



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: 1 December 2023

Appeal Ref: APP/W5780/W/23/3326992

9-11 Horns Road, Barkingside, Redbridge, Ilford IG2 6QG

- 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 Lidl Great Britain Limited against the decision of the Council of the London Borough of Redbridge.
- The application Ref 0911/23, dated 30 March 2023, was refused by notice dated 26 May 2023.
- The development proposed is alterations to the access road arrangements.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On submission of the appeal scheme the appellant provided a Transport Statement of Case¹ and amended plan² which seeks to provide further clarification and analysis on the transport related matters of the scheme and propose an alternative access arrangement. This Statement of Case was available when the appeal was submitted, and the Council have had the opportunity to consult and have provided their views. The Statement of Case has provided clarity rather than any significant changes to the proposed scheme. Accordingly, no one would be prejudiced were my decision to have had regard to this document. I have therefore done so.
3. In regard to the amended plan, while no changes are proposed to the alignment or width of the access, it proposes changes to the pedestrian crossing, footway width and crossing distance. The appeal process should not be used to evolve a scheme and it is important that what is considered by the inspector is essentially what was considered by the Council, and on which people's views were sought. While the Council has seen this amended plan as part of this appeal, it has not had the opportunity to formally comment or consult on the amended plan prior to the appeal being lodged and the amended plan would significantly change the proposal. For that reason, I consider that the Council, along with any interested parties, would be prejudiced if I determined the appeal on the basis of the amended plan. Accordingly, I have determined this appeal based on the plans originally submitted with the planning application, on which the Council made its decision.

¹ Proposed Two-way Access Road Lidl, 9, Horns Road Retail Park, Horns Road, Newbury Park – Transport Statement of Case on Behalf of Lidl Great Britain Limited – 28/07/2023

² Proposed Raised Table Design at Horns Road Access – 2301062-04 A

Main Issue

4. The main issue is the effect of the proposal on the safety of vehicle movements and pedestrians along Horns Road.

Reasons

Vehicle movements

5. The appeal site is an access to a retail park including a unit which has consent for use as a Lidl foodstore. The access currently allows only in-bound movements from Horns Road. There is a one-way exit onto Springfield Drive which filters onto Eastern Avenue (A12). The appeal proposes to widen the Horns Road access to facilitate a two-way access and egress onto Horns Road.
6. I have had regard to the appellant's Transport Statement (TS), including its finding that the proposed site access alteration would result in fewer movements northbound along the section of Horns Road from the A12 junction to the site access. However, the reduction in movements would be relatively small compared with overall flows on this section of the road.
7. Moreover, the TS also shows that the proposal would result in peak time queues of up to some 28 seconds at the Horns Road exit from the retail park car park (TS Table 6.4). While drivers faced with this queue time may choose to use the existing Springfield Drive exit, this would reduce the claimed benefit of the proposal as it would re-route vehicles back onto Horns Road.
8. Under these circumstances, I consider it likely that drivers waiting to leave the car park would become frustrated by the delay. There is a real risk that they would be tempted to make unsafe movements into the traffic on Horns Road. Right turn movements southbound would need to cross the northbound flow on Horns Road and, therefore, would be particularly problematic. The TS finding of southbound queues past the site access at peak times, albeit dependant on the phasing the A12 junction signals, reinforces my concern in this regard.

Pedestrians

9. The site is located within a busy residential and retail area and, as such, travelling by foot is an attractive option for residents. The current width of the access is fairly narrow and pedestrians only have a short distance to cross via a dropped curb on either side of the road. There is good visibility at the crossing. I note that the Local Highway Authority considers that the current access arrangements are satisfactory.
10. The proposal would result in the installation of tactile paving which would improve access for blind and visually impaired pedestrians. However, the proposal would widen the existing access which would mean that pedestrians would need to cross a greater stretch of road. Moreover, I have already found that the proposal is likely to lead to vehicle queues at the car park exit and consequent drive frustration.
11. I consider that the combination of the proposed increased width of the access and the potential for conflict between frustrated drivers and pedestrians waiting to cross would pose a risk to pedestrian safety. In reaching this conclusion I have had regard to the Highway Code which gives priority to pedestrians.

12. There are existing two-way accesses along Horns Road, including opposite. I have not been provided with details of these accesses, the details of their approval or any information regarding traffic movements. In this regard I cannot be sure of the suitability of these accesses, and in any case, they do not justify allowing the appeal proposal before me.
13. I therefore conclude that the proposal would unacceptably harm safety with particular regard to pedestrian safety and vehicle movements. It would be contrary to policy LP22 of the Redbridge Local Plan 2015-2030 March 2018 and policies T2 and T4 of the London Plan 2021. Amongst other things, these seek to ensure development improves safety and integration with other transport modes, improves street safety and not increase road danger.

Other Matters

14. The proposal would also help to facilitate economic growth and in particular retail growth. I also acknowledge that the proposal could mean that vehicles would be less likely to wait at traffic lights and therefore could have a benefit to the Clean Air Healthy Streets indicator. However, these matters do not outweigh the harm I have identified.

Conclusion

15. For the reasons set out above, having had regard to the development plan read as a whole, and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR