



Appeal Decision

Site visit made on 2 September 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 October 2025

Appeal Ref: APP/Z0116/D/25/3368695

205 Passage Road, Henbury, Bristol BS10 7DL

- 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 T Ahmed against the decision of Bristol City Council.
 - The application Ref is 25/10479/H.
 - The development proposed is a dropped kerb for vehicular access across the highway.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on highway safety.

Reasons

3. The appeal property is a detached dwelling with an existing access from Passage Road, which is a 40-mph classified A road.
4. The proposal is to widen an existing dropped kerb, seeking to provide a safer, more practical and inclusive access from Passage Road to the host property. The highway authority raised concerns during the application that the proposal would allow for cars mounting the kerb at speed, which would potentially endanger pedestrian safety, and undermine the Council's movement hierarchy that prioritises pedestrians over vehicles. The proposal would also potentially conflict with plans to install a new bus stop being brought forward as part of the Council's strategic A37 / A4018 corridor improvement scheme that Passage Road forms part of. I am aware that the appellant submitted two sets of revisions seeking to address the issues identified, albeit neither were concluded by the Council to be acceptable.
5. I recognise the appellant's lived experiences with the existing arrangement that, whilst meeting technical requirements in terms of dropped kerb width, presents a somewhat awkward movement into and out of the property when considering traffic volume, speeds, and driveway alignment.
6. I also observed on my site inspection that the section of the road and pavement outside the appeal property is straight, with clear visibility of pedestrians available, at present, in both directions. As highlighted by the appellant, there are also other properties along Passage Road with dropped kerbs wider than that existing at the appeal site that seem to operate without any issues. In view of these matters, I am

not satisfied that the Council's concerns regarding the impact of the proposal on pedestrian safety from increased turning speeds have been adequately substantiated with any objective evidence as to the likelihood of this happening, and the level of harm that would arise.

7. I am, however, concerned about the proposal's potential for conflict with the planned new bus stop that I understand will be located immediately outside of the appeal site. I observed on my site inspection that the A37 / A4018 highway improvement works are underway along Passage Road, which indicates that the bus stop will likely be installed soon.
8. I acknowledge that the appellant considers that the proposed bus stop, even without the proposed alterations, will obstruct and restrict existing visibility at the site. This could create a conflict with the existing access in terms of possible collisions with pedestrians concealed by the shelter, reduced visibility, and buses blocking the driveway. I agree that these are valid concerns, albeit also note that the Council consider the strategic highway works are acceptable and will not lead to adverse impacts on the existing situation, as they are expected to improve speed limit compliance and general safety along the corridor.
9. I also acknowledge the appellant's points that they have a legally established point of access, and were not alerted to the strategic highway works earlier, or then able to obtain the full details of the location of the bus stop, making it difficult for impact to be assessed and addressed. It would clearly have been helpful to the appellant if they were able to have had sight of the full plans for the bus stop when considering their proposals. Nevertheless, the effects of the bus stop on both current and proposed revised dropped kerb widths is a fundamental issue that must be addressed. This is essential for properly assessing the proposal's impact on highway safety, and whether it would materially impact on the opportunities for walking, cycling, and public transport.
10. Without this, I am not persuaded that any conflict that might occur between the bus stop and the existing kerb access provides any justification for the proposed alterations to the dropped kerb. The reason being is that the evidence before me does not conclusively demonstrate what the impact of the proposal would be on the bus stop, and whether it would result in any additional adverse impacts over and above the existing kerb width.
11. I note in this regard that the revised proposal would not meet the minimum technical requirements for transition kerbs on one side due to the likely location of the bus stop. This is an indicator that the proposal has at least the potential to result in an adverse impact on the safe operation of the bus stop when compared to the existing technical compliant access to the property. An adverse impact on the operation of the bus stop, including whether it could even be installed, would undermine its purpose and fail to encourage the use of sustainable transport options as required by the Council's planning policies.
12. I am also aware of the different views as to whether the appellant's issues with access could be resolved by further trimming of vegetation. Upon review of the site and information before me, I agree with the appellant that removing more vegetation would be unlikely to have any material impact on resolving their concerns, which are related to the kerb width. However, this is not a determinative

matter in this appeal as it does not overcome or justify the potential conflict between the proposal and the location of the planned bus stop set out above.

13. I further acknowledge that the proposed access alteration is needed to respond to a family member's medical needs that would likely benefit from a smoother and less awkward entrance into the property, and represent inclusive design as required by the National Planning Policy Framework. However, the evidence presented does not conclusively confirm that the proposed revisions before me are a medical necessity in this regard, and as such I can only give them limited weight in this decision.
14. To conclude, it has not been demonstrated that the proposals would have an acceptable relationship with the planned bus stop, and consequently not adversely impact on walking, cycling and public transport opportunities. Having considered all matters before me, I conclude that the proposal is contrary to Policy BCS10 of the Bristol Core Strategy 2011 and Policy DM23 of the Council's Site Allocations and Development Management Policies 2014, which state that the Council will support the delivery of significant improvements to transport infrastructure; developments should be designed and located to ensure the provision of safe streets; not give rise to unacceptable traffic conditions, and provide safe and adequate access for all sections of the community.

Other matters

15. I note that letters of support have been provided, albeit this is a neutral factor in this appeal as they do not provide any objective justification for the proposal in terms of its potential highway impact.
16. I also acknowledge that the appellant would accept relevant conditions to render the proposal acceptable. However, no conditions have been put to me in this regard, and as such this option is not available for me to consider in this appeal.

Conclusion

17. For the reasons given above, and considering all matters raised, I conclude that the proposal does not accord with the development plan in terms of its potential for adverse impacts on the highway network. I, therefore, dismiss the appeal.

N Perrins

INSPECTOR