



Appeal Decision

Site visit made on 18 March 2025

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2025

Appeal Ref: APP/Q4245/D/24/3358234

93 Wythenshawe Road, Sale, M33 2JZ

- 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 Dr Timothy Stibbs against the decision of Trafford Council.
 - The application Ref is 113674/HHA/24.
 - The development proposed is the creation of a dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for the creation of a dropped kerb at 93 Wythenshawe Road, Sale, M33 2JZ, in accordance with the terms of the application Ref 113674/HHA/24, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; and Site Plan at scales 1:100 and 1:200.

Main Issue

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

Reasons

3. The appeal property is a semi-detached dwelling, which is situated in a residential area, close to the junction of Wythenshawe Road (B5397) and Northenden Road (B5166). During my site visit, I observed that the junction was relatively busy with vehicles entering Northenden Road from Wythenshawe Road and vice versa.
4. The property has a single off-street parking space at the front, but no dropped kerb. Consequently, vehicles must drive over the raised kerb, when entering and leaving the parking space. There are double yellow lines along the road frontage of the property and a pedestrian refuge/crossing is located a few metres to the south of the dwelling, close to the junction.
5. The proposal is to construct a dropped kerb of 2.5m in width, which would facilitate access to the existing parking space. The Council considers that the proposal would have an unacceptable impact on highway safety, due to the position of the dropped kerb close to the junction (approximately 7m) and to the pedestrian refuge/crossing. It argues that the proposal would conflict with Policy JP-C8 of the adopted Places for Everyone Joint Development Plan 2024. This policy covers

several transportation requirements, with highway safety being an important consideration.

6. In addition, the Council's Supplementary Planning Document – Parking Standards and Design, states (amongst other things) that vehicle crossings should not be located within or close to a highway junction.
7. I acknowledge that the appeal proposal would conflict with the Council's guidance, because of its location close to the junction of Wythenshawe Road and Northenden Road. However, the appellant already accesses his parking space and has done so for several years. In fact, evidence supplied by the appellant shows that the parking space existed in 2012. A plan has also been submitted from a planning application in 2008 that showed parking on the front of the site.
8. My observations during my site visit were that vehicles using the junction did so with care and at relatively slow speeds. Visibility is good and any vehicle accessing the parking space can be seen clearly and well in advance, by both drivers and pedestrians. Furthermore, the construction of a dropped kerb would facilitate an easier access to the property rather than the somewhat 'bumpy' manoeuvre over the existing raised kerb.
9. Paragraph 116 of the National Planning Policy Framework 2024 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. Whilst any assessment can be subjective, given the existing arrangements and the relatively lengthy period during which the parking space has been in use, I conclude that the proposal would not have an unacceptable impact on highway safety.

Conditions

10. In addition to the standard condition relating to the time period in which to commence the development, a condition specifying the approved plans is also necessary.

Conclusion

11. For the reasons given above, the appeal is allowed.

Ian McHugh

INSPECTOR