



Appeal Decision

Site visit made on 16 June 2025

by J D Westbrook BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/G4240/D/25/3364759

176 King Street, Dukinfield, SK16 4TY

- 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 Mr Vladislav Mladenov against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 25/00188/FUL
 - The development proposed is the installation of a dropped kerb.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed dropped kerb on highway safety along King Street.

Reasons

3. No 176 is a semi-detached house situated on the eastern side of King Street, just south of its junction with Boyds Walk. The house has a frontage of around 6 metres in width and the front elevation is set some 3 metres back from the rear of the pavement with no front boundary. The house is the end property of a row of dwellings and the northern boundary of the property is a wall and fence separating the appeal site from the bungalow on the corner plot at the junction. There is a bus stop on King Street close to No 176. The road markings delineating the bus stop are now largely erased, but it would appear that they extended from the junction with Boyds Walk to a point a part way along the front of the appeal property.
4. The proposed development would involve the creation of a dropped kerb at the front of No 176 to enable a vehicle to be parked on the forecourt of the property. I have no information before me to indicate the extent of the dropped kerb.
5. From my site visit, it would appear that, with the exception of Nos 176, 178 and 180 Kings Road, all of the other properties along this side of the road have a low wall to demarcate the front boundary of the property at the rear of the pavement. There is a dropped kerb, which appears as a recent construction, outside of No 180, and a small length of dropped kerb also exists at the front of No 178. I have no details as to whether these lengths of dropped kerb have been authorised. There remains a kerb outside No 176 and part of No 178. From the drawings submitted with the application, there would not appear to be any intention for the dropped kerb to extend beyond the frontage of No 176.

6. Policy T1 of the Council's Unitary Development Plan (UDP) indicates that development schemes must be designed, amongst other things, to improve safety for all road users. Policy RD7 of the Council's Residential Design Supplementary Planning Document (SPD) indicates that parking provision should not dominate front garden areas, the street or impede pedestrians.
7. At the time of my visit there was a car parked on the forecourt of No 178, with another car parked partly on the road and partly on the pavement outside of the house. There was a vehicle parked, partly on the road and partly on the pavement outside of No 176, very close to the bus stop sign.
8. Given the limited amount of space at the front of the appeal property, for a car to be able to parallel park on the forecourt at No 176, it would be necessary for that vehicle to reverse from the road across the pavement. I do not have any swept path information before me, but it would seem very unlikely that any vehicle attempting this manoeuvre, would be able to park without an incursion, albeit small, onto the forecourt of No 178, and it would almost certainly need to cross over part of the remaining raised kerb outside of No 178. In any event, the manoeuvre would be dangerous for road and pavement users alike, particularly if there happened to be a bus at the nearby stop picking up or discharging passengers. Moreover, if a car were to be parked on the forecourt, there would be issues of getting in and out of the car without impinging on the pavement, and there would also be an issue of lack of visibility of pedestrians and/or vehicles, due to the presence of the northern boundary wall/fence potentially impeding sight lines.
9. There have been letters of support for the proposal, and the appellant has also contended that by parking a vehicle on the forecourt at the appeal property, it would prevent vehicles parking on the road at this point, making it safer for buses and passengers. However, I note that even with a car parked outside No 178, at the time of my visit there was also another vehicle parked on the road outside. I do not consider that the proposed drop kerb would necessarily result in no parking at all on the road near the bus stop. Even if there was some deterrent to on-road parking, the issues of danger to pedestrians and other highway users resulting from the difficult manoeuvres into and out of the parking space would remain, and would outweigh any potential benefits.

Other Matter

10. The appellant states that his family includes a 3-month-old baby, and the ability to park directly outside the house is crucial for family well-being. I sympathise with the appellant on this matter, but it is not reason to allow a development that would be harmful to wider highway safety.

Conclusion

11. In the light of the above, I find that the proposal would be harmful to the safety of highway users, would be likely to impede pedestrians, and would dominate the front garden area of the appeal property. It would, therefore, conflict with Policy T1 of the UDP and with Policy RD7 of the SPD. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR