

Appeal Decision

Site visit made 16 May 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22.05.2024

Appeal Ref: APP/U4610/D/24/3339868

51 Keresley Road, Coventry, CV6 2JB

- 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 Levi Swift against the decision of Coventry City Council.
 - The application Ref PL/2024/0000137/HHA, dated 19 January 2024 was refused by notice dated 28 February 2024.
 - The development proposed is a dropped kerb for vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb for vehicular access at 51 Keresley Road, Coventry, CV6 2JB in accordance with the terms of the application, Ref PL/2024/0000137/HHA, dated 19 January 2024, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.

Main Issue

2. There is one main issue which is the effect of the proposed dropped kerb and consequent off-street parking on highway safety, including pedestrian safety, in the vicinity of the appeal site.

Reasons

3. The appeal site comprises a large end of terrace dwelling set on a moderately busy street characterised by similar dwellings. It is some distance from any junction. The road connects the north of Coventry to the city centre and is a bus route. The speed limit is 30 mph. Most traffic appeared to be travelling within this limit. The street is residential with dwellings set on either side of a wide dual carriageway. There is a small grass verge separating the carriageways. The appeal dwelling has a generous front garden some 5m wide and 10m deep which would readily accommodate at least two vehicles. This has been paved and the front boundary wall has been removed.
 4. Keresley Road has on-street parking on both sides of the road, but space is limited because the majority of frontages in the section of road on which the appeal dwelling is located have dropped kerbs and off-street parking, a number of which appear to be recent. The appeal dwelling is set between dwellings that
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do not have dropped kerbs and frontage parking but, with the exception of No 53, most others to the north, towards the junction with Norman Place Road, do and to the south, with the exception of a cluster of dwellings close to the appeal site, most properties also have dropped kerbs and off-street parking. This form of development is therefore common in the vicinity and characteristic of the street.

5. Owing to the generous size of the frontage at No 51 and the fact that traffic approaches the site from only one direction, manoeuvring a vehicle on or off the frontage would be relatively straightforward. Moreover, there appeared to be no significant impediments to visibility up and down the footway and limited pedestrian movement. There did not appear to be shops or other amenities in the immediate area likely to attract significant pedestrian traffic.
6. Although vehicles would have to reverse either onto or off the drive, from my observation most vehicles appear to reverse off the highway which would have a similar effect on other road traffic as a vehicle reverse parking. However, both manoeuvres would be common in the vicinity, owing to the number of verge crossings, and would not therefore surprise passing motorists, pedestrians or cyclists. The open street scene would also give pedestrians a clear view of traffic crossing the footway.
7. The Highway Authority suggests that parked cars would reduce visibility for emerging drivers but with limited on-street parking and traffic approaching from only one direction this would not result in a greater hazard than is commonly found in streets where there is a mix of driveways and street parking. The Highway Authority also suggests that reducing street parking would result in increased vehicles speeds but since there is a 30 mph speed limit and limited street parking it is unclear why this would be so. The same speed limit is common in urban areas and on streets with mixed street and driveway parking. I do not therefore consider that this amounts to a reason to resist the development.
8. The Council suggests that the creation of an access, resulting in the loss of an on-street parking space, would be detrimental. However, since the loss of one street parking space would enable the creation of two off-street spaces, in a residential street where off street parking is clearly sought after, I am not persuaded that this would be materially detrimental to either highway safety or the living conditions of occupiers.
9. Overall, I find that the proposed dropped kerb to facilitate off street parking at the appeal site would, owing to the specific circumstances identified, including the prevalence of similar development nearby, have a limited effect on highway, including pedestrian, safety. I therefore consider that the proposed development would be acceptable.
10. It is concluded on the main issue that the proposed dropped kerb and consequent off-street parking would have no materially harmful effect on highway, including pedestrian, safety in the vicinity of the appeal site. In consequence, it would comply with Policies AC1 and AC2 of the Coventry Local Plan, 2016 which expect new development not to cause unacceptable highway safety problems, and with the National Planning Policy Framework which expects new site access to be safe and suitable but advises that development

should only be refused on highway grounds if there would be an unacceptable impact on highway safety.

11. The Council suggests one condition which is the statutory commencement condition. I agree that this, but no other condition, is necessary to ensure that the development occurs within a reasonable timescale.

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

KE Down
INSPECTOR