
Appeal Decision

Site visit made on 20 January 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th February 2024

Appeal Ref: APP/W5780/D/23/3327380

206 Clayhall Avenue, Clayhall, Redbridge, Ilford IG5 0LE

- 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 Mrs N Malik against the decision of the London Borough of Redbridge Council.
 - The application, Ref 1508/23, dated 26 May 2023 was refused by notice dated 28 June 2023.
 - The development proposed is extended vehicle cross-over.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on highway and pedestrian safety.

Reasons

3. The appeal property (No 206) is a semi-detached house standing in a predominantly residential area, with a childcare nursery next door and commercial uses opposite. An existing dropped kerb provides access to the parking area on its frontage and adjoins that of the neighbouring property, No. 204. This combined vehicle crossover is between the road junction with Rushden Gardens and a pedestrian crossing. It is within the zig-zag markings of the pedestrian crossing.
4. The appeal proposal seeks to extend the dropped kerb to the full width of No 206's frontage. The total dropped kerb width would increase to some 11.3 m across the two properties and would also be within the zig-zag markings.
5. Encroachment onto zig-zag road markings is contrary to the Redbridge Council's Footway Crossing policy. The policy seeks to ensure that there are no obstructions or distractions for drivers approaching crossings and to control vehicles driving across the footway in areas likely to experience high numbers of pedestrian movements. Whilst this policy does not appear to be an adopted Local Plan planning policy, it provides important guidance for determining the impact of development on highway safety.
6. As proposed, the extended dropped kerb would increase the distance over which vehicles could come into conflict with pedestrians. This is of particular concern as the nearby commercial and day nursery uses are likely to generate

high numbers of pedestrian and vehicle movements. In my judgement the proposal would detrimentally impact pedestrian safety.

7. The frontage of No 206 is already accessed by a dropped kerb. There is therefore little justification for its extension in the face of the additional pedestrian and highway safety concerns that would arise. Furthermore, the boundary treatments around the frontage of the appeal property do not allow for adequate pedestrian visibility splays along the footway, contributing further to the identified harm.
8. Other dwellings and commercial buildings in the locality have vehicle crossovers, some of which extend across the full width of their frontage. These include Nos 355 and 428 Clayhall Avenue referred to by the appellant. However, the context of these crossings is significantly different to that of the appeal property; they are not close to a road junction, a pedestrian crossing and commercial uses, including a day nursery. The appeal proposal has been determined on its site-specific considerations.
9. I concur with the assessment of the Highways Authority and conclude that the location and use of the proposed extended dropped kerb close to a road junction and pedestrian crossing would harm pedestrian and vehicle safety. This would be contrary to the Council's aim to ensure safe and convenient passage for pedestrians as set out in the London Housing Design Guide SPD and the Footway Crossing policy.
10. Although they are referred to in the Council's reason for refusing the appeal application, Redbridge Local Plan Policies LP22 and LP23 respectively deal with the strategic provision of sustainable transport and sufficient cycle and car parking. I therefore do not consider them to be directly relevant to the appeal proposal. The same conclusions apply to London Plan Policies T2 and T6.1.
11. For the reasons set out above and having regard to all other matters raised the appeal is dismissed.

Elaine Benson

INSPECTOR