



Appeal Decision

Site visit made on 1 March 2022

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2022

Appeal Ref: APP/W5780/W/21/3275440

881-883 High Road, Chadwell Heath, Romford RM6 4HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Bajwa Property Services Ltd against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2151/20, dated 13 July 2020, was approved on 2 October 2020 and planning permission was granted subject to conditions.
 - The development permitted is the "Erection of a four storey building to contain one commercial unit (A2) on ground floor and four self contained flats (1 x studio flat, 1 x 2 bedroom and 2 x 3 bedroom) with associated refuse storage, cycle storage and amenity space".
 - The condition in dispute is No 9 which states that: "Before the development hereby permitted commences at the site, a scheme shall be submitted to and approved in writing by the Local Planning Authority describing the means by which future occupiers (with the exception of a holder of a disabled person badge) of this development shall be excluded from any Local Car Parking Scheme which may be in force in the area at any time. The scheme shall ensure that such future occupiers are notified in writing that they are excluded from obtaining a residents parking permit and have waived their rights and entitlement to a residents parking permit in any controlled parking zone in the vicinity of the development. The development shall only be carried out, completed and occupied in accordance with that approved scheme."
 - The reason given for the condition is: "To accord with policy 6.13 of the London Plan and LP23 of the Local Plan".
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the condition is necessary and reasonable having regard to parking conditions in the area.

Reasons

3. The appeal proposal, which appears to have been implemented, and be substantially complete, is located in an area without a current Controlled Parking Zone (CPZ). Despite that, it was clear from my site visit, from the evidence of the Council and third-parties, that the area immediately around the site is subject to parking stress. On street parking is clearly in high demand, and is further limited by parking and waiting restrictions on High Road itself, as well as the number of dropped kerbs and accesses along Chadwell Avenue, Eccleston Crescent and Thackeray Drive.

4. I note the submission of a Transport Statement (TS) which included a car-parking occupancy survey. However, that survey was carried out in 2018. At that time the TS showed a very close relationship between the predicted number of cars arising from the appeal development and the spaces available in the surrounding streets. Given the number of years that have passed, I cannot be certain that the conclusions of the TS are still applicable.
5. I note comments around public transport accessibility in the area and local levels of car ownership. However, I am concerned at the differences between the car ownership figures for Redbridge as a whole against the more immediate area and am not convinced by the suggestion that the more favourable figure is the most appropriate and reliable.
6. Taking all of that together, I do not therefore find that the originally submitted TS is compelling evidence that the proposal would not cause additional, unacceptable parking stress in the area.
7. I have had regard to the earlier appeal decision on this site which the appellant has provided¹. Having read that decision as a whole, I do not find that it offers support for the appeal before me. To my mind, the Inspector in that decision was setting out their concerns that the unilateral undertaking could not necessarily ensure that the development remain car-free in the future, particularly given the evidence before them as to the likelihood of a future CPZ in the area. I have not seen the evidence before the Inspector in that appeal but note that they were concerned over the effect of the proposal on parking stress in the area.
8. However, on the basis of the evidence before me, that the Council intends to implement a CPZ in the area, that there is existing parking stress, and that the development could add to that parking stress, I find that the condition remains reasonable, necessary, precise, enforceable, related to the development permitted and related to planning. The condition would also remain consistent with the relevant development plan policies which seek to manage areas of parking stress.

Conclusion

9. For the reasons given above I therefore conclude that the appeal should be dismissed.

S Dean

INSPECTOR

¹ Appeal reference APP/W5780/W/19/3231643