



Appeal Decision

Site visit made on 5 January 2022

By R J Redford

an Inspector appointed by the Secretary of State

Decision date: 14 JANUARY 2022

Appeal Ref: APP/D1780/D/21/3285407

26 Winchester Road, Southampton SO16 6UL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Emma Gentili against the decision of Southampton City Council.
 - The application Ref 21/00962/FUL, dated 8 June 2021, was refused by notice dated 29 September 2021.
 - The development proposed is described as 'To install a dropped curb outside the driveway of the property to make entering and exiting the driveway safer for other road users and pedestrians.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The appeal proposal is a resubmission of planning application 20/00253/FUL. The main issue in this appeal is the effect of the proposed development on the safety of pedestrians and other road users.

Reasons

3. The appeal site is a semi-detached bungalow set back from the footway behind a gravelled front garden. It is situated broadly central on the A35, Winchester Road, approximately halfway between the Warren Avenue junction and the A3057 / Tebourba Way junction. Both junctions are controlled by traffic lights. This section of Winchester Road is lined with residential dwellings interspersed with commercial premises, and the highway is marked on both sides with double yellow lines. Winchester Road is one of the main routes through this part of Southampton and has a speed limit of 30mph. When I visited the appeal site at midday in the middle of the week, I observed a steady flow of traffic along it. Although this provides only a snapshot of the highway conditions, Winchester Road appears to be a well-used and busy road.
4. Directly opposite the appeal site is the junction with Grange Road, which combines with the only vehicular access to a commercial site. This means that although Grange Road is a one-way street, vehicles turn into and out of the junction in both directions. I observed this happening on multiple occasions whilst visiting the site.
5. The location of the appeal site means that vehicles are accelerating away from the traffic lights in both directions, with users focusing on the forthcoming set of traffic lights, as well as vehicles entering and exiting Grange Road and the

- commercial premises. Any vehicle slowing to enter the appeal site, or exiting in reverse, would create a further obstacle to free-flowing traffic, to the detriment of other road users and their safety.
6. Winchester Road has footways on both sides with reasonable street lighting, the boundary treatments on either side of the appeal site are low, and the frontage of the site is open. However, on visiting the site, I saw that the vehicle parked on the frontage was similar in length to the depth of the gravelled area. As a result, and in absence to any evidence to the contrary, I am unconvinced that manoeuvring and turning of vehicles on site would be achievable without crossing onto the footway, thereby potentially affecting the safety of pedestrians.
 7. The appellant has put forward examples of other dropped kerbs within the vicinity of the appeal site. I saw these sites during my visit, however, no details as to their lawfulness have been made available to me. The existence of other dropped kerbs does not mitigate the harm to pedestrian and road user safety which would be caused by the proposed development in this instance.
 8. I note the appellant has challenged the Council's statement relating to the local accident records, by reference to paragraph 7.9.5 of the Manual for Streets, and provided their own views relating to traffic speed, vehicles exiting onto Winchester Road, and the limited number of daily vehicular movements from the appeal site. However, without supporting evidence from either party, I cannot afford any weight to these matters.
 9. Although the appellant is seeking to purchase an electrical vehicle in the future, the installation of an electric charge point does not form part of the proposed development and therefore I am unable to consider this. Furthermore, despite the appellant's view that the proposal constitutes sustainable development, with reference to the National Planning Policy Framework, this does not outweigh the harm to pedestrian and road user safety.
 10. I conclude, therefore, that the proposed development would result in harm to the safety of pedestrians and other road users. Consequently, it would not comply with Saved Policy TI2 of the City of Southampton Local Plan Review (Amended March 2015), which seeks to maintain the safety of classified roads, and is supported by paragraph 111 of the National Planning Policy Framework (2021) in terms of highway safety.

Conclusion

11. The appeal scheme does not comply with the development plan as a whole nor the approach in the National Planning Policy Framework, and there are no other material considerations that would indicate a contrary decision. The appeal is therefore dismissed.

RJ Redford

INSPECTOR