



Appeal Decision

Site visit made on 10 July 2025

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 20 August 2025

Appeal Ref: APP/D1780/D/25/3366720

95 Regents Park Road, Southampton SO15 8PB.

- 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 Mr Hunar Ismael against the decision of Southampton City Council
 - The application Ref is 25/00383/FUL
 - The development proposed is for a dropped kerb to the front of the property.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb to the front of the property at 95 Regents Park Road, Southampton, SO15 8PB. in accordance with the terms of the application, Ref 25/00383/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: DWG NO:010, DWG NO:011 Location Plan dated 22 March 2025 Scale 1:1250.
 - 3) No new planting, fences, walls or other means of enclosure along the front or side boundaries of the front driveway shall exceed a height of 0.6 m above ground level at any point. Existing boundary treatments shall not be raised to exceed their existing height.

Procedural Matters

2. The description of the development as set out in the bullet point above is in respect of just a dropped kerb to the front of the property. Indeed, it was on this basis that the planning application was determined by the Council. However, although no detail has been provided the drawings make reference to new 0.9 metre high garden walls. I shall nevertheless confine my deliberations, and final determination of the appeal on the formation of the crossover only.

Main Issue

3. I consider the main issue to be the effect of the proposed vehicular access on highway safety.

Reasons

4. The appeal property, 95 Regents Park Road, is a two-storey dwelling located on the corner of Regents Park Road and Landsdowne Road.
5. The appellant proposes the construction of a new 3.0 metre wide crossover from Regents Park Road.
6. Policy TI 2 of the City of Southampton Local Plan Review (Amended 2015) states, that vehicular access to new development or redevelopment sites from classified roads will not be permitted unless the City Council is satisfied that road safety would not be adversely affected.
7. From the Council's evidence I note that Regents Park Road is a C classified road with a speed limit of 30mph. The proposed crossover would be within 10.0 metres of the junction of Regents Park Road with Landsdowne Road. Nevertheless, as I observed crossovers adjacent to junctions with side roads are not an uncommon feature in the road, indeed the house immediately opposite, on the other side of Landsdowne Road has a similar crossover to that proposed here. Furthermore, most properties on Regents Park Road enjoy vehicular access from Regents Park Road. Accordingly, pedestrians and road users will be familiar with pavement crossovers and cars entering and exiting front gardens.
8. While the drawings do not show pedestrian visibility lines, given that this is a corner plot pedestrian visibility is an important requirement to maintain highway safety. The Council have suggested that if I were minded to allow the appeal the existing boundary treatment to the front garden should be conditioned such that it should not be raised above its current height. In addition, any new planting, fences, walls or other means of enclosure along the front and side boundaries of the front garden should not exceed a height of 600mm above ground level. I consider such a condition would be appropriate here, as it would serve to maintain pedestrian visibility.
9. On balance, from my observations on site and given the lack of evidence to the contrary, I am not persuaded that the formation of a crossover here, although within 10 metres of the junction with Landsdowne Road, would create a significant hazard to pedestrians, who already encounter any number of similar crossovers when using the pavement along Regents Park Road.
10. I therefore conclude in respect of the main issue that the proposed crossover would not, in this case adversely affect highway safety. The formation of the access would therefore accord with the objectives of saved Policies SDP1(i) and T12 of the City of Southampton Local Plan Review (revised March 2015), Policy CS13 (4) of the Core Strategy Development Plan Document (revised March 2015) and as supported by Part 5 of the Council's approved Residential Design Guide Supplementary Planning Document (2006) and the guidance contained in the National Planning Policy Framework (December 2024) as they, amongst other things, relate to highway safety.

Conditions

11. I have considered the conditions suggested by the Council in light of the advice in the Framework and the Planning Practice Guidance. In the interests of precision

and enforceability, I have amended the Council's suggested wording where appropriate.

12. I shall condition the present and future boundary height to the front garden to maintain and over time improve pedestrian sightlines.
13. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR