
Appeal Decision

Site visit made on 15 May 2023

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 12 June 2023

Appeal Ref: APP/U5930/D/23/3319908
676 Forest Road, London E17 3ED

- 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 D Reid against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 222219, dated 30 July 2022, was refused by notice dated 24 March 2023.
 - The development proposed is a dropped kerb.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the safety of those using the adjacent highway, including the pavement and the cycle lane.

Reasons

3. The appeal relates to this 2 storey mid-terrace property. It is located adjacent to Forest Road which is a busy classified road (A503). There is a 20mph speed limit, double yellow lines and a cycle lane which is demarked by bollards separating it from the main part of the carriageway. The carriageway here is divided by a central reservation.
4. The property has a hard-surfaced frontage, which the appellant alleges has been present for some time. I noted that some other properties within the terrace have parking areas on their frontage, with dropped kerbs, although many have planted front gardens.
5. The proposed parking area is of insufficient size to allow a vehicle to turn within the site. This would inevitably mean that a vehicle would either enter or leave the site by reversing. Taking account of the number of vehicle movements along this section of the road that I observed, and the presence of the cycle lane, I consider that such a reversing manoeuvre would be likely to be hazardous and would be likely to pose a risk to pedestrians, cyclists, other road users and the driver of the vehicle entering/leaving the appeal site. It would also be likely to disrupt the free flow of vehicles on the road.
6. The appellant has made reference to other crossovers nearby, which I observed at my site visit. The Council has indicated that these have been in

place for some time and prior to the changes to the cycle lane. I note that they would have been considered prior to the Council's current planning policies. Therefore, I do not see these examples as compelling precedents in this appeal. The appellant also refers to access to the property from the rear as being problematic and I noted this at my site visit.

7. Policy DM16 of the Development Management Policies Local Plan 2013 (LP) states, amongst other things, that proposals which hinder pedestrian movement or prove injurious to highway safety, will be resisted. In my consideration of all the factors relevant to this appeal, I conclude that the proposal would be likely to have a prejudicial effect on the free and safe use of the adjacent highway, for the reasons set out above. This is not outweighed by any other matters, including the appellant's difficulty using the rear access to the property.

Conclusion

8. For the reasons stated above, the appeal is dismissed.

T Wood

INSPECTOR