



Appeal Decision

Site visit made on 24 April 2024

by J Evans BA(Hons) AssocRTPI

an Inspector appointed by the Secretary of State

Decision date: 09.05.2024

Appeal Ref: APP/D1780/D/24/3337411

208 Middle Road, Southampton, SO19 8PG

- 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 Malcolm Jenks against the decision of Southampton City Council.
 - The application Ref 23/01315/FUL dated 6 October 2023, was refused by notice dated 5 December 2023.
 - The development proposed is the formation of vehicular access with a dropped kerb.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description of the development as set out on the decision notice as I consider this better reflects the proposal before me.
3. Following the decision by the Council and before the submission of the appeal by the appellant the revised National Planning Policy Framework December 2023 (the Framework) was published. There are no substantive changes relevant to the appeal before me, and therefore the Council, the appellant and other interested parties would not be prejudiced by my consideration of the 2023 version of the Framework.

Main Issue

The main issue is the effects of the proposal on highway safety.

Reasons

4. No.208 is a two-storey semi-detached dwelling located part way along Middle Road. Within the context of No.208, the eastern side of Middle Road consists of residential properties, whilst the opposite western side includes Sholing Infant School and Oasis Academy: Sholing.
5. Unlike the majority of properties in the surrounding area, No. 208 forms part of a small grouping of four properties which are positioned relatively close to the adjacent public footpath and highway. Elsewhere, the majority of the other properties along Middle Road are set further back.
6. My site visit was undertaken in the early afternoon. Whilst I acknowledge this was only for a short passage of time, I am nonetheless satisfied that what I observed is broadly consistent with the situation generally. What I witnessed was regular movement along Middle Road. I also noted numerous vehicles

parked on the highway on either side, some of which overlapped onto the adjacent pavement. The overall perception was of a busy highway, which I would expect is exacerbated at the drop off and pick up times associated with the education establishments opposite. This context provides for a busy traffic environment in the immediate vicinities of No. 208.

7. I also noted numerous off street parking spaces along Middle Road, these related to properties with larger front gardens than No.208, whereby space for manoeuvrability, particularly when reversing into and out of parking areas was possible, which therefore would reduce the necessity for a number of vehicular movements to enter into and out of the said parking areas.
8. No. 208 would be different to the other examples nearby. As set out on the plans I have before me, the proposed parking space would provide for 3.25m in depth from the pavement and would be 5.7m in width. These measurements appear generally consistent with what I observed. Due to the constrained nature of the proposed parking space, it would only be possible to park parallel to the highway within the grounds of No.208.
9. The constrained width and depth of the proposed parking area as set out on the submitted plan, will at best, due to the proximity of the front elevation of No. 208 to the parking area, be likely to lead to even a small car being parked in close proximity of the boundary of the appeal site with the adjacent pavement, whereby doors from a vehicle would open out across the pavement, or alternatively a small car would be likely to overlap onto the payment to enable car doorways to be opened into the site. The constrained size of the parking space would also give rise to concern regarding its use by a larger vehicle, which would not be able to manoeuvre or fit within the parking area, this would be likely to lead in a vehicle parking across the pavement from the parking area. The pavement is not land under the control of the appellant, and the circumstances highlighted above could obstruct pedestrians with a resultant increase in conflicts between pedestrians and vehicles to the detriment of highway safety.
10. Further, the constraints of the proposed parking space would restrict the ability to manoeuvre into the space itself, and therefore parking within the space or exiting out, would be likely to require convoluted manoeuvres to take place across the adjacent pavement and into the highway. As explained, Middle Road is busy, and on street parking takes place within the immediate vicinities to the appeal site, a vehicle undertaking a number of manoeuvres across the pavement and onto the highway within this context, could also be detrimental to highway safety, resulting in an increase in conflicts with highway users.
11. As a result, the appeal proposal would conflict with saved Policies SDP 1 and TI 2 of the City of Southampton Local Plan Review (revised March 2015); Policy CS13 of the Core Strategy Development Plan Document (revised March 2015); and the Southampton City Council- Parking Standards Supplementary Planning Document (2012). Collectively these confirm, amongst other matters, that development should promote safe, secure, functional and accessible streets that ensures road safety would not be adversely affected.
12. The proposal would also conflict with Section 9 of the National Planning Policy Framework 2023 (The Framework), which amongst other matters, requires that applications for development should ensure safe and suitable access to the site

can be achieved for all users and minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Conclusion

13. For the reasons given above, having regard to all matters raised, I conclude that the appeal should be dismissed.

J Evans

INSPECTOR