
Appeal Decision

Site visit made on 10 October 2017

by R J Jackson BA MPhil DMS MRTPI MCMi

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

Decision date: 20 October 2017

Appeal Ref: APP/W5780/D/17/3181193

17 Hillside Avenue, Woodford Green IG8 7QR

- 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 Deborah Kerr against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2100/17, dated 4 May 2017, was refused by notice dated 29 June 2017.
 - The development proposed is relocation of residential parking from rear of property to the front. Dropping of kerb at the front of the property.
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Decision

1. The appeal is allowed and planning permission is granted for relocation of residential parking from rear of property to the front. Dropping of kerb at the front of the property at 17 Hillside Avenue, Woodford Green IG8 7QR in accordance with the terms of the application, Ref 2100/17, dated 4 May 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: FRV_001, FRV_101, FRV_201.
 - 3) No development shall take place until a scheme for the permanent closure of the access at the rear of the property has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed within one month of the development hereby permitted being first used.
 - 4) The hardsurface for the parking area hereby permitted shall be made of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Main Issue

2. The main issue is the effect on highway safety.

Reasons

3. The appeal property is a semi-detached dwelling on the northwest corner of the junction of Hillside Avenue with Hillside Close. Hillside Avenue is a straight and reasonably wide road with street furniture, lampposts, trees, telegraph poles

and the like within the footways on either side. This junction forms a crossroads with Spencer Close opposite Hillside Close. Hillside Close is a short cul-de-sac serving nine properties as well as providing rear access to the appeal property and what appeared to be a garage for 15 Hillside Avenue.

4. There are double yellow lines around the corners, which extends to the northern extent of the appeal site along Hillside Avenue. Otherwise there are single yellow lines which prevent parking between 14:00 hours and 15:00 hours. There are 'ghost-islands' painted on the carriageway to allow turning into Hillside Close and Spencer Close, but no physical restrictions.
5. There is a dropped kerb on the apex of the corner outside the appeal property and this is mimicked on the other three corners. Two, outside Nos 15 and 24, are wider allowing vehicular access to the hardstandings in front of those properties, and two, outside Nos 26 and 17 are narrower. None have tactile paving. There is a separate vehicular access to No 26 further to the north along Hillside Avenue, and from my site visit it appeared that most of the dwellings along Hillside Avenue have dropped kerbs allowing access to hardstandings in front of the properties.
6. The Council has referred to Policy T5 of the London Borough of Redbridge Borough Wide Primary Policies Development Plan Document 2008. This policy is entitled "Parking Standards" and deals with this topic. Having read the policy carefully it makes no reference to highway safety and therefore, as policies should be read objectively, is not material to this appeal. Having said that, paragraph 32 of the National Planning Policy Framework (the Framework) indicates that decisions on planning proposals should take account of whether safe and suitable access to the site can be achieved for all people. It is clear that as part of good planning practice proposals should not create unacceptable risks to highway safety.
7. In objecting to the proposal the Council has indicated that Highway Authorities will not support vehicle accesses within 15 m of junctions as the greatest number of accidents occur at junctions due to the multiple turning movements with pedestrians (including those in wheelchairs and in buggies) and those in vehicles. While I would accept that junctions increase the risk of accidents I have not been provided with any document which espouses that particular standard. On the other hand the appellant has referred to Section 7.9 of Manual for Streets which indicates that direct frontage access on road with a 30 mph speed limit can be allowed for roads of up to 10,000 vehicles per day. I have not been provided with traffic flows for Hillside Avenue. While it was not heavily trafficked at the time of my sight visit on a weekday early afternoon this may not be the case at other times, and in any case, the Council's concerns relate to the proximity to the corner rather than traffic flows.
8. Having said that the amount of traffic accessing Hillside Close and Spencer Close will be limited due to the number of properties. As such the number of movements through this junction will be low, and would be reduced if this proposal were to go forward as the rear access to the appeal property is proposed to be closed and this could be secured by condition. The speed limit is 30 mph and I have not been provided with anything to indicate that this is not adhered to.
9. There are already vehicular accesses on two of the four corners and a separate vehicular access to a third property and I have not been provided with any

evidence, for example accident records, to show that this has led to highway dangers. It is not in dispute that sight lines along Hillside Avenue are good. Given the number of vehicular accesses, including those on the corners, I am satisfied that users of the highway would expect that there would be movements into parking spaces in front of the individual properties even in proximity to the corners. Drivers using the parking space would also be aware of the proximity to the junction and take this into account in undertaking their manoeuvres.

10. I am therefore satisfied that safe and suitable access would be able to be achieved and the proposal would not unacceptably increase the risk to highway safety. As such the proposal would comply with paragraph 32 of the Framework as set out above.

Conditions

11. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the Framework. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty.
12. I have also imposed a condition requiring the rear access to be permanently closed as this is part of the consideration to ensure that safe and suitable access is achieved. In addition, the hardstanding in front of the property should be made of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse, in order not to increase the risk of flooding.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

RJ Jackson

INSPECTOR