



Appeal Decision

Site visit made on 25 June 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal Ref: APP/P0119/D/24/3343324

205A Soundwell Road, Soundwell, South Gloucestershire BS16 4RP

- 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 Pauline Warren against the decision of South Gloucestershire Council.
 - The application Ref is P24/00321/F.
 - The development proposed is a new driveway with a dropped kerb to provide improved access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on pedestrian, cyclist and highway safety.

Reasons

3. The appeal relates to the installation of a dropped kerb on a classified road, to allow the formation of a parking area within the appellant's garden. Whilst I note that the speed limit is 20mph in the vicinity of the appeal property, I observed a continuous flow of traffic on my site visit. Additionally, the site is close to the busy junction with Woodland Way and a pedestrian crossing. The carriageway to the front of the appeal site includes a dedicated cycle lane.
4. Given the limited depth of the property's front garden, it is unable to accommodate a turning facility to allow a vehicle to enter and leave in a forward motion via the proposed dropped kerb. Also, the proposed vehicular access to the site would be at an awkward oblique angle with the highway.
5. The proposal would therefore introduce the reverse manoeuvring of vehicles into, or off, this busy classified road at an awkward angle, across the footway and dedicated cycle lane and within the vicinity of the pedestrian crossing and busy junction. Given the volume and mix of movement along this part of Soundwell Road, this would inevitably cause conflict with, and constitute a hazard to, pedestrians, cyclists and other drivers. The proposal would therefore fail to safeguard pedestrian, cyclist and highway safety.
6. The appellant has referred to numerous examples of off-street parking in the area with accesses onto Soundwell Road. These appear to be historic or have different circumstances to the appeal site. Also, the Council advises that some of these do not benefit from planning consent. In any event, each case must

be considered on its own merits. I have therefore afforded limited weight to these examples in support of allowing the appeal.

7. In conclusion, for the reasons described, the proposal would cause unacceptable harm to pedestrian, cyclist and highway safety. The proposal is therefore contrary to CS8 of the South Gloucestershire Local Plan Core Strategy (2013) and PSP11 and part 3 of PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (2017). Taken together, these require proposed vehicular accesses to be well-integrated and situated within the streetscene and to not prejudice highway safety for pedestrians, cyclists and vehicles.

Other Matters

8. I have considered a number of matters the appellant has submitted in support of the proposal. I note comments that currently vehicles reverse into parking bays on the nearby highway across the cycle lane, with doors opening into the cycle lane or footpath. However, the circumstances of this facility vary from the appeal proposal. The spaces are located within the existing highway, are further away from the busy junction and do not involve reversing over the public footpath. I therefore afford limited weight to this matter in support of allowing the appeal.
9. The appellant states that the creation of a dropped kerb would stop vehicles illegally parking in the cycle lane and that the proposed parking space would meet the Council's minimum parking standards requirement.
10. I acknowledge that the development would allow the provision of a ramped access to the appellant's home. This could be useful in the future, allowing the appellant to live in her home for longer in old age.
11. I recognise that the appellant would be willing to reduce the width of the dropped kerb or for yellow lines to be painted on the highway to the front of the site. The appellant also considers that it is possible to achieve a turning area within the site, but she would prefer to retain garden space.
12. None of these matters, individually or collectively, would outweigh the harm that I have identified to pedestrian, cyclist and highway safety.

Conclusion

13. The appeal is dismissed.

Rebecca McAndrew

INSPECTOR