



Appeal Decision

Site visit made on 15 October 2024

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2024

Appeal Ref: APP/U4610/D/24/3348549

209 Four Pounds Avenue, Coventry, CV5 8JS

- 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 Mr Lloyd Jackson against the decision of Coventry City Council.
 - The application Ref is PL/2024/0000719/HHA.
 - The development proposed is a driveway to the frontage, including relocation and/or downgrading of a bus shelter to a pole and construction of a vehicular crossover.
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Decision

1. The appeal is allowed and planning permission is granted for a driveway to the frontage, including relocation and/or downgrading of a bus shelter to a pole and construction of a vehicular crossover at 209 Four Pounds Avenue, Coventry, CV5 8JS, in accordance with the terms of the application Ref: PL/2024/0000719/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 approved plan: Drawing No: 319/FPA/1

Main Issues

2. The main issues in this case are the effect of the proposal on:
 - highway safety along Four Pounds Avenue, and
 - access to public transport facilities in the vicinity.

Reasons

3. No 209 is a semi-detached house situated on the western side of Four Pounds Avenue, some 150 metres south of its junction with Holyhead Road. Four Pounds Avenue is a dual carriageway and bus route. The house is set well back from the front boundary, which consists of a low wall. To the front of the property is a bus stop with a bus shelter immediately outside No 209 on the pavement. The proposed development would involve the removal of the northern part of the front boundary wall, the removal of the bus shelter, and the construction of a vehicle crossover to serve a driveway/parking area in the front garden.

4. There are a significant number of driveways and parking spaces in front gardens of properties along this section of the road, some with vehicular crossovers and some without. Few, if any, have space within the curtilage to turn a car round such that it could enter and exit in forward gear. In the immediate vicinity of the appeal property alone, Nos 205, 211 and 213 have crossovers, presumably with planning permission, while Nos 207, 203 and 201 have driveways without crossovers. I have no evidence before me that this number of driveways, with or without crossovers, has resulted in any actual harm to highway safety along this stretch of road. On this basis, I do not consider that the proposal at No 209 would be in any way different or more harmful than the existing driveways in the vicinity.
5. The situation at No 209 is complicated somewhat by the existence of the bus shelter on the section of pavement that would contain the crossover. The appellant has provided a written statement from the Transport for the West Midlands which indicates that the bus stop is used relatively little by boarding passengers and that a bus stop pole could potentially be a suitable replacement. Caveats to this statement included that the appellant would need to demonstrate that the length of full height kerb required to enable passengers to board and alight, as well as the bus stop pole, could be accommodated between the dropped kerb at No 205 and the proposed dropped kerb access for the appeal property.
6. At my site visit, I noted that, due to the design of the existing bus shelter, buses must stop to the south of the shelter itself in order for passengers to be able to board and exit the bus. On this basis, it would appear that removal of the bus shelter and construction of the proposed crossover would not affect the current situation where buses cannot, in any case, use the part of the marked bus stop area containing the bus shelter for taking on board or discharging passengers. The current situation, therefore, already appears to provide a sufficient length of full-height kerb to the south of the bus shelter for this to take place and, as a result, the proposed crossover would not be harmful to passenger access to buses.
7. In conclusion, I find that the proposed development would not be harmful to highway safety along this section of Four Pounds Avenue and would not adversely affect the ability of bus passengers to get off or onto buses at a point where there is a full-height kerb. The proposal would not, therefore, conflict with Policies AC2 and AC5 of the Council's Local Plan (LP), which relate to the safety of the highway network and access to the existing bus network, nor with Policy DC3 of the LP which relates to access to sustainable modes of transport.
8. Accordingly I allow this appeal subject to the conditions set out above. I have attached a condition relating to the approved plan because it is necessary that the development shall be carried out in accordance with that plan for the avoidance of doubt and in the interests of proper planning.

J D Westbrook

INSPECTOR