
Appeal Decision

Site visit made on 21 January 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2020

Appeal Ref: APP/W5780/D/19/3238566

79 Fremantle Road, Barkingside, Ilford IG6 2BB

- 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 Ashvin Dawoonarain against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2930/19, dated 8 July 2019, was refused by notice dated 4 September 2019.
 - The development proposed is a dropped kerb required in front of the property to access and to park cars on driveway.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on highway and pedestrian safety.

Reasons for the Recommendation

4. The appeal site is occupied by a two-storey mid terrace dwelling with hardstanding to the front of the property which could accommodate parking for one vehicle. The site is located adjacent to the junction of a roundabout and Fremantle Road and is opposite an island which includes a pedestrian crossing. The proposal would provide a formal crossover, including a dropped kerb, between the highway and the driveway to the front of the dwelling.
5. Within their decision notice, the Council have stated that the proposal would be contrary to Policy LP23 of the London Borough of Redbridge Council's Local Plan (2018). However this policy, along with Policy LP22 of the Local Plan which is discussed within the Officer's Report, does not explicitly seek to ensure developments maintain highway safety. Nevertheless, the paragraph 109 of the National Planning Policy Framework (the 'Framework') states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

6. Due to the lack of space for turning a vehicle on the property, the driver would be required to reverse into or out of the site onto the junction of Fremantle Road and the roundabout. Fremantle Road is a busy road with the appeal site located on a bus route and in close proximity to the High Street, with a high volume of both vehicular traffic and pedestrian footfall. Although the property is not directly located on the roundabout, the reversing manoeuvres onto and off of the driveway onto the busy junction with the roundabout would result in an unacceptable risk to highway safety. There are no high boundary walls surrounding the parking area to the front of the dwelling and visibility is generally good in both directions. However due to the close proximity of the proposed crossover to a pedestrian crossing, the proposal could also be harmful to pedestrian safety.
7. It was noted during the site visit that there are a number of other properties, located on or adjacent to the roundabout, which have dropped kerbs providing vehicular access. Although, the presence of other dropped kerbs may appear to set a strong precedent, I must primarily consider the proposal on its own merits. As I have found that the development would harm highway and pedestrian safety, the existence of other examples does not lessen that harm.
8. Although the proposal would not be contrary to Policy LP23 of the London Borough of Redbridge Council's Local Plan (2018), the development would be contrary to paragraph 109 of the Framework which states the development should be refused if there would be an unacceptable impact on highway safety.

Conclusions and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR