulting in a significant obstruction to pedestrians, to the detriment of pedestrian safety. Therefore, many vehicles were observed to be parked either at an angle or parallel to the road.
 5. In respect of the appeal site, the submitted plans indicate that a depth of 4.64 metres is available on the appeal site for parking as a consequence of the position of a bay window, with the front garden 7.5 metres wide. However, whilst the width of the appeal site would be more than adequate to accommodate a parking space, the depth of the site would not meet the minimum length required for a standard parking space of 4.8 metres, and as a
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consequence this would be likely to result in a parked vehicle overhanging the pavement, creating an obstruction for pedestrians. Furthermore, I find the absence of details of demonstrable and maintainable visibility splays on the appeal site only compounds the adverse impact on the safety of pedestrians and highway users.

6. I have carefully considered the appellant's contention that the greater width of the appeal site makes it easier for larger cars to park at an angle to the road on the appeal site, consistent with the approach taken to off-street parking elsewhere in the vicinity. However, such an arrangement would lead to a necessity for more complicated manoeuvres on and over the pedestrian environment in order to facilitate access or egress from an angled or parallel parking space, which I do not consider would be desirable in the context of pedestrian safety. I do not regard the presence of off-street parking of similar characteristics in the vicinity to therefore be a desirable precedent to follow.
7. The appellant has also referred to the Council as having previously utilised a condition in permitting off-street car parking at 218 Green Lane, Ilford (*LPA Ref. 2674/16*), seeking to restrict the length of cars that may park on the forecourt of the property, in accordance with the submission of an appropriate scheme to secure this. However, I am not persuaded that a condition which seeks to restrict the occupation of the property in a manner so as to dictate the ownership of a particular size of vehicle in order to be able to use the parking space within the site, would be reasonable and would not meet the test for conditions set out at paragraph 206 of the National Planning Policy Framework.
8. I therefore find that the proposed vehicular crossing would not provide access to an adequate provision of car parking on the appeal site, and that there would be an adverse effect on the highway safety of pedestrians and other road users from potential parking and vehicular manoeuvres. As a consequence, the proposal is contrary to Policies T5, T6 and BD1 of the London Borough of Redbridge Borough Wide Primary Policies Development Plan Document 2008, which seek to ensure that development provides a safe and functional level of parking, and in accordance with the amenity of the area, ensures a high quality pedestrian environment.

Other Matters

9. The appellant has referred to the need for the provision of off-street car parking as being in the interests of safety and security for themselves and their family, with levels of crime highlighted as being high within the area. However, whilst I can appreciate that it may be desirable for the appellant to have access to their car directly at the front of the property, no evidence has been adduced to support this contention, or explain why on-street parking close by would not provide an appropriate alternative. I have not therefore attached any more than limited weight to this matter, which would not be sufficient to outweigh the harm which I have identified in respect of the main issue.

Conclusion

10. For the reasons given above, the appeal is dismissed.

M Seaton

INSPECTOR