



Appeal Decision

Site visit made on 17 October 2023

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 November 2023

Appeal Ref: APP/W5780/W/23/3316702

44 To 46 And Rear Of 48 To 50 Prospect Road, Woodford Green, IG8 7NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr and Mrs Shepherd against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 1800/21/03, dated 23 August 2022, sought approval of details pursuant to conditions Nos 6, 17 and 18 of a planning permission Ref 1800/21, granted on 23 July 2021.
 - The application was refused by notice dated 21 December 2022.
 - The development proposed is to demolish existing structures. Erection of two 3 x bedroom single dwelling houses and a two storey building containing seven self-contained flats with associated car parking, refuse / waste storage and amenity space.
 - The details for which approval is sought are: Condition 6: Refuse storage facilities – plan 1407_332_A, Condition 17: Cycle storage details – plan 1407_330_A and Condition 18: Floor to ceiling heights – plan 1407_331_A.
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Decision

1. The appeal is allowed insofar as it relates to conditions 6 and 18 attached to planning permission reference 1800/21 granted on 23 July 2021, in accordance with application 1800/21/03, dated 23 August 2023 and the details submitted with it are approved.
2. The appeal is dismissed insofar as it relates to condition 17 attached to planning permission reference 1800/21 granted on 23 July 2021, in accordance with application 1800/21/03, dated 23 August 2023 and the details submitted with it are refused.

Preliminary Matters

3. The Council refused the application only on matters concerning condition 17 however the application was refused in total and includes condition 6 and 18. As no reference is made to conditions 6 and 18, I take it from this that the Council is satisfied with the details pursuant to these conditions. Nothing that I have read or seen suggests that a contrary view should be taken. I shall have regard to this in my decision and the identification of the main issue below.

Main Issue

4. The main issue is whether the proposed cycling parking arrangement would provide an accessible solution.

Reasons

5. The condition subject to this appeal relates to parking for cycles and was imposed to provide cycle parking for future occupiers in accordance with policy LP23 of the Redbridge Local Plan 2015-2030 March 2018 (LP) and in particular, the condition requires a two-tier stacker arrangement.
6. Policy LP23 seeks to ensure accessible and secure cycle parking in accordance with the London Plan. The London Plan, in particular policy T5 and the supporting London Cycle Design Standards, seek to ensure cycle parking is fit for purpose, secure and well-located. It also goes on to recommend the use of two-tier stands as an innovative solution to space constraints and high demand areas and that provision should take into account all user needs.
7. The appellant proposes a bicycle rack design which consists of vertical wall mounted racks where bicycles hang from the front wheel. The bicycle rack proposed would require future occupiers to lift their bikes in order to place their bicycles front wheel into the rack. While it may only be a small amount of lifting, it would still inevitably require a degree of strength and physical capability. Furthermore, bicycles have a variety of different weights depending on the type and as such this could lead to future occupiers being restricted in which bicycle they use as their ability to lift it would be a factor. As such the proposed cycling parking would not be sufficiently accessible since it would not cater for all users needs.
8. The condition requires that a two-tier stacker arrangement is used and while the upper tier would be difficult for some future occupiers to use, the bottom tier requires no lifting and would be accessible to all.
9. I therefore conclude that the proposed cycle parking would not be accessible. It would be contrary to policy LP23 of the LP.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed in relation to conditions 6 and 18. With regard to condition 17, the appeal should be dismissed.

D Wilson

INSPECTOR