



Appeal Decision

Site visit made on 4 November 2025

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th November 2025

Appeal Ref: APP/E2001/D/25/3373338

Jinsong, 2 Station Row, Station Road, Camerton, East Yorkshire HU12 9JW

- 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 Ms Gillian Dixon against the decision of East Riding of Yorkshire Council.
 - The application Ref is 24/00177/PLF.
 - The development proposed is the construction of a vehicular access.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises a mid-terrace dwelling located on the single carriageway of Station Road. The front garden is separated from the road by a narrow footpath and grass verge.
4. Policy ENV1(B.12) of the East Riding Local Plan Strategy Document Update 2025 (LP), seeks to ensure the equality of safe movement for all, including access, egress and minimising highway safety risks. Requirements for car parking provision are set out within Code 42 of the East Riding Design Code (ERDC) 2025 and the Sustainable Transport Supplementary Planning Document (SPD) 2024. They specify that a parking space should measure at least 2.5m wide by 5m in length. There is no substantive evidence before me to suggest that the Council's Vehicular Access Design Guide was valid at the time of the application, or that it overrides planning guidance.
5. The depth of the front garden has been measured by various Council officers as either 4.7m or 4.85m, and the photograph supplied appears to indicate a measurement of just over 4.8m, although the context of the photograph is not entirely clear. Even if I adopted the most generous of these measurements, there would be insufficient space within the appeal site to provide a car parking space that would meet the minimum depth specified by the ERDC and SPD.
6. The deficient space would result in a parked car overhanging the adjacent footpath. Given the narrowness of this footpath, any such encroachment would impede pedestrian movement, particularly for wheelchair users, those using mobility scooters or individuals pushing a pram. As there is no footpath on the opposite side of the road, pedestrians would have no alternative route. The

proposal would therefore fail to support safe and inclusive pedestrian movement, a concern also shared by the Highway Officer.

7. Car parking for the appeal site is catered for by a lay-by on the opposite side of Station Road. The appellant contends that it is unsafe to cross the road with shopping or children. Although a snapshot in time, I observed that the road was restricted to 40mph and carried light to medium traffic. Whilst vehicles were moving at speed, there were frequent breaks in the flow, and clear visibility could be obtained in both directions from the lay-by. No accident data has been provided to demonstrate that crossing the road in this location presents a particular hazard. Although the appellant refers to having experienced a fall, no details have been submitted regarding the circumstances or cause of that incident¹. In the absence of substantive evidence to the contrary, I am not persuaded that the use of the lay-by for parking is inherently unsafe.
8. The end properties within the terrace have car parking spaces within their front gardens. The Council advises that these examples would have complied with the guidance relating to the depth of a car parking space, regardless of whether permission was granted². I have no evidence to the contrary.
9. The proposal would have an unacceptable effect on highway safety. Conflict is thus found with Policy ENV1 (B.12) of the LP, as set out above. It would also fail to comply with the National Planning Policy Framework, which seeks to achieve safe access for all and prioritises pedestrian movement within the transport hierarchy.

Other Matters

10. Parking to the front of the dwelling would be more convenient for the appellant and could facilitate the installation of an electric vehicle (EV) charger. While this may support the transition to lower-emission transport, the safety of road users including pedestrians, is an important consideration. In this case, the provision of an EV charger does not outweigh the harm identified to highway safety. Thus, the associated benefits attract limited weight.
11. The appellant made the application after obtaining advice from the Council which later proved to be inaccurate. I understand the emotional and financial impact that may have resulted. Nonetheless, planning applications and appeals must be determined in accordance with the development plan, unless material considerations indicate otherwise³. I have found conflict with the development plan for the reasons given. Moreover, the Planning Practice Guidance is clear that pre-application advice cannot pre-empt the democratic decision-making process, or a particular outcome in respect of a formal application⁴.

Planning Balance and Conclusion

12. The proposal would conflict with the development plan, and there are no material considerations of sufficient weight to indicate that a decision should be made other than in accordance with it. For the reasons given above, the appeal is dismissed.

M Clowes - INSPECTOR

¹ As described within the minutes of the Eastern Area Sub-Committee of 9 June 2025.

² As set out in the report of the Director of Planning and Development Management to the Eastern Area Sub-Committee.

³ Section 38(6) of the Planning and Compulsory Purchase Act 2004.

⁴ Paragraph: 011 Reference ID: 20-011-20140306.