



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: 5th July 2024

Appeal Ref: APP/U4610/D/24/3340492
187 Four Pounds Avenue, Coventry CV5 8JS

- 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 is Ref. PL/2024/0000139/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 187 Four Pounds Avenue, Coventry CV5 8JS in accordance with the terms of the application, Ref PL/2024/0000139/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: Proposed Block Plan and Location 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. No 187 Four Pounds Avenue (No 187) is a semi-detached property set back from the public highway behind a hard surfaced area, which is currently used for car parking. Four Pounds Avenue is a wide classified road (B4107) and a central reservation divides the road thereby separating the two directions of traffic. The carriageway in front of No 187 is dual leading to the traffic signal controlled junction of Holyhead Road/Moseley Avenue with a third right turning

lane forming beyond the frontage of No 187. There are no parking restrictions on this part of Four Pounds Avenue and a number of vehicles were parked on street at the time of my visit.

5. The Council expresses concern that if a second vehicle is parked within the car parking area that the dimensions are such that a reversing manoeuvre directly into the highway would be required. I acknowledge that should this circumstance occur, this would not be ideal. However the number of such movements are likely to be limited. I also observed that Four Pounds Avenue when approaching the site from the south is relatively straight over a significant distance and the visibility for drivers from this direction is good. Further, due to the central reservation, vehicles reversing out of the site would only need to be mindful of vehicular movements from this direction. The pavement is wide at this point and the low level frontages means that there would be good visibility in both directions for pedestrians and drivers entering or leaving the hardstanding even when reversing.
6. I acknowledge that classified roads are by their nature busier roads and I observed a reasonable amount of traffic on my site visit. However there are a number of other examples of frontage parking with driveways onto this part of Four Pounds Avenue with comparable parking areas as to that proposed and closer to the Holyhead Road/Moseley Avenue junction. Whilst each proposal for a vehicular access falls to be considered on its merits, the existence of these type of parking arrangements means that vehicle movements whether forward or reversing, already occur in the immediate location. It is therefore a location where you would reasonably expect drivers to anticipate vehicle movements and take extra care. Nor is there any evidence before me that these existing accesses, which may be historical or not have received consent, have been prejudicial to highway safety. In my view, the proposed vehicular access would not cause harm to highway safety.
7. Therefore, on the basis of the information before me and having regard to the above, I find that an acceptable access to the site can be achieved, and that the proposal would not have a harmful effect 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. There would be no conflict with this policy which amongst other things, requires development proposals not to have a negative effect on the safety of the highway network.

Conditions

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

Conclusion

9. For the above reasons, the appeal should be allowed.

K Winnard

INSPECTOR