



Appeal Decision

Site visit made on 22 November 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2022

Appeal Ref: APP/J4423/W/22/3303755

67 Sothall Green, Beighton, Sheffield S20 1FG

- 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 Mr James Cross against the decision of Sheffield City Council.
 - The application Ref 22/01597/FUL, dated 24 April 2022, was refused by notice dated 6 July 2022.
 - The development proposed is drop kerb in front of house, remove grassed area and fill to allow access to driveway.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the development on pedestrian safety.

Reasons

3. The appeal property is a mid-terraced dwelling within a row of similar. Some of these properties are fronted by a grass verge adjacent the highway, then pavement, then a small area of front amenity space, mostly enclosed by low boundary walls.
4. The appeal proposal seeks to install a dropped kerb, remove the section of grass verge in front of the appellants property, the create a parking space in the amenity space directly in front of the front elevation.
5. It is not disputed by the parties that the dimensions of the parking area is approximately 4.1m x 4.4m. The Supplementary Planning Guidance (SPG) "Designing House Extensions" is clear in Guideline 8 that parking spaces should be at least 5m long. In terms of width the size should be at least 3.2m wide where the parking area provides access to a dwelling.
6. Based on the guidance set out in the SPG, the proposal is contrary to those measurements, and the highways consultee has also recommended refusal based on that guidance. However, the SPG states that this is guidance only, and planning applications will not be bound by it, but nevertheless it weighs heavily in favour of the Council's case.
7. The Council's concern with the appeal scheme is that the depth of the parking area would be insufficient (measured against standards) to ensure that a car would not over-hang the pavement thus causing potential safety issues for pedestrians.

8. The provision of a dropped kerb and utilisation of the area in front of the property could result in vehicles reversing on and off Sothall Green. This would compromise the safety of road users, including those undertaking the manoeuvre, as well as the safety of pedestrians.
9. From my visit I noted that Sothall Green appears to be a well-used highway in a residential area and is also well-used by pedestrians. The impaired visibility of the highway and footpath to drivers on the appeal property would serve to compromise the safety of pedestrians and other road users if the development was to go ahead, albeit that the manoeuvring of vehicles would be likely to take place slowly.
10. To my mind, the plans when set against the standards would be flawed and sufficiently so in terms of the depth in front of the property to justify refusal of the scheme. There would be a potential risk to pedestrians manoeuvring toward the highway around an over-hanging car.
11. On the basis of the reasons above, I find conflict with Saved Policy H14 (d) of the Sheffield Unitary Development Plan (1998) which expect development to provide safe access to the highway and appropriate off-street parking and not endanger pedestrians.
12. I also find conflict with Guideline 8 of the SPG which, amongst other matters, sets out guidance as to appropriate parking space dimensions. I find the proposals are also contrary to the highways guidance set out in paragraphs 110,111 and 130 of the National Planning Policy Framework.

Conclusion

13. The proposal conflicts with the development plan and there are no other considerations that outweigh this conflict. For the reasons outlined above, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR