
Appeal Decision

Site visit made on 21 March 2022 by Hilary Senior BA (Hons) MCD MRTPI

Decision by A Jordan BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2022

Appeal Ref: APP/G4240/D/22/3291712

123 Sheffield Road, Hyde, SK14 2PJ

- 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 Peart against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 21/00696/FUL, dated 27 July 2021, was refused by notice dated 21 October 2021.
 - The development proposed is dropped kerb to front of property, creation of parking area and repositioning of boundary wall.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on highway safety.

Reasons for the Recommendation

4. The host dwelling is set back from the road and at a higher level to it, bounded by a stone wall to the rear of the footway. The area is characterised by mainly detached dwellings, set back from the road and with several having driveway parking to the front. The proposal would set the wall back from the rear of the footway to create two parking spaces, parallel with the highway.
5. Access to and from the parking bays would entail crossing the footway. In the vicinity of the proposal are a number of mature street trees and a bus stop along with the junction with Brookside Close. In addition, vehicles would be travelling downhill and have limited visibility of the parking bays, due to the layout of the road. The introduction of off-road parking in this location would require vehicles exiting the site having to perform extra turning movements on the adjacent adopted footpath and this would result in potential conflicts with vulnerable road users. These factors lead me to the view that the use of the parking areas would be harmful to the highway safety of other road users.
6. Furthermore, whilst the plans before me do not show measurements, from my assessment on site, there would not be sufficient space for two parking bays parallel to the highway due to the position of the street trees. Even if the space

was used for only one vehicle, the highway safety concerns described above would still be present.

7. I note the appellant's comments that there are several dwellings in the area which are set back from the road with parking to the front. From those that I saw on my site visit, several had sufficient space to allow vehicles to enter and exit in a forward gear and others were in positions where the visibility of oncoming traffic was not obstructed. Notwithstanding this, the presence of other potentially unauthorised parking arrangements in the wider area would not negate the harm I have identified above.
8. I conclude that the proposal would harm highway safety and would conflict with Policy T1 of the Tameside Unitary Development Plan which amongst other things seeks to ensure that development improves safety road safety especially in residential areas. It would also conflict with guidance in the National Planning Policy Framework which seeks to resist development proposals which would be an unacceptable impact on highway safety. Furthermore, the proposal would conflict with Policy RD9 of the Residential Design Supplementary Planning Document which requires minimum dimensions for parking bays.

Conclusion and Recommendation

9. The proposed development conflicts with the development plan as a whole and there are no other considerations, that outweigh this conflict. I therefore recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

A Jordan

INSPECTOR