

Appeal Decision

Site visit made on 15 January 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 February 2024

Appeal Ref: APP/U4610/W/23/3323984

429 and 431 Holyhead Road, Coventry CV5 8HS

- 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 Mrs R Holmes against the decision of Coventry City Council.
 - The application Ref PL/2023/0000242/HHA, dated 24 April 2023, was refused by notice dated 9 May 2023.
 - The development proposed is a joint dropped kerb.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on highway safety.

Reasons

3. The proposal would result in an additional access onto the A4114 Holyhead Road. This is a primary route between Coventry City Centre and the A45 towards Birmingham. It is a busy road and bus route. The new access would be diagonally opposite the junction with Southbank Road. The junction with Eastlands Grove is a greater distance to the east. It would cross the zig zag lines associated with a pedestrian crossing also just to the east. There are bus stops in the vicinity which lie beyond the two junctions to the east and west.
 4. The proposal is for a wide dropped kerb to serve the two houses. Both the houses have had their front drives entirely surfaced and any front boundary treatments removed. As both exceed 4.8 metres in width, it would be possible to accommodate two vehicles on each. Although the council have not provided figures, this road has high traffic volumes. It was very busy during mid-morning on the Monday of the site visit. I anticipate that it would be even busier during the morning and evening peak periods. It would be a challenging manoeuvre to reverse into this road given the volume of traffic at most times but particularly when at its busiest. A manoeuvre to reverse out and head east would be particularly challenging and require considerable patience. It would almost inevitably result in the interruption of traffic flows, probably in both directions.
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5. This is a straight road with good forward visibility and traffic speeds are limited to 30mph. The road is unencumbered by parked vehicles in the immediate vicinity which to some extent reduces the potential for vehicle conflicts. However, this is due to the proximity of junctions, a pedestrian crossing and bus stops. The potential for vehicles turning into or from the junction diagonally opposite, queuing or seeking to overtake stopped buses or queuing at the pedestrian crossing, add to the potential difficulties of leaving these properties safely and efficiently. Whilst at times traffic may be slowed by these nearby road features, I am not satisfied that this would make manoeuvring safer.
6. Given the nature of this road, the potential for vehicles to reverse into it, would increase highway safety concerns. Although policy AC2 of the Coventry Local Plan 2016 is not directed specifically at such proposals, it conflicts with its general objective with regard to road safety. The proposal would also result in vehicles reversing across the pavement. Intervisibility between pedestrians and drivers is extremely limited to the east because of the high vegetation within the front garden of the adjacent property, 427 Holyhead Road. This adds to my concerns. In these circumstances, the proposal represents poor design contrary to the social objectives of the *National Planning Policy Framework 2023* and its commitments to achieving safe communities and the prioritisation of pedestrians.
7. The appellant suggests that it would be possible for vehicles to turn around, off the highway, which would avoid any need to reverse on or off the main road. Given the nature of the road, drivers would be likely to seek to make such manoeuvres so as to avoid the inherent dangers associated with reversing into the road. To achieve this, it would be necessary to use the footpath. The wide dropped kerb, if matched by the width of the access over the grass verge, would assist with such manoeuvres. However, the footpath width is significantly narrower than would normally be required for such manoeuvres. This is particularly the case given that two vehicles could be parked in each frontage, so limiting manoeuvring within the front forecourts, particularly when parked close to the side boundaries.
8. It may be possible, with extreme care, to make multipole manoeuvres so as to stay on the surfaced areas whilst turning. However, the existing evidence of vehicle tracks within the grass verge suggest that it is more likely that parts of the verge would be eroded by vehicles seeking to turn, especially larger vehicles. Vehicle tracking has not been provided to demonstrate that turning could be achieved satisfactorily. Without a proposal to widen the footpath, relying on the current pavement and the proposed areas of surfacing, would not be entirely practical or adequate and would represent poor design. Furthermore, the amount of manoeuvring required within the payment would add to concerns with regard to the maintenance of the pavement and the convenience and safety of pedestrians. In any event, there would also be nothing to prevent vehicles reversing from the parking spaces into the road.
9. The three neighbouring properties to the east have a similar shared access which is immediately adjacent to the pedestrian crossing. It includes a wide splay of surfaced area to serve the three houses. This clearly aids turning manoeuvres but it would also appear, given the number and position of bollards erected, that pedestrian safety and the erosion of the verge have also

- been concerns. No information has been provided as to when this was first installed so I cannot conclude that the council has been inconsistent in this regard.
10. There are a number of other private access points along this road. Whilst it is accepted that many of these may be historic, the appellant advises that some have more recently gained approval. This is not commented on by the council but the Highways Operations and Development Vehicle Crossing and Enforcement Officer advised in the original consultation comments, that other crossings have been allowed along this road. No information has been provided by either party as to where the new crossings have been permitted or when. I am therefore unable to compare them with this proposal. The lack of this information from the council and the failure to provide accident data in relation to the current road conditions is unsatisfactory. This is particularly so given the contradictory advice given by the two highways officers.
 11. The appellant suggests that the proposal meets the technical requirements of the council's document, Dropped kerbs for vehicle access – Coventry City Council. However, the document is also clear that subject to the technical design standards being met, there will be a presumption that an access onto an 'A' classified road will only be considered for approval if there are no other means of vehicular access to the property concerned. It is evident that these properties and their neighbours have historically been served by a private rear access track. It is evident from Eastlands Grove that some of these properties have some parking provision. No evidence has been provided with regard to this; or the availability of parking for these two particular properties. This document is however not part of the development plan and I am unclear of the process that led to its production, particularly with regard to public consultation. It can therefore, be afforded little weight in my determination.
 12. It is evident that the surfaced front gardens of the appeal properties are already in use for parking. It appears, given the wheel tracks in the grass verge and the wooden bollards adjacent to the road, that access to these may currently be along the pavement. As there is no information before me to suggest that such manoeuvres are lawful, I have afforded no weight to this current arrangement.
 13. The appellant advises that the speed limit on the road has been reduced from 40 to 30mph. Whilst it is likely that this would reduce highway safety concerns, it is not clear when this occurred or why. I have therefore considered the current speed limit in my determination.
 14. Whilst this proposed facility would bring benefits to the occupants of these houses, it would also result in greater concerns with regard to the potential for increased harm with regard to road safety on this important classified road; and pedestrian safety. I am not satisfied that the matters put forward in support of the proposal are sufficient to outweigh these concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR