
Appeal Decision

Site visit made on 7 February 2023

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2023

Appeal Ref: APP/W5780/D/22/3313098

56 Clayhall Avenue, Clayhall, ILFORD, IG5 0LG

- 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 J Gorsia against the decision of the Council of the London Borough of Redbridge.
 - The application Ref. 2560/22, dated 1 August 2022, was refused by notice dated 26 September 2022.
 - The development proposed is formation of means of access to a highway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (1) highway safety for pedestrians, and (2) local parking provision.

Reasons

Pedestrian Safety

3. The appeal property is located on Clayhall Avenue, a classified road that at the time of the appeal site visit appeared to have a steady flow of traffic. The property frontage is fully surfaced for vehicle parking and has an access point onto Clayhall Avenue that is independent of but linked to that of the neighbouring property. This is characteristic of many of the crossovers onto the road, with wide accesses spanning pairs of properties, interspersed with trees and street furniture.
4. However, within this context there are also properties with dropped kerbs for the full width of the frontage, some which benefit from two separate crossovers, and others with separate but neighbouring crossovers close together. Although the appellant has drawn attention to such examples in the vicinity, no planning permissions have been supplied, or information about the circumstances of their construction and the planning policies and highway standards in place at the time. As such, although these form part of the streetscene, their designs do not necessarily accord with current standards.
5. Visibility across the appeal site frontage is clear, and therefore drivers emerging from or entering the site would likely be able to see pedestrians on

the footway. However, the primary function of the footway is to provide a safe and convenient route for pedestrians, including those with reduced mobility who may be more sensitive to changes in gradient. Although it is necessary to facilitate access to properties, each vehicular crossing point over the pavement would be a potential conflict point between pedestrians and vehicles. As there is already a usable access to the property which allows all parts of the frontage to be reached, the creation of a second point would appear to introduce an unnecessary additional risk.

6. I note the appellant's view that the Council has not cited any accident figures or incidents of accidents occurring as a result of the existing crossover arrangements in this part of Clayhall Avenue. However, the absence of accident data does not necessarily mean that the proposal would be safe when assessed against current standards; published data is unlikely to include 'near misses' that do not cause injury or damage. Moreover, the absence of evidence of accidents does not alter the potential risks arising from multiple crossovers on the footway.
7. Balancing the appellant's need to access the property with the wider public interest, I conclude that the proposal would introduce an additional crossover with the potential to harm pedestrian safety. This would be contrary to Policy T2 of The London Plan 2021 (TLP), which amongst other criteria seeks to increase walking, reduce car dominance, and to improve street safety, comfort, convenience and amenity. However, I have found no conflict with Policy LP22 of the Redbridge Local Plan 2018, which is focussed on promoting sustainable transport rather than highway safety.

Parking

8. There is signage in the vicinity of the appeal site indicating that vehicles may be parked partially on the road and partially on the footway. This is achievable due to the gaps between crossovers.
9. I share the appellant's view that properties in the area benefit from good on-site parking, but the consultation response of the transport department also advises that on-street provision offers a suitable location for servicing to be undertaken from.
10. Nevertheless, TLP Policy T2 requires development proposals to reduce the dominance of vehicles on London's streets whether stationary or moving. I am not convinced that the loss of one space as a result of the proposal would materially impact upon the capacity for roadside parking and loading/unloading, and I conclude that the proposal would accord with TLP Policy T2 in this regard. However, this does not alter my conclusion of potential harm to pedestrian safety.

Conclusion

11. For the above reasons, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR