
Appeal Decision

Site visit made on 31 October 2025

by **S Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

Appeal Ref: APP/C4235/D/25/3372523

306, London Road, Hazel Grove, Stockport SK7 4RF

- 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 Christopher Smith against the decision of Stockport Metropolitan Borough Council.
 - The application reference is DC/096289.
 - The development proposed is a dropped kerb and crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon highway safety.

Reasons

3. The appeal property is an end-terrace, two storey dwelling, located on a classified, two-way highway (A6) in a predominantly residential area of mostly similar properties, but with several commercial properties in the immediate area.
4. The properties in the terrace, including the appeal property, have small amenity spaces in front of them and abutting the pavement to the highway and which are mainly hard surfaced. The width of the spaces diminishes from south-east to north-west, with that in front of the appeal property varying from approximately 4.70 metres to 3.75 metres. The length of its amenity space is shown on the submitted drawing to be sufficient to park a car parallel to the road and pavement.
5. On my site visit, I was able to note that immediately to the south-east of the appeal property is a traffic-controlled junction, and that there are two traffic lanes immediately outside the appeal building with a further three lanes on the opposite side of the road. I was able to note that traffic volumes and speeds through the busy junction, past the appeal site were high. There are yellow lines outside the terrace, including the appeal property, to prevent parking, and none of the dwellings in the terrace have dropped kerbs.
6. The proposed dropped crossing would allow the use of the front amenity space of the appeal property for car parking. However, given the volume of traffic flowing

along the two lanes past the appeal site, I share the Council's concerns over the increased possibility of shunts when drivers are slowing down to enter the parking area.

7. The submitted plans indicate that the available space is just sufficient to park a car on the amenity space, parallel to the footpath and carriageway. However, the available space is limited, and it is likely that drivers would have to manoeuvre to park within the space. Such manoeuvring would not be helped by the presence of a pedestrian safety barrier at one end of the proposed dropped crossing and a telegraph pole close to the other.
8. The evidence before me includes a photograph of a large van parked on the site, clearly showing that the space is insufficient to accommodate such a vehicle without it overhanging part of the adjoining footpath. Any such overhanging could require pedestrians, including pedestrians with prams or wheelchairs, to leave the pavement and to move into the road, and with the potential for conflict between vehicles and pedestrians. In addition, there would be possible difficulties and accidents for persons who are visually impaired.
9. It cannot be guaranteed that future occupiers will always own small cars, even if parking for them were to be considered to be otherwise acceptable at this busy location.
10. Therefore, I conclude that the proposed development would result in unacceptable harm being caused to highway safety. The proposal would be contrary to Policy SIE-1 of the Stockport Core Strategy Development Plan Document 2011 (CS) which requires that specific account is given to ensuring that development provides for the safety of users, and for the provision of a suitable and satisfactory level of access. It would also not accord with CS policy CS9 which requires that development should consider the needs of the most vulnerable road users, and foremostly those of pedestrians, or with CS policy T3 which requires that development should encompass safe and well-designed access arrangements. I also conclude that it would be contrary to chapter 9 of the National Planning Policy Framework 2025 (as amended), which aims to create places that are safe and which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Other Considerations

11. The appellant has referred to specified health conditions of a member of the household pertinent to the issue of parking a vehicle immediately outside the premises.
12. Given the sensitive nature of the health information supplied to me as part of this appeal, it would not be appropriate for me to outline the specific health conditions of the occupier of the host property in this decision. Nonetheless, the evidence is that an occupier of the appeal property does have some health conditions that affect normal daily activities. In this regard, I find that the evidence does demonstrate that the occupier does have a disability.
13. Give the above, it is necessary for me to apply the public sector equality duty in section 149 of the Equality Act, 2010 which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.

14. While it is likely that the proposal would be of some assistance to the occupier of the property who has some health conditions, I have little information before me in terms of the extent to which that person may be able to walk, or indeed the severity of the stated health conditions. This is despite me requesting more information from the appellant as part of this appeal.
15. Based upon the information that is before me, I conclude that, while the proposal may be of assistance to the disabled occupier of the property, this is not outweighed by the harm that would be caused to highway safety. In fact, if the appeal were to be allowed, there is a risk that harm could be caused to the disabled occupier, and indeed any other occupier, arising from the highway safety harm caused in respect of my conclusion on the main issue.
16. Therefore, I conclude that a refusal of planning permission is a proportionate and necessary approach to the legitimate aim of protecting highway safety. Moreover, the protection of the public interest cannot be achieved by means that are less interfering of the rights of the occupiers of the property as contained in Article 8 of the European Convention on Human Rights, as incorporated into the Human Rights Act 1998. Therefore, whilst I acknowledge the identified personal circumstances, I conclude that they are not matters which outweigh the harm that would be caused by the proposal in highway safety terms

Conclusion

17. For the reasons outlined above, I conclude that the appeal should therefore be dismissed.

S. Hartley

INSPECTOR