



Appeal Decision

Site visit made on 27 September 2023

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2023

Appeal Ref: APP/U4610/D/23/3327585

52 Brownhill Green Road, COVENTRY, CV6 2DT

- 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 Mr Alan Swatman against the decision of Coventry City Council.
 - The application Ref PL/2023/0001050/HHA, dated 24 May 2023, was refused by notice dated 12 July 2023.
 - The development proposed is the creation of a vehicular access including a dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for the creation of a vehicular access including a dropped kerb at 52 Brownhill Green Road, COVENTRY, CV6 2DT in accordance with the terms of application Ref. PL/2023/0001050/HHA, dated 24 May 2023, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

Main Issue

2. The main issue is the effect of the proposed access on highway safety and the flow of traffic.

Reasons

Background

3. Brownhill Green Road is a main road within the urban area of Coventry and the highway authority says it is highly trafficked. The road contains groups of terraced houses and some of these have off-road parking spaces in front gardens. The road is also tree-lined with mature horse chestnut trees and replacement saplings in a wide highway verge on either side of the road. There are no parking restrictions on the carriageway and, in the vicinity of the appeal site, at the time of my visit there was on-street parking along areas of the frontage with no dropped kerbs.

Effect on highway safety and traffic flow

4. The highway authority are concerned that the proposal would result in vehicles having to reverse out onto or from the carriageway which would obstruct or delay traffic and the visibility splays would likely be obstructed by vehicles parked on the street and by trees. The appellant contends that using an on-street parking space would normally involve a 'parallel parking' manoeuvre where vehicles have to reverse on the carriage into a space. Further, when

leaving vehicles would have to pull out into the highway with the driver looking behind him/her. The appellant suggests that a manoeuvre from an off-street space would be less of a highway hazard because of sideways rather than rearwards vision

5. At my visit it appeared to me about half of the properties in the area had off-street parking in front gardens but these were not wide enough for vehicles to turn and both enter and leave in a forward gear. The appeal site sits in a group of four houses with no off-street parking and at the time of my visit there was a vehicle parked on the highway outside of each house. This concentration of parking limited visibility of vehicles on the highway. However, where there were accesses there was a greater degree of visibility of vehicles moving on the main carriageways. It also appears to me that there is some merit in the appellant's submission that there is greater visibility for a driver in looking sideways while entering or leaving an off-road space than looking rearwards when parallel parking.
6. In terms of trees the mature chestnut tree to the south of the site would restrict some visibility when leaving the proposed access, however, the width of the trunk is not so great that it would obscure all views of a vehicle passing on the north bound side of the road. Further there are accesses at No's 48 and 50 and these, together with the wide highway verge and footway, would aid visibility when exiting from the proposed access.
7. In relation to pedestrian movement the parts of the front boundary wall that is proposed to remain along the frontage is not high and I am satisfied that it would not impede the views of pedestrians on the footway of vehicles using the proposed access or vice versa. Although the full specification of visibility splays to the footpath as set out in policy AC2 of the Local Plan is not met, in the circumstances of the appeal site and the many other access points that exist close-by, this would not harm pedestrian safety as I saw at my visit that there would still be good visibility.
8. Overall, I find that the highway and pedestrian circumstances of the proposed access and dropped kerb would be at least no worse and more likely be better than the present arrangement of on-street parking in the vicinity of the property. On this basis I am satisfied that the proposal would not have an adverse impact on highway capacity or flow, or harm highway or pedestrian safety, and there is no material conflict with Policies AC2 and AC4 of the Coventry Local Plan.
9. This position is not outweighed by any other consideration which indicates that the appeal should be allowed. The Council advises that only the standard condition on the implementation of the permission is necessary and I agree.

Conclusion

10. For the reasons given I conclude that the appeal should succeed.

David Murray

INSPECTOR