
Appeal Decision

Site visit made on 28 June 2024

by S. Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 04 July 2024

Appeal Ref: APP/U4610/D/24/3342775

47 Keresley Road, Coventry CV6 2JB

- 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 Swift Pave Ltd against the decision of Coventry City Council.
 - The application Ref is PL/2024/0000420/HHA.
 - The development proposed is a dropped kerb for vehicular access.
-

Decision

1. The appeal is allowed, and planning permission is granted for a dropped kerb for vehicular access at 47 Keresley Road, Coventry CV6 in accordance with the terms of the application Ref PL/2024/0000420/HHA, subject to the following conditions: -
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following submitted plans: location plan; site plan and block plan.

Procedural Matter

2. The Council has referred in its decision notice to the 2016 Coventry Local Plan (LP). The submitted front cover of the LP shows it was adopted in December 2017. I have had regard to the adopted 2017 LP in reaching my decision.

Main Issue

3. The main issue is the effect of the development upon highway safety.

Reasons

4. The appeal property forms part off a terrace of houses set back from a dual carriageway road marked by a grass strip separating the contra vehicular flows. There is a preponderance of dwellings which have kerb crossings to allow off street parking to front amenity spaces.

5. The road is relatively busy and is wide enough to permit kerb side parking (where there are no such limitations) as well as the free flow of traffic. Because of the dual carriageway, traffic past the appeal site is one-way only.
6. On my site visit, I was able to see that, while similar kerb crossings are ubiquitous along Keresley Road, there are fewer amongst the terraced houses immediately surrounding the appeal property. That said, they are a common feature in the locality.
7. I was also able to note on my site visit that the road is subject to a traffic speed limit of 30mph and, while only a snapshot in time, that drivers were generally respecting it. In addition, it was clear that the parked cars by the roadside were directing drivers to that part of the road nearest the central grassed reservation, thus allowing space and time for drivers entering and leaving the off-road parking spaces in the front amenity spaces. This would apply equally to the appeal proposal.
8. The parked cars along the road do restrict sight lines both for drivers and for pedestrians. However, this is mainly a residential area, with an uncomplicated highway geometry and modest traffic speeds. In addition, there is an absence of facilities such as shops and schools in the immediate area which would generate an abnormal level of pedestrian and driver activity.
9. The local planning authority (LPA), in its officer report, considers that the appeal site might have available to it a vehicular access to the rear of the property. Even if that were to be the case, I do not consider that this would be sufficient reason to object to the proposed crossing, as in this instance, the proposed development would not lead to an unacceptable effect upon highway safety.
10. Therefore, I conclude that the proposed development would accord with policy AC1 of the LP as it would integrate with the local transport network, and with the National Planning Policy Framework 2023 which advises that development should not be refused upon highway grounds if the proposed development would not have an unacceptable impact upon highway safety. LP policy AC2 quoted by the LPA as a reason for refusal is not relevant as it is concerned with mitigation requirements where proposed development would have an adverse impact upon highway flows and safety.

Conditions

11. I have imposed the standard time condition and a condition to ensure the development is in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.

Conclusion

12. For the reasons outlined above, I conclude that the appeal should be allowed.

S. Hartley

INSPECTOR