



Appeal Decision

Site visit made on 16 August 2024

by J D Westbrook BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2024

Appeal Ref: APP/U4610/D/24/3346554

316 Sewall Highway, Coventry, CV2 3NY

- 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/2024/0000801/HHA.
 - The development proposed is described as the construction of a dropped kerb for vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a dropped kerb for vehicular access at 316 Sewall Highway, Coventry, CV2 3NY in accordance with the terms of the application, Ref PL/2024/0000801/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, Block Plan Ref: TQRQM24120130954808.

Main Issue

2. The main issue in this case is the effect of the proposed development on highway safety along Sewall Highway.

Reasons

3. No 316 is a mid-terrace house located on Sewall Highway. The front garden has a low front boundary wall, in common with other neighbouring properties. The area to the front of the houses on this part of the Highway consists of a pedestrian pavement immediately outside of the property, followed by a grasscrete strip beside the highway. The grasscrete area is currently used extensively for vehicle parking and this situation would appear to be accepted by the Council and the Highway Authority.
4. Policy AC2 of the Coventry City Council Local Plan, adopted in December 2017, indicates that new development proposals which could have a negative impact on the safety of the highway network should mitigate and manage any traffic growth to ensure that they do not cause unacceptable levels of highway safety problems. Paragraph 115 of the National Planning Policy Framework (NPPF)

indicates that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. I consider that Policy AC2 is consistent with policy in the NPPF.

5. In this case, the Highway Authority has expressed concern regarding the removal of on-street parking provision on Sewall Highway, which is available for general usage. The grasscrete verge already accommodates parking between the footway and carriageway but separate from the footway. There were also issues raised relating to restricted visibility for drivers emerging from the frontage because of the line of parked vehicles in both directions, and the inability of vehicles to enter and exit the appeal property in a forward gear.
6. There are very few dropped kerbs along this section of Sewall Highway. In those examples that were apparent at the time of my site visit, cars appeared to have been reversed into the parking space at the property. There would be no difference with the proposed situation at the appeal site. Moreover, parallel parking on the grasscrete area beside the highway is prevalent and already requires vehicles to manoeuvre off the road into available space. I do not consider that the proposed drop-kerb would result in any significant additional manoeuvring. In addition, while there would be a loss of a public parking space, there would be a new space at the appeal property and the potential for a visitor space on the grasscrete outside.
7. Finally, the appellant has noted an example of a dropped-kerb proposal that has recently been approved by the Council at No 347 Sewall Highway. There is also another example at No 321. On this side of the road cars are parked not on grasscrete but on the roadway, and it would appear that visibility for vehicles entering the highway from these properties would be worse than outside the appeal site, where vehicles are parked a little behind the highway edge, away from the kerb. Whilst each proposal must be considered on its own individual merits, I find that there is very little difference in practice between these two earlier cases and that of the current proposal, and that there would likely be less, if any, harm to highway safety caused by the scheme at No 316.

Conditions

8. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.

Conclusion

9. I find that the proposed dropped kerb and access would not be harmful to highway safety along Sewall Highway and would not conflict with Policy AC2 of the LP or with national policy contained in the NPPF. Accordingly, I allow the appeal, subject to the conditions above.

J D Westbrook

INSPECTOR