
Appeal Decision

Site visit made on 15 July 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2024

Appeal Ref: APP/X4725/D/24/3344464

227 Dewsbury Road, Wakefield, West Yorkshire WF2 9BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Ruth Jones against the decision of Wakefield Council.
 - The application reference is 23/01078/FUL.
 - The development proposed is a dropped kerb.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on highway safety; and the character and appearance of the area.

Reasons

3. The proposal would result in the front wall of the garden of this property being removed to allow access for parking by a single vehicle. It would be necessary for drivers to reverse into the space or reverse out. Leaving the parking space would be particularly problematic as the front of the neighbouring garden is bounded by a high hedge. Whilst the hedge is separated from this garden by the entrance path, inter-visibility between pedestrians and a departing driver would be very limited. The inability of a driver to see on coming pedestrians would be increased further if a vehicle was reversed out. In this respect, the proposal would reduce safety for pedestrians and would prioritise car movements over pedestrians.
 4. This is a busy road and reversing from, or into it, would add to the potential for vehicle conflicts. Inter-visibility to the west is, in theory, improved given the keep clear markings on the road in front of the neighbouring Post Office. During the short period of my visit, this restriction was not being observed with Post Office customers parallel parking in the keep clear area. Regardless of this however, any reversing into the busy nearside lane would add to highway safety concerns and reversing to turn to the east, would be even more problematic. Overall, I find that the proposal would add unacceptably to highway safety concerns.
-

5. The removal of the front wall and the surfacing of this small garden area would detract from the appearance of this property. This particular length of terraced houses has retained significant levels of greenery and the low walls are a relatively consistent feature that unifies their appearance. The vegetation also assists in screening the rubbish bins which are generally kept in the front gardens. The parking space would be relatively short which may be usable by a small car but many others would exceed the parking area available. Whilst this would be a matter for other controls and enforcement, it adds to my concern that the use of this small front garden for parking represents poor design that would individually and cumulatively, reduce the quality of the street scene.
6. Whilst the maintenance of the front gardens along this road cannot be controlled other than by the owners and occupiers, the removal of the frontage wall and the permanent surfacing of the full area of garden would result in harm to the character and appearance of the area and would encourage similar proposals. This would cumulatively result in ever increasing harm to the character and appearance of the area. Although it is suggested that some new planting could be introduced, it is not clear what could be achieved.
7. The increased concerns with regard to safety result in conflict with policy LP27(a&h) of the Wakefield District Local Plan 2036 (2024). There would also be conflict with policies SP1, SP23(1b), LP56(c, d, e, g, h, i and k) and LP57(d) as the design shortcomings would not result in high quality and sustainable development; would detract from local distinctiveness; and would result in harm to the character and appearance of the area. The proposal would be in direct conflict with the Wakefield District Residential Design Guide: Supplementary Planning Document 2018 which advises that removing front boundaries and surfacing for parking, is unlikely to be acceptable.
8. The works would also conflict with the National Planning Policy Framework 2023 which seeks development that functions well and adds to the overall quality of the area. It also advises that development that is not well designed should be refused. The National Design Guide (2021) only supports parking provision that is well considered or well-designed.
9. The potential for the introduction of an electric charging facility does weigh in favour of the proposal and gains support from policies SP23(8) and SP24(2c&3b) which encourage reducing fossil fuel dependency and carbon emissions. I am mindful also of the local support offered. Whilst the public parking space lost would be replaced by a private space, this would be a private benefit and a public loss, particularly given the parking demand generated by the Post Office. The reduction in on-street parking would allow for greater visibility from the post office parking area but this would provide only a very marginal benefit.
10. Reference has been made to other properties in the vicinity that have off-street parking without turning facilities. It is suggested that the space outside 172 Dewsbury Road was approved recently but no information regarding the permission has been provided. Its circumstances differ but in any event, I do not have the details of why that decision was reached. It is accepted that a permission at 211 Dewsbury Road was granted under different planning policy guidance but again, I do not have the details of that decision and its physical circumstances and setting, differ from this proposal. It has not been suggested

that the other properties referred to, have planning permissions and I am not therefore satisfied that the council has acted inconsistently. This proposal must be considered on its own merits but in any event, I do not find the examples provided to offer significant support.

11. Whilst there are matters that offer weight in favour of allowing off-street parking, particularly the potential for electric charging, these are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR