

Appeal Decision

Site visit made on 9 December 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2022

Appeal Ref: APP/W5780/D/22/3302073

489 Ley Street, Ilford, IG2 7QX

- 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 Ms Musarat Bibi Mughal against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 0962/22, dated 16 March 2022, was refused by notice dated 12 May 2022.
 - The development proposed is formation of vehicular access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A planning application to form a vehicular access at the appeal property was refused in 2002.¹

Main Issue

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

Reasons

4. The appeal property is a two storey mid-terrace dwelling situated along Ley Street, a busy thoroughfare.
5. The appeal property is separated from the road by a pavement. The property itself is fronted by a narrow area of hard-surfacing and there is no notable boundary feature between this hard-surfacing and the pavement.
6. During my site visit, I noted that a number of dwellings within the same terrace as the appeal property have similar small, narrow areas of hard-surfacing immediately between front facades and the pavement.
7. Also during my site visit, I observed cars parked on such areas of hard-surfacing, parallel to the street and immediately adjacent to dwellings. The majority of dwellings in the terrace, which runs for some considerable length,

¹ Reference: 0459/02.

do not have a dropped kerb to provide for access onto and egress from, Ley Street.

8. As a consequence of the above, cars that park immediately in front of dwellings must manoeuvre across the pavement in order to park in a constricted area and to enter or exit Ley Street.
9. During my site visit, I noted that the pavement along Ley Street in this area is well-used by pedestrians. I also observed there to be a bus stop close to and along the same side of the road as the appeal property. Further, the appeal property is close to a school and there is a related road sign, warning of the presence of young pedestrians, sited very nearby to Number 489.
10. The proposed development would serve to support a form of parking that would require vehicles to manoeuvre across a well-used pavement to reach a very narrow and tight area of hard-standing. I find that such manoeuvres would necessarily result in a hazard to pedestrians, close to both a bus stop and a school. Drivers would be seeking to enter or leave a busy thoroughfare and would be focused on traffic movements. I consider that this would create a significant risk to the safety of the pavement for use by pedestrians.
11. The harm arising from the above would be exacerbated by the nearby presence of the bus stop and the sporadic existence of car parking along the street, which already requires cars to manoeuvre across the pavement into tight spaces and which serves as a further distraction and potential hazard for road-users in a busy pedestrian area.
12. Taking all of the above into account, I find that the proposal would result in harm to highway safety contrary to the National Planning Policy Framework; and to Local Plan² Policies LP23 and LP26, which together amongst other things, seek to ensure safe access.

Other Matters

13. I acknowledge that the appellant is a disabled badge holder and cannot walk far and that the proposal would provide for convenient parking. However, this is not a factor which outweighs the significant harm identified above.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

² Reference: Redbridge Local Plan 2015-2030 (2018).