
Appeal Decision

Site visit made on 2 September 2025 by E Nutman BA (Hons)

Decision by A Walker

an Inspector appointed by the Secretary of State

Decision date: 20th November 2025

Appeal Ref: APP/A1015/D/25/3368645

99 Ashgate Road, Chesterfield, Derbyshire S40 4AH

- 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 Greaves against the decision of Chesterfield Borough Council.
 - The application Ref is CHE/25/00296/HOU.
 - The development proposed is 'New off-road parking space and new dropped kerb to front of property'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - highway safety

Reasons for the Recommendation

Character and appearance

4. Ashgate Road is a classified road and there is a mixture of detached and semi-detached dwellings either side. Two rows of terraces also sit to its northern side. The appeal site sits within the middle of one of these rows. These terraces feature compact front garden areas and can be seen with hedging to their frontages, creating a cohesive and uniform appearance. Detached, semi-detached and end of terrace properties can be seen with off-road parking provision to their frontages. Whilst only a snapshot in time, during my site visit I noted that the road appears to be somewhat busy, as cars passed by consistently. There is a moderate-level of on-street parking seen along the length of the road. Many properties feature verdant frontages as they include either hedging or other forms of foliage, creating an attractive and strong cohesive quality to the street scene that contributes positively to the character and appearance of the area.

5. There is on-site parking provision seen to the frontages of detached, semi-detached and end of terrace properties, however the proposal would result in a break within the line of hedging seen to the row of terraces frontages. Whilst new, low-level planting is proposed, the break in the existing hedging, combined with the significant visual intrusion of a parked vehicle, which would fit tightly within the confinements of the front garden, would unacceptably erode the verdant uniformity and charm of the row of terraces. Consequently, the proposal would not respect the character of the area, nor would it enrich the quality of the existing place.
6. I conclude, the proposal would have an unacceptably harmful effect on the character and appearance of the area. Consequently, the proposal is contrary to Policy CLP20 of the Chesterfield Local Plan (2020) which, amongst other matters, seek to ensure the character of the area is respected, and that the quality of a place is enriched.

Highway safety

7. The plans demonstrate that vehicles would either need to reverse in to or out of the access. For the former, a car would have to stop in the road, impeding the free flow of traffic. Regarding the latter, such a manoeuvre would bring with it the added difficulty of restricted visibility for the exiting driver, due to frontage boundaries, increasing the risk of conflict with pedestrians, cyclists or other vehicles.
8. The Highways Officer commented that the presence of on street parking has the potential to create friction, slowing traffic and increasing driver awareness. The Highways Officer also commented that there is no history of collisions and that this suggests that manoeuvres carried out by vehicles entering and existing other private accesses can be undertaken without having an impact on highway safety. Given that what I observed during my site visit only captured a snapshot in time, I am unable to accurately determine whether the on-street parking does indeed slow traffic and increase driver awareness. Whilst there is no history of collisions along Ashgate Road, the absence of such past incidents does not guarantee future safety. The lack of control over the maintenance of neighbouring hedging either side of the proposed access, the narrow footpath, and lack of visibility splay provided, combined with the added impedance to the highway is considered to result in unacceptable impacts upon the safety of the highway.
9. The appellant has proposed that two convex traffic safety mirrors could be added to either side of the access, however, the lack of control over neighbouring hedges could result in a reduced effectiveness of these two mirrors, therefore my concerns would not be overcome through the addition of these mirrors.
10. I conclude, the proposal would have an unacceptably harmful effect on highway safety, contrary to Policies CLP20 and CLP22 which, amongst other matters, require that safe vehicle access and parking is provided and that development results in places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Other Matters

11. I recognise the sustainability value of the installation of Electric Vehicle (EV) chargers. However, I am not convinced that an EV charging point could not successfully be installed in or on the existing garage. It's weight therefore as a benefit of the scheme would be very limited.

12. The appellant contends that the proposal would overcome the issues associated with existing parking arrangement to the rear, as they set out that turning a vehicle is not possible due to the position of boundaries, leading to a reverse manoeuvre from the parking space along the shared drive into Ashgate Road. Given that the proposal would also not provide any turning space for vehicles, and as discussed above a reverse manoeuvre would be required for either access or egress, the proposal would not improve the site's existing parking conditions and would instead result in the potential for two vehicles to impact highway safety along Ashgate Road.
13. The appellant also argues the proposal would provide enhanced biodiversity through additional planting. However, notwithstanding the limited details demonstrating that the biodiversity would be enhanced, I am not satisfied that this would outweigh the harm to the character and appearance of the area and highway safety.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

E Nutman

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A Walker

INSPECTOR