
Appeal Decision

Site visit made on 17 October 2017

by R A Exton Dip URP MRTPI

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

Decision date: 26th October 2017

Appeal Ref: APP/B5480/W/17/3179645

268 Collier Row Lane, Romford, Essex RM5 3NJ

- 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 Ashley Lambert against the decision of the Council of the London Borough of Havering.
 - The application Ref P0590.17, dated 19 April 2017, was refused by notice dated 15 June 2017.
 - The development proposed is described as, 'We are turning our front garden into a drive. We already have permission from Havering Council for an extension off next doors current driveway and also the neighbours' permission'.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. At the time of my site visit the frontage of No 268 Collier Row Lane was covered in block paving laid with a fall towards the road. I have assessed the proposal on the basis of my observations on site and the policies and evidence before me.

Main Issue

3. The main issue is the effect of the proposal on pedestrian safety.

Reasons

4. No 268 Collier Row Lane is situated on the western side of the road. The row of properties of which it forms part has a footpath ('the first footpath') passing across their frontages. This has a band of vegetation in between it and a second footpath following Collier Row Lane. A number of properties in the row have driveways that cut across both footpaths and the band of vegetation to access frontage parking areas.
5. The proposal seeks to utilise the driveway currently serving No 270 Collier Row Lane to access a proposed concrete area that would cover part of the first footpath and increase its width. This would then lead to the hardstanding on the frontage of No 268 described above.
6. For a vehicle to enter and leave the frontage of No 268, a degree of manoeuvring over the first footpath would be required. This would present a different situation to the driveways that already serve nearby properties. With these, the distinction between the footpath and driveway is clear, allowing

vehicles to pass directly over the footpaths, in a straight line. With the appeal proposal there would be no such distinction. There would be no clear separation between vehicular and pedestrian areas, leading to potential conflict. This would present an unacceptable risk to pedestrians using the footpath.

7. I note the appellant's reference to similar arrangements in the area. I have very limited information regarding how these developments came about and so can afford them only very limited weight.
8. I also note the appellant's personal family circumstances. However, the development would remain indefinitely, regardless of the circumstances of the occupiers. As such, these matters do not outweigh the risk to pedestrian safety I have identified.
9. In light of the above I conclude that the proposal would be contrary to Policy DC34 of the Core Strategy and Development Control Policies Development Plan Document adopted 2008. This requires development to take account of the needs pedestrians.

Other matters

10. I note the interested parties' comments regarding parking and access rights and wider road safety issues. However, given my conclusion, it is not necessary for me to consider these matters further.

Conclusion

11. For the above reasons, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR.