



Appeal Decision

Site visit made on 16 January 2024

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 February 2024

Appeal Ref: APP/U4610/W/23/3329323

14 Keresley Road, Coventry CV6 2JD

- 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 Andrew Hegarty against the decision of Coventry City Council.
 - The application Ref: PL/2023/0000493/HHA, dated 09 March 2023, was refused by notice dated 19 June 2023.
 - The development proposed is the formation of vehicular access including a dropped kerb.
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Decision

1. The appeal is allowed, and planning permission is granted for the formation of vehicular access including a dropped kerb at 14 Keresley Road, Coventry CV6 2JD in accordance with the terms of the application Ref PL/2023/0000493/HHA, dated 09 March 2023, 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:

Location Plan - TQRQM23068102718003

Proposed Block Plan - PL/2023/0000493/HHA

Procedural Matters

2. I have used the description of development from the decision notice instead of the planning application form because it more accurately describes the development proposed.
3. The Council has stated in the decision notice and in some parts of its officer's delegated report that the Coventry Local Plan was adopted in 2016, yet the evidence provided, including the front cover of the local plan, shows it was adopted in December 2017. I have had regard to the adopted Coventry Local Plan (2017) in reaching my decision.

Main Issue

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

Reasons

5. The appeal property is a terraced house set back from the public highway behind a hard surfaced area. The land is currently used for parking by driving over the existing raised kerb. The site boundaries include low level fencing on either side, while a brick pillar is located to the boundary with No 16.
6. Keresley Road is a wide classified road with a 30mph speed restriction and, at the time of my site visit, I observed a steady constant flow of traffic. A central reservation divides the road thereby separating the two directions of traffic. The carriageway to the front of the appeal site is on the approach to a roundabout. Dwellings in the area are set back from the street behind hardsurfaced areas or gardens, boundaries are low level which provide a sense of openness to the front of the site. A large number of properties within the immediate area benefit from dropped kerbs with parking provided to the front of the properties. There are no parking restrictions on Keresley Road, as such vehicles can park on-street, within the public highway. Outside the appeal site, the pavement is wide and includes a number of street trees, lamp-posts and telegraph poles.
7. The appeal proposes the construction of a dropped kerb across the site frontage to facilitate vehicular access to the front of the property. The size of the hard-surfaced area is such that vehicles could not manoeuvre on-site to enable vehicles to exit in a forward gear. Vehicles would therefore need to reverse on to the site from the public highway or, alternatively, reverse onto the highway.
8. The central reservation means that vehicles reversing out of the site only need to be mindful of vehicular movements from one direction. While the occasional parked vehicle or features within the pavement may be within the drivers' sightline, the low boundary treatments and openness of the frontages, along with the width of the pavement and highway, is such that good visibility is nonetheless available. Furthermore, vehicles travelling on the carriageway are on the close approach to a roundabout which reduces vehicle speeds and the likelihood for vehicular conflict.
9. The carriageway is wide and is of sufficient width to allow for vehicles to be parked entirely on the street without causing any disruption. Therefore, any vehicle reversing into the site could safely pull in-front of the property before making a reverse manoeuvre onto the site, when clear to do so, without unreasonably disrupting the flow of traffic.
10. With regards to pedestrians, the pavement is wide and, as I have noted above, the openness of the frontages ensures that there is good visibility in both directions for both drivers and pedestrians alike.
11. A large number of properties within the immediate area benefit from off street parking via dropped kerbs. The terraced nature of the street means space to the front of the dwellings is limited and, therefore, vehicles would have to carry out similar reversing manoeuvres. There is no evidence before me which demonstrates that these existing arrangements have caused harm to highway safety. Given the high proportion of similar arrangements close to the appeal

site I do not consider that one further dropped kerb would have a negative effect on highway safety or the effectiveness of the highway network.

12. I note the concern that the dropped kerb would remove available parking within the public realm. However, the area is predominantly residential and it is probable that vehicles parked to the front of the site, as existing, would be associated with the appeal property. The consequence, therefore, is that any on-street parking in this location is likely to be displaced to an off-street location. In any event, there is nothing before me which indicates that parking within the public realm should be retained in the interests of highway safety, or for any other reason.
13. For these reasons, the proposed development would not have an unacceptable effect on highway safety. Therefore, the proposed development accords with Policy AC2 of the Coventry City Council Local Plan 2017 which, amongst other things, requires new development not to have a negative effect on the safety of the highway network.

Conditions

14. I have imposed standard conditions relating to the commencement of development, and to require compliance with the submitted plans for certainty.

Conclusion

15. For the above reasons the appeal is allowed.

D Cleary

INSPECTOR