

Appeal Decision

Site visit made on 17 January 2022

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2022

Appeal Ref: APP/A3655/W/21/3286158
34 Bagshot Road, Woking, Surrey GU21 2SF

- 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 Mr Blaine Colston against the decision of Woking Borough Council.
 - The application, Ref. PLAN/2021/0142, dated 7 February 2021 was refused by notice dated 20 August 2021.
 - The development proposed is 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 pedestrian and highway safety.

Reasons

3. I saw on my visit that the appeal dwelling is one half of a semi-detached pair with No. 36 and that the houses share a hard surface at the front. At the time of my visit there was a car parked in front of each house and in the case of No. 36 this parking area can be easily accessed over the adjoining dropped kerb that facilitates the rear access drive constructed as part of the original development. This is not the case for No. 34 when a car is parked in front of No. 36 because access would either be entirely prevented or the vehicle forced to also use the pavement.
 4. Whilst I appreciate that the proposed dropped kerb would resolve the problem for the appellant, this would involve the removal of part of the reinforced 9m length and 140mm height raised kerb needed for bus passengers that was only completed a few weeks after the appeal application was submitted.
 5. The appellant argues that the buses generally pull up slightly past the stop thereby enabling passengers to use a length of the raised kerb that would not be affected by the proposal. My attention has also been drawn to other examples of bus stops where the kerb is partly or entirely dropped to the level of the road.
 6. However, the presence of other bus stops that are sub-standard does not in my view justify public safety being compromised in this case. There is also no
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guarantee that bus drivers would always remember to stop in the forward position required for the avoidance of the dropped kerb. And with the painting of the 'bus cage' on the road surface, there is clearly an expectation from those drivers and the public alike that a kerb of the height needed for safe use of the bus will be provided for its full length, or at the very least the area immediately adjacent to the actual signposted stop.

7. I acknowledge that the absence of a dropped kerb opposite the frontage parking area for No. 34 is inconvenient for the appellant, but two parking spaces are provided at the rear of the dwelling and use of the front paved area is not essential.
8. For the reasons explained, I conclude that the proposal would have an unacceptably adverse effect on pedestrian and highway safety. This would be in harmful conflict with Policies CS18 & CS21 of the Woking Core Strategy 2012.
9. The appeal is dismissed accordingly.

Martin Andrews

INSPECTOR