



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/22/3305963

833 Eastern Avenue, Ilford, IG2 7RZ

- 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 Sanju Patel against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2287/22, dated 8 July 2022, was refused by notice dated 16 August 2022.
 - The development proposed is to lower the kerb for access to the driveway from the main road.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is a two storey mid-terrace dwelling situated along Eastern Avenue, which in this area is a busy dual-carriageway.
 4. The appeal property sits back from the dual-carriageway behind a wide pavement, which is split into an on-pavement parking area, closest to the road, and a pavement for pedestrian movement. There is a garden area between the front elevation of Number 833 and the public pavement.
 5. During my site visit, I observed there to be a number of examples of where the front gardens of dwellings along Eastern Avenue, close to the appeal property, have been converted into car parking areas. This results in a confusing situation – whereby on-pavement parking is still in place along the wide pavement – in some circumstances, even in front of those areas where car parking areas have been created in front of dwellings.
 6. As a consequence of this, it is not clear for all users of the highway as to whether cars may be seeking to exit Eastern Avenue in order to park alongside it, to park along the pavement, or seek to turn directly into or out of a driveway. Furthermore, I noted during my site visit that the situation is equally confusing for pedestrians – such that cars might seek to park between the pedestrian area and the road; or may seek to manoeuvre across the pavement
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in order to access or exit from a driveway. This creates a hazardous and uncertain environment for pedestrian, as well as for other road users and I find that the proposal to replace the appeal property's front garden with a parking area would serve to exacerbate what is already a confusing situation.

7. The harm arising from this would be exacerbated as a result of the need for cars to manoeuvre across the pavement, to or from the appeal property, in reverse gear, in order to enter or exit the highway in forward gear. This would, I find, place pedestrians at risk whilst using a pavement which ought to provide for their safe movement.
8. Further to the above, I consider that the presence of cars parked in the zoned parking areas alongside Eastern Avenue would restrict visibility from a vehicle seeking to manoeuvre over the pavement and enter the road from the appeal property. Further, a vehicle reversing onto or away from the road would, I find, run the risk of detriment to the flow of traffic along Eastern Avenue.
9. In addition to all of the above, I am also mindful of Transport for London's objection to the proposal, which states that the proposed hard surface area could provide for two car parking spaces – thus compounding the issues identified.
10. Taking all of the above into account, I find that the proposal would result in conflicting movements with pedestrians and/or vehicles in a busy location. Given this, I find that the proposal would result in harm to highway safety contrary to the National Planning Policy Framework; to London Plan (2021) Policy T6 and to Local Plan¹ Policies LP22 and LP23, which together amongst other things, seek to ensure safe and secure access.

Conclusion

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

N McGurk

INSPECTOR

¹ Reference: Redbridge Local Plan 2015-2030 (2018).