



Appeal Decision

Site visit made on 24 August 2021

by Cullum J A Parker BA(Hons) MA MRTPI MCMI IHBC

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

Decision date: 27 August 2021.

Appeal Ref: APP/G5750/D/21/3274495

34 Lincoln Road, Plaistow, London E13 8LP

- 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 Rehan Afzal against the decision of the Council of the London Borough of Newham.
 - The application Ref 20/02627/FUL, dated 30th November 2020, was refused by notice dated 2nd February 2021.
 - The development proposed is described as '*formation of vehicular access and provision of 1 car parking space with associated landscaping to front of dwellinghouse*'.
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Decision

1. The appeal is allowed and planning permission is granted for formation of vehicular access and provision of 1 car parking space with associated landscaping to front of dwellinghouse at 34 Lincoln Road, Plaistow, London E13 8LP in accordance with the terms of the application, Ref 20/02627/FUL, dated 30 November 2020, 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:

Location Plan (dated 25 November 2020), Existing Plan View page 1/2 (dated 19 November 2020) and Proposed plan view page 2/2 (dated 19 November 2020).

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the street scene, and;
 - The effect of the proposal on highway safety.

Reasons

3. The application site comprises a semi-detached two storey dwelling located on the southern side of Lincoln Road. The subject property is not of the typical Victorian terrace design found within the surrounding area. However it does form part of a row of dwellings (two pairs of semi-detached houses) of a similar design with generous front gardens and front boundary walls.

4. The proposal seeks the removal of a front wall and the creation of an area of hardstanding within the front garden for the parking of one vehicle. No. 38 Lincoln Road benefits from an off-road parking space where the front wall has a break and cropped kerb to permit off road parking. Such a feature is, therefore, not unusual within the four dwellings which No 4 is part of. Whilst I recognise that other parts of the street scene are characterised by low walls facing the highway without off road parking areas to the front of dwellings, this is mainly due to the limited spaces between the front elevation of terraced houses and the highway. This is not the context at No 34. As it would be in keeping with the wider street scene, I find that the proposal would not have an adverse effect on the character or appearance of the street scene.
5. The proposal would likely require the dropping of the kerb and the relocation of on-street parking bays; including one for disabled parking provided for a nearby resident. However, both the pavement and the parking bays lie outside of the appeal site and it is clear from representations made by the local highways authority that there is a separate regulatory regime whereby the Appellant would need to seek approval for such works. The approval of the appeal scheme does not necessarily override the need for any such permissions or consents.
6. In terms of highway safety, it is unclear as to how the potential removal or relocation of on-street parking bays in this location would lead to an unacceptable impact on highway safety. The proposal is limited to one dwellinghouse and one parking space. The existing context of the site and its surrounds – including boundary treatments at neighbouring dwellings and the bend in the road itself - would require drivers to enter and exit the site at significantly reduced speeds.
7. Moreover, whilst vehicles would need to crossover the footpath, there are numerous examples of these nearby and there is little evidence that suggests that this particular residential location is subject to accidents or incidents between vehicle users and pedestrians or other highway users when entering or exiting existing off-road parking provision. Given this, and the overall quantum of traffic using the proposed access and parking area, I do not find that the proposal would result in any adverse impact on highway safety.
8. I therefore find that the proposal would accord with policies SP1, SP2, SP3, S5 and INF2 of the *Newham Local Plan 2018*, which, amongst other aims, seek to engender safe, sociable and inclusive mixed and balanced communities and places that people feel proud of. It would also accord with the Policies of the *London Plan* and of the *National Planning Policy Framework* (the Framework) which among others, seek to ensure planning decisions ensure that developments are sympathetic to local character, including the surrounding environment and maintain a strong sense of place.

Other Matters

9. I note the concerns raised by interested parties over how parking spaces might be relocated, and the general parking pressures in the locality. However, I have been provided with little evidence as to how the potential removal of one on street space being replaced with one off street parking space would result in an unacceptable impact on highway users. Taken in the round, I do not find that this provides justification for the dismissal of the appeal in this instance.

Conditions

10. I have considered the Council's suggested conditions in light of the Framework and national Planning Practice Guidance. Conditions relating to time limits for implementation and for the proposal to be carried out in accordance with the submitted drawings are necessary and reasonable to provide clarity and for the avoidance of doubt.
11. Conditions requiring the use of matching materials to the existing building and a landscaping scheme would not be reasonable or necessary in this case. This is because the application form clearly sets out the intention to use grass on soil bed and Pansies and Violas, or Snowdrops or Winter Jasmine or Hellebores or other winter coping plants for landscaping, and concrete slabs for the areas of hardstanding.

Conclusion

12. The proposal would accord with the adopted development plan and there are no material considerations indicating a decision otherwise than in accordance with it.
13. For the reasons given above, I conclude that the appeal should be allowed.

C Parker

INSPECTOR