

Appeal Decision

Site visit made on 30 January 2018

by David Spencer BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday 5TH February 2018

Appeal Ref: APP/W5780/D/17/3179848

261 The Drive, Ilford, Essex IG1 3PN

- 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 Sadeck Pandore against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 0268/17, dated 17 January 2017, was refused by notice dated 9 May 2017.
 - The development proposed is a dropped kerb.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed access arrangement on the safety of vehicular and pedestrian traffic on The Drive.

Reasons

3. The Local Planning Authority (LPA) asserts that the property benefits from existing off-street parking to the rear. I observed a narrow grass track from Wanstead Lane which would appear to be very irregularly used. From my observations, it is generally outbuildings rather than garages that back onto this track. From this evidence, I am not persuaded that the appeal site benefits from existing off-street parking at the rear. Thus there would be a rationale for the appeal proposal.
4. The Drive is a wide, street-lit thoroughfare which at the appeal location is reasonably straight. It connects with the A12 Eastern Avenue a short distance to the north of the appeal site and proceeds in a southerly direction to connect with the A123 Cranbrook Road. Whilst my site visit can only represent a snap shot it appears to be a busy local distributor road. I have no data before me on traffic safety in the vicinity of the appeal location but vehicular speeds on this part of The Drive would be inhibited to some degree by the raised table junction at the Wanstead Lane crossroads a very short distance to the south.
5. Nonetheless vehicles using the appeal proposal would need to negotiate crossing both the footway and what can reasonably be described as a tarmacked verge to the front of No.261 The Drive. This tarmacked verge is used for on-street parking (part on the verge and part on the highway) and is clearly differentiated from the paved surface of the footway. Again, whilst my site visit can only represent a snap shot, I observed that on-street parking behaviour conformed to this arrangement and the footway kept reasonably

- clear. As such I do not consider that existing on-street parking is dangerous for pedestrians and I have little evidence to support this submission.
6. I noted that whilst there is a reasonably open aspect to the front of properties to the north, the adjoining front area at No.259 The Drive is enclosed by shrub and hedging which would impede visibility to the south, particularly to the footway. Once onto the footway visibility would be further restricted by the presence of established trees within the highway in both directions and by the letter box in the verge, close to the boundary line of Nos.259 and 261. As such, based on the very limited information before me, I am not persuaded that the necessary visibility splays could be secured in both directions. I therefore find that the position of the appeal proposal would create an unacceptable risk to the safety of passing vehicles and pedestrians.
 7. Off-street parking to the front of properties and access arrangements across the footway and verge are characteristic of this part of The Drive. The LPA submits that many of these are historical. I have also taken into consideration that users of the footway would be aware of and familiar with vehicles crossing at low speeds to access off-street parking. However, I have found that there would be a particular harm arising from the restricted visibility and specific conditions at the appeal site. Consequently, what may have been acceptable at other properties on The Drive, in the past, is not transferable to the current highway conditions at No.261 and current standards for highway safety.
 8. On-street parking on The Drive is limited due to the number of existing access points serving off-street parking to the front of the houses along The Drive including those neighbouring the appeal site at Nos.259 and 263 The Drive. There is little evidence before me, or on site, of particular parking pressures to retain or on-street parking. As such I am not persuaded that there would be any particular harm to highway safety from the loss of an on-street parking space. However, this does not outweigh my concerns about pedestrian and vehicular safety, which are paramount in this case.
 9. The appellant has also submitted that an occupant of No.261 has restricted mobility and provided evidence of a Disability Living Allowance. However, I have very little evidence about the restricted mobility and why the relatively short distance from the front of the house to on-street parking is problematic. Consequently, I give only limited weight to these personal circumstances.
 10. Overall, and on balance, I therefore conclude that the proposed access arrangement would create an unacceptable risk to the safety of passing pedestrians and vehicles on The Drive. This would be contrary to Policy BD1 of the Borough Wide Primary Policies Development Plan Document 2008, which amongst other things seeks to create safe and secure environments.
 11. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.

David Spencer

Inspector.