
Appeal Decision

Site visit made on 20 April 2022

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2022

Appeal Ref: APP/D1780/D/22/3290636

29 Rownhams Road, Maybush, Southampton SO16 5DX

- 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 Mrs Alana Broadbent against the decision of Southampton City Council.
 - The application Ref 21/01354/FUL dated 13 September 2021, was refused by notice dated 9 November 2021.
 - The development proposed is widening of existing vehicular access including extension of existing dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for widening of existing vehicular access including extension of existing dropped kerb at 29 Rownhams Road, Maybush, Southampton SO16 5DX in accordance with the terms of the application, Ref 21/01354/FUL dated 13 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawings titled "Ref 1", "Ref 2" and "Ref 3".

Procedural Matter

2. The description of development in the heading above is taken from the appeal form and the decision notice, since this more succinctly describes the proposal than the description on the application form.

Main Issues

3. The main issues are the effect of the proposal on:
 - The character and appearance of the area;
 - Highway safety; and
 - The living conditions of local residents having regard to on-street car parking demand.

Reasons

Character and appearance

4. The appeal site is on the west side of Rownhams Road, within a predominantly residential area in the Maybush part of the City. The road is wide and straight, acts as one of the key road transport routes within an established housing area, and includes a parade of local shops at its northern end.
5. The open nature of the townscape derives from the unbending nature of the road, the day-time parking restrictions along a large part of the street, and the character of residential development that aligns the street, which comprises a regular road-facing building line of dwellings on both sides of the road, which are set back behind either open frontages or front boundaries incorporating vehicular accesses, together with low front boundary walls or hedges.
6. The site lies near the southern end of the road, between its junctions with Romsey Road and Rylandes Court, where the street includes grassed highway verges on both sides of the road, between the back of the pavement and property front boundaries. These verges contribute to the open and spacious nature of the road, and make a positive contribution to the street scene, providing an attractive verdant edge to the road and softening the built development within this part of the urban area.
7. The appeal property has an existing two-vehicle wide driveway access, and the remainder of the frontage enclosed by a low stone wall with grass verge in front. This frontage treatment extends across to the other half of the semi-detached pair of properties at No.31.
8. The proposal would remove the remaining front boundary wall and grass verge at the front of the appeal site, so that the frontage would be fully open, and there would be an erosion of part of the green soft landscaped edging which would appear to be an original feature of this part of the road.
9. However, ungated vehicular accesses with associated dropped kerbs form part of the established street scene of Rownhams Road, including within the southern section. Of significance to my decision is that many properties within the immediate vicinity of the appeal incorporate wider than single-vehicle size driveway accesses. Moreover, whilst the Council states that dropped kerbs extending across the whole width of properties are not normally supported, I saw a number of examples of such development within close proximity of the appeal site, with properties incorporating full width dropped kerbs and open frontages with no grass verges.
10. The existing driveway accesses and any associated removal of highway verge, now comprise an integral part of the established townscape in this part of the road. The Council has not drawn my attention to any specific character appraisal for this area or policy requirement to protect the remaining grass verges. Notwithstanding that the original layout of houses may have incorporated narrower accesses and wider elements of frontage enclosure and grass verges, I must determine this appeal on the basis of the existing character of the area. Accordingly, the proposal would not be at odds with the prevailing character of development within the site vicinity and would not appear unduly incongruous within the street scene.
11. For the above reasons, I conclude that the proposal would not result in significant harm to the character and appearance of the area. As such, the appeal scheme would accord with Policy CS13 of the *Local Development Framework Core Strategy Development Plan Document (2015)* (CS), in so

much as this policy seeks to achieve a high quality built environment, having regard to the context of development.

12. This is generally consistent with advice in Chapter 12 of the *National Planning Policy Framework 2021* (the Framework), which requires well-designed places.

Highway safety

13. The Council's highway safety concerns relate to the potential for the development to impede pedestrian visibility as a result of facilitating the parking of more than two vehicles adjacent to a footway. Whilst the appellant is of the view that it would not be physically possible to park more than two vehicles on the driveway in a satisfactory manner which allows sufficient room for door opening, access to the house and bin storage, I consider that the appeal scheme would be capable of comfortably accommodating the parking of 3 small cars, and I witnessed such parking on other nearby properties during my site visit.
14. Whilst noting the Council's concerns, I have not been presented with any substantive evidence to demonstrate that existing full width frontage parking elsewhere within the site vicinity has resulted in traffic incidents that have endangered the safety of highway users. I find that this weighs in favour of the proposal.
15. The proposal would provide for a 6m parking space depth between the front of the building and the front of the site. This meets the minimum depth requirement set out in the Council's "Dropped Kerb Application Guidance", to which the Council has made reference within the Officer Delegated Report. As such, there would be sufficient parking space depth so that parked vehicles would reasonably be able to park without obstructing pedestrians and other users of the adjacent pavement.
16. There is good visibility for drivers along this straight stretch of the road. Moreover, the proposed removal of the existing front boundary wall would result in improvements to driver visibility when exiting the site. Also, the former grass verge land between the back of the pavement and the site frontage would aid pedestrian safety by separating the pedestrian walkway from vehicles as drivers initiate an exit from the site.
17. For the above reasons, and in the absence of cogent evidence from the Council to the contrary, I conclude that it has not been satisfactorily demonstrated that the appeal scheme would result in material harm to highway safety. As such, the proposal would not conflict with the citizen and road safety aims of Saved Policies SDP1 and TI2 of the *City of Southampton Local Plan Review* (2015) (LP), CS Policy CS13 and Part 5 of the *Residential Design Guide* (2006).
18. For similar reasons, the proposal accords with Paragraph 111 of the Framework, which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

Living conditions

19. The proposal would result in the loss of an on-street parking space in front of the site. I observed during my site visit that stretches of the road are subject

to day-time 'no-parking' restrictions during the week from Monday to Friday. During my site inspection, which took place on a weekday afternoon, I did not witness any localised parking problems or parking congestion or impeded access to the highway network. I found space to park on the street within close proximity of the appeal site.

20. I acknowledge that this was only a snapshot during the day, and there may well be more on-street parking at other times, including during the evening and at weekends. However, at these times there would be a significantly greater availability of on-street parking as the weekday, daytime parking restrictions would not apply.
21. Moreover, the Council has not provided any substantive evidence, such as a parking survey or photographic documentation, to demonstrate that there is an existing problem in respect of on-street parking within the vicinity of the site.
22. For the above reasons, I conclude that the development would not result in materially harmful impacts on the living conditions of local residents due to a reduction in off-site parking provision. The development therefore accords with the objectives of LP Policy SDP1 and CS Policy CS13, in so much as these policies seek to ensure that new development respects the amenity of the city's citizens.
23. This is generally consistent with paragraph 130 of the Framework, which seeks to ensure that developments will function well and promote a high standard of amenity, health and well-being for existing and future users.

Conditions

24. I have considered the Council's suggested conditions in accordance with Paragraph 56 of the Framework and the national Planning Practice Guidance. In addition to the standard implementation condition, it is necessary to define the plans in the interests of certainty.
25. I do not find that a condition put forward by the Council to require the proposed materials to match those of the existing building to be necessary, given the nature of the development, which solely relates to the formation of a dropped kerb and the removal of the frontage wall. Neither do I consider that the Council's suggested condition restricting the scheme to 2 vehicle parking spaces only, which shall only be used for vehicle parking, to be necessary or reasonable, having regard to my conclusion in respect of the second main issue, and since the appeal scheme comprises the use of the whole of the front garden area, which is already hardsurfaced, for parking purposes.

Conclusion

26. For the reasons given above, I conclude that the appeal should succeed, and planning permission be granted subject to conditions.

S Leonard

INSPECTOR