



---

## Appeal Decision

Site visit made on 18 June 2024

**by K Winnard LL.B Hons Solicitor**

**an Inspector appointed by the Secretary of State**

**Decision date: 5<sup>th</sup> July 2024**

---

**Appeal Ref: APP/U4610/D/24/3342962**

**102 Brownhill Green Road, Coventry CV6 2DU**

- 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 of Swift Pave Limited against the decision of Coventry City Council.
  - The application is Ref. PL/2024/0000432/HHA.
  - The development proposed is the formation of a vehicular access including a dropped kerb.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the formation of a vehicular access including a dropped kerb at 102 Brownhill Green Road, Coventry CV6 2DU in accordance with the terms of the application, Ref PL/2024/0000432/HHA, and the plans submitted with it, 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 and Proposed Block Plan.

### Procedural Matter

2. The Council altered the description of the development. I have adopted the Council's description of the development as this is more accurate.

### Main Issue

3. The main issue in the appeal is the effect of the proposed development on highway safety.

### Reasons

4. The appeal property, No 102 Brownhill Green Road (No 102) is a mid terraced dwelling with a modestly sized front garden accessed from Brownhill Green Road, a classified road. The garden has been hard surfaced and is set back from the road behind a wide landscaped grass verge which includes a street tree, lamp post and a bus stop not in use. Immediately beyond the terrace of dwellings is a vehicular access to car parking spaces associated with the parade of shops located at the nearby roundabout junction with Norman Place Road.

Nearby properties feature private vehicular accesses and off street parking spaces. At the time of my site visit there was a reasonable level of traffic and a regular demand for on street parking on this part of Brownhill Green Road.

5. The Council's principal concern relates to the reversing manoeuvres which would occur when accessing or leaving the appeal site. I acknowledge that reversing manoeuvres into a classified road would not be ideal however I am mindful that the number of such movements associated with one residential terraced dwelling would be likely to be limited. The on street parking and the proximity of the roundabout means that it is highly likely that vehicle speeds on this part of Brownhill Green Road would be relatively low. These factors together with the access/egress arrangements to the convenience store, are such that drivers are likely to be relatively alert to the potential for vehicles to slow down, stop and/or undertake turning movements. Drivers of vehicles are therefore likely to take extra care in this location
6. In terms of visibility, the tree within the verge and on street parking would restrict some visibility from the north when leaving the site. Vehicles entering or leaving No 102 are however likely to do so at low speeds and would be readily visible to pedestrians and cyclists using Brownhill Green Road due largely to the width of the footway. Further, Brownhill Green Road is relatively straight and wide at this point and notwithstanding the presence of parked vehicles, a good level of visibility for both cars and pedestrians can be obtained in this direction. Nor, given the width of the footpath, would the tree unduly obscure all views of vehicles travelling along in this direction. To the south double yellow lines at the approach to the vehicular access to the convenience store and roundabout preventing parking would provide adequate visibility both to and from the appeal site of oncoming vehicular traffic from this direction. Further, there are a number of other examples of parking in front gardens with accesses directly onto Brownhill Green Road, including one sited within the same terrace of dwellings as No 102. Even though these accesses may not have received consent or are historical there is no evidence before me that these accesses have been prejudicial to highway safety.
7. The introduction of a dropped kerb to facilitate off street parking would be for private use only and at the expense of available on street parking. This would be partially replaced by the creation of the off street space, albeit that would be for the private use of the occupiers of No 102. I acknowledge the Council's concern in terms of the loss of parking capacity in this area. Given the location of the convenience store it is highly likely that on street parking will occur on Brownhill Green Road. However, during my site visit I noted that whilst there was a steady demand for on street parking, such parking was for a limited time only primarily by users of the convenience store and spaces regularly became available. Further, there was other available on street parking in the area together with existing off street parking spaces. Overall, on the information before me I am not persuaded that this area is experiencing considerable on-street parking pressure. Hence, I am not convinced that the proposal would have a significant adverse effect upon users of the highway as a result of the loss of publicly available on street parking space.
8. For the above reasons, I find that the proposed development would not have a significant impact on highway safety. Of the policies put to me by the Council I find Policy AC2 of the Coventry Local Plan 2016 (adopted 2017) to be the most

relevant. which amongst other things, requires development proposals not to have a negative effect on the safety of the highway network.

**Conditions**

9. In addition to the standard time condition, I have imposed a condition specifying the relevant drawings as this provides certainty.

**Conclusion**

10. For the above reasons, I hereby allow the appeal as set out in the formal decision above.

*K Winnard*

INSPECTOR