



Appeal Decision

Site visit made on 6 August 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2024

Appeal Ref: APP/W3005/D/24/3345914

54 Station Road, Selston, Nottingham NG16 6FH

- 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 Miss Burns against the decision of Ashfield District Council.
 - The application Ref V/2024/0165, dated 20 April 2024, was refused by notice dated 7 June 2024.
 - The development proposed is vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is a terraced dwelling, set back from the highway, with a long, narrow front garden area. The proposal would see a parking area created in that area for the off-road parking of one vehicle. I understand from the submitted evidence that the appellant parks to the rear of the property, but this causes issues with adjacent properties, and it appears to be some form of informal access at the rear used by residents.
4. There is inadequate space at the appeal site to allow a vehicle to turn in order to leave and enter in forward gear. Vehicles entering or leaving the property in reverse would be at risk of and have the potential to, cause collisions, as well as prejudicing the safety of any pedestrians passing on the pavement due to limitations in visibility.
5. The slowing down and turning movements of vehicles using the proposed vehicle access would lead to a potential source of danger and would be a hindrance to the safe movement of traffic and pedestrians at this point.
6. The appellant has stated that a nearby property has created a similar access, but I have no evidence to state whether this has obtained planning permission or not. Regardless, each proposal should be assessed on its own merits.
7. For the reasons already set out, I conclude overall that a safe vehicle access to the appeal site could not be achieved as its use would encroach onto and affect the highway and pedestrian walkway due to the inability to leave the access safely and has the potential to cause harm to highway safety due to visibility and pedestrian safety. In combination, these factors would lead to an unacceptable risk of conflict between highway users.

8. Therefore, I find conflict with policy ST1 of the Ashfield Local Plan Review (2002) which, amongst other matters, expects development to not adversely affect highway safety. I also find conflict with the guidance set out in the National Planning Policy Framework, the Nottingham County Council Highway Design Guide and the Residential Car Parking Standards Supplementary Planning Document.

Conclusion

9. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, I conclude that the appeal should not succeed.

Paul Cooper

INSPECTOR