

Appeal Decision

Site visit made on 29 August 2017

by H Lock BA(Hons) DipTP MRTPI

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

Decision date: 07 September 2017

Appeal Ref: APP/W5780/D/17/3176686
203 Eastern Avenue, Ilford, Essex, IG4 5AW

- 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 Muhammad Rahim against the decision of the Council of the London Borough of Redbridge.
 - The application Ref. 4260/16, dated 7 September 2016, was refused by notice dated 1 March 2017.
 - The development is described as 'retention of brick wall and railings to front of property'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (1) highway safety, with regard to the safety of highway users, drivers and pedestrians, and (2) the character and appearance of the area.

Reasons

Highway Safety

3. The appeal property fronts onto the A12 Eastern Avenue, a busy dual carriageway. The properties along this stretch of road are set back from the carriageway by a deep verge that is used in part as a footway, and partly for designated off-road parallel parking bays. Beyond this, dwellings have their own front gardens, many of which have been fully or partly surfaced to provide on-site parking.
 4. The wall and railings the subject of this appeal are in place. As constructed, the site frontage is fully enclosed and gated. Although front gardens in the vicinity are generally deep enough for on-site parking, it is not evident that space is available for vehicles to turn without partly manoeuvring on the adjacent footway and parking verge. However, in the absence of any technical evidence to the contrary, I am persuaded that the presence of a solid wall across much of the front boundary of the appeal site would limit manoeuvring within the site itself, thereby requiring vehicles to reverse onto the footway through the gated access. In so doing, the presence of tall brick piers either side of the gate and along the front boundary would have the potential to restrict visibility for
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vehicles emerging from the site. Given that Eastern Avenue is part of the Strategic Road Network, the potential risks could be significant.

5. I therefore conclude that the development has the potential to adversely affect manoeuvring and visibility at the site to the detriment of highway safety for pedestrians and road users, contrary to the aims of DPD¹ Policy BD1, to create a safe environment. This reflects the requirement set out in the National Planning Policy Framework (the Framework) for plans and decisions to take account of whether safe and suitable access to a site can be achieved for all people.
6. I find no conflict with the design aims of Core Strategy² Policy SP3, or DPD Policies T5 and T6, as they relate to vehicle parking and provision for service and delivery vehicles in new development, but that does not alter my conclusion on the potential hazards created by the development.

Character and Appearance

7. The character and appearance of Eastern Avenue is dominated by the activity of the dual carriageway, and the wide footways and verges either side compound the urban appearance. The treatment of front gardens to properties in the area varies, but many are surfaced for vehicle parking. Whilst some remain fully open for vehicle access, some front boundaries are defined by low walls, and there are some gardens fully enclosed by a mix of walls and railings. Low return walls are prevalent between front gardens.
8. In this context, I do not find the principle of walls and railings to be out of character in the street scene, but the height of the piers and railings creates an atypical and unduly prominent form of enclosure in the street scene. Whilst the materials are in keeping with the main house, and the enclosure is well-designed in itself, the overall height does not respect its context.
9. I therefore conclude that the development detracts from the character and appearance of the street scene, contrary to the aims of DPD Policy BD1, which requires development to be compatible with and to contribute to the distinctive character and amenity of the area in which it is located, and to be of a scale and design appropriate to the locality; and with CS Policy SP3, which seeks high quality development that respects the amenity of the locality generally.

Conclusion

10. The Framework establishes a presumption in favour of sustainable development, and part of its environmental and social dimensions is to seek a high quality built environment, and to contribute to protecting and enhancing the existing environment. For the reasons given above the proposal would not comply with these aims and would not be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR

¹ London Borough of Redbridge Borough Wide Primary Policies Development Plan Document 2008

² Local Development Framework Core Strategy Development Plan Document 2008