
Appeal Decision

Site visit made on 12 June 2024

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2024

Appeal Ref: APP/W5780/D/24/3342469

23 Gloucester Road, Wanstead, Redbridge, London, E11 2ED

- 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 Angela Milligan against the decision of the Council of the London Borough of Redbridge.
 - The application Ref. 2947/23, dated 18 December 2023, was refused by notice dated 20 February 2024.
 - The development proposed is to remove front brick wall. Formation of means of access to a highway and a dropped kerb. Soft and hard landscaping works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development above has been taken from the Council's decision notice and the appellant's appeal form. Whilst normally this would be taken from the original application form, the above is a more concise version of the detailed description included on that form.

Main Issues

3. The main issues are the effect of the proposal on (1) the character and appearance of the site, the Wanstead Grove Conservation Area, and landscaping; and (2) highway safety.

Reasons

Character and Appearance, and Landscaping

4. The appeal site contains a semi-detached dwelling located within the Wanstead Grove Conservation Area, which was designated partly for its varied types of late Victorian and Edwardian speculative housing development overlaid on an 18th Century designed landscape. There is a mix of boundary treatment throughout the area, but many properties benefit from some form of low front enclosure and front garden, and they are positive features which contribute to the local character.
5. There are many properties in the vicinity with vehicular crossovers and on-site parking. However, for the most part, these driveways form part of frontages of sufficient width to also allow for garden space, often set behind a low wall, fence or planting. As a result, the balance of vehicle parking and open garden

land means that on-site parking is accommodated without dominating the host property and compromising the wider setting. The appeal frontage is more compact than most in the vicinity that have on-site parking.

6. The appellant advises that the front wall is not an original feature, but I do not find it unattractive. Although the proposal may not result in the loss of a feature of historic value within the street scene, it would remove a characteristic form of enclosure in the area. The existing front garden is paved, and I accept that its appearance could be enhanced, but I am not persuaded that this would be best achieved by the loss of the wall and enclosed front garden. The application form and appeal state that the original path leading to the porch would be retained, but as the proposed layout plan indicates that it would be part of the new paved drive, its loss would be detrimental to the character and appearance of the property.
7. The proportion of the site available for soft landscaping would be modest, and insufficient to mitigate the expanse of hard surfacing which would be more visible in the street scene as a result of the removal of the front wall. Although the planning application form states that flower beds for soft landscaping will be created to the left and right boundaries to make up not less than 20% of the total frontage, only one planting strip is shown on the submitted plan, and the provision of two would further limit the available parking area. The result would be a car-dominated frontage that would detract from the appearance of the dwelling.
8. It is accepted that the highway alignment, built forms and topography would remain unchanged, as noted by the appellant, but these are just some of the features which contribute to the area.
9. The appellant has drawn attention to other properties within the Conservation Area with similar parking arrangements to the proposal; at least one of the photographs provided appeared to show a vehicle overhanging the footway. However, no details have been provided to indicate if these required or benefit from planning permission, or if they pre-date the Council's current policies and standards. As such, they offer limited support to the proposal.
10. There is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising planning functions. Paragraph 208 of the National Planning Policy Framework requires that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case, the proposal would result in less than substantial harm to the character and appearance of the Wanstead Conservation Area, but I do not consider that the public environmental benefit of charging an electric vehicle on site would outweigh the visual harm of the works needed to facilitate the charger installation and on-site parking.
11. I therefore conclude that the proposal would fail to preserve or enhance the character or appearance of the appeal site and the Wanstead Grove Conservation Area, contrary to Policy HC1 of The London Plan 2021, and Policy LP33 of the Redbridge Local Plan 2015 – 2030 (2018) [RLP], which seeks to resist development that does not preserve or enhance the character of designated heritage assets, including conservation areas; and contrary to RLP Policy LP26, which additionally seeks development which respects the local

character of the area, makes a positive architectural and urban design contribution to its context and location, and ensures that high quality hard and soft landscaping is integral to layout and design. In addition, the limited opportunities for landscaping on site would conflict with the support offered in RLP Policy LP38 to development which provides appropriate new trees, shrubs and other vegetation in a manner which is integrated into the design and layout of the development.

Highway safety

12. The appeal includes dimensioned layout plans of the site frontage. Although RLP Policy LP23 relates to the provision of sufficient cycle and car parking for new developments, it is relevant as it specifies that a regular car parking space must be a minimum size of 2.4m by 4.8m. The Council's 'Policy for Footway Crossings' specifies a lesser depth requirement of 4.5m (or 5.5m, if parked parallel to the road), but there is no indication that this document replaces the figures in the adopted policy. The crossing document makes clear that the purpose of minimum parking area sizes is to ensure that there is sufficient space so that a parked vehicle does not overhang the footway.
13. In any event, the appellant's stated dimensions of the existing front garden do not take into account the significant limitations created by an existing bay window and projecting steps to a porch canopy. As a result, it is not evident that there would be an unrestricted frontage depth of either 4.5m or 4.8m. With limited manoeuvring space, a vehicle parked on the site parallel to the road would likely obstruct the pedestrian route to the front door.
14. In the absence of sufficient on-site space to accommodate a vehicle in accordance with the Council's standards, there is potential for a parked vehicle to overhang the adjacent public footpath. This would create unacceptable obstruction and hazards to pedestrians on the path. Whilst I note the appellant's view that incidents of vehicle overhang onto the public footway are controllable and enforceable by separate legislation, this would not justify acceptance of a sub-standard parking space with the potential to cause such incidents; better to prevent by design rather than enforcement.
15. The appeal statement sets out details of the need for on-site parking. Whilst I can appreciate the benefits to the appellant and her family, I am not convinced that this would be achieved by creating a sub-standard space which would restrict access to the front door.
16. I therefore conclude that the proposal has the potential to result in unacceptable hazards for pedestrians to the detriment of highway safety, and contrary to RLP Policy 23 and the purposes of the Council's 'Policy for Footway Crossings'. On the matter of highway safety, I find no conflict with RLP Policy LP38, which relates to tree protection and landscape enhancement, but that does not alter my assessment.

Conclusion

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

H Lock

INSPECTOR