
Appeal Decision

Site visit made on 6 November 2017

by Graham Wyatt BA (Hons) MRTPI

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

Decision date: 11th December 2017

Appeal Ref: APP/W5780/W/17/3180618

166 Roding Lane North, Woodford Green IG8 8LJ

- 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 Rosina Tucker against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2294/17, dated 5 May 2017, was refused by notice dated 7 July 2017.
 - The development proposed is a foot way crossing for vehicular access to the driveway.
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Decision

1. The appeal is allowed and planning permission is granted for a foot way crossing for vehicular access to the driveway at 166 Roding Lane North, Woodford Green IG8 8LJ in accordance with the terms of the application, Ref 2294/17, dated 5 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: Site Location Plan, Existing Plan (A4) and Proposed Plan (A4).

Preliminary Matter

2. Although Policy T5 of the London Borough of Redbridge Borough Wide Primary Policies Development Plan Document 2008 has been cited in the reason for refusal, it has not been shown how it applies to the issues before me and so it has not had a decisive effect on my reasoning.

Main Issue

3. The main issue is the effect of the development on the availability of on-street parking and highway safety.

Reasons

On-Street Parking

4. The proposal seeks to create a vehicular crossing to allow the appellant to park a car to the front of the dwelling. The area is primarily residential and some of the properties along Roding Lane North have vehicular accesses that allow cars to be parked in front of properties and off the highway. As a result, on-street parking along the road is restricted to where it will not block a private drive.

5. An existing 2.8m dropped kerb allows access to the rear of the site for both 166 and 164 Roding Lane North. The Council do not dispute the principle of a crossing at the site, it is the width of the crossing which they consider will reduce the availability of on-street parking on this section of Roding Lane North.
6. However, I have been provided with limited evidence that area suffers from a lack of on-street parking. In addition, no parking restrictions are in place to deter road users, other than residents, from parking in the area. Moreover, at the time of my visit, while a car was parked on the drive outside the appeal site, I found a place to park my car with relative ease. On the first main issue, I therefore conclude that it has not been demonstrated that the development would result in unacceptable harm on the demand for on-street parking.

Highway Safety

7. The Council are also concerned that the development could create a potential conflict between other road users and pedestrians. However, the width of the pavement would not be reduced and the parking spaces would be free from obstruction. Vehicles movements in and out of the parking spaces would be at very low speeds.
8. Moreover, I have not been provided with any substantive evidence that the free flow of pedestrian movements or highway safety, as a result of the proposed and existing private accesses, would create unacceptable hazards for other road users and/or pedestrians alike. I am not therefore, persuaded that the proposed development would have a detrimental impact on highway safety.
9. On the second main issue, I therefore conclude that the development would not have a detrimental impact on highway safety. The development is in compliance with Policy BD1 of the London Borough of Redbridge Borough Wide Primary Policies Development Plan Document 2008 which seeks, amongst other things, to create safer places for people.

Conditions

10. The Council have suggested a condition requiring the development to be carried out within the specified time and a further condition that the plans are specified to provide certainty.

Conclusion

11. For the reasons given above, and having regard to the development plan when read as a whole, I conclude that the appeal should be allowed.

Graham Wyatt

INSPECTOR