



Appeal Decision

Site visit made on 11 November 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2024

Appeal Ref: APP/U4610/D/24/3349114

21 Bennetts Road North, Coventry CV7 8JX

- 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 Levi Swift (Swift Pave Ltd) against the decision of Coventry City Council.
 - The application Ref is PL/2024/0001011/HHA.
 - The development proposed is dropped kerb for vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for dropped kerb for vehicular access at 21 Bennetts Road North, Coventry CV7 8JX in accordance with the terms of the application, Ref PL/2024/0001011/HHA subject to the following conditions:
 - 1.) The development hereby permitted shall be begun within 3 years from the date of this permission.
 - 2.) The development hereby permitted shall be carried out in accordance with the following approved drawings: TQRQM24152113459375.

Main Issue

2. The main issue is the effect of the proposal on highway safety with particular regard to the potential for conflict between pedestrians and road users along Bennetts Road North.

Reasons

3. The appeal site comprises a 2-storey semi-detached dwelling within a residential street. The dwelling is set back from the highway. Bennetts Road North is relatively straight and there are no on-street parking restrictions along this part of the road. A number of dwellings on Bennetts Road North have off-street parking to the front. At my late morning weekday site visit I observed a moderate flow of traffic and pedestrians. The speed limit is 30 mph and at my site visit most traffic appeared to be travelling at or below this limit. Whilst this is a snapshot in time there is nonetheless nothing in the evidence before me to indicate that these observations are atypical of the area.
4. The appeal relates to the installation of a dropped kerb. At a depth of 4.5 metres, the site would be unable to accommodate a turning facility to allow a vehicle to enter and leave in a forward motion via the dropped kerb. The proposal would therefore introduce the reverse manoeuvring of vehicles into,

or off, Bennets Road North, across the footway. Nonetheless, from what I observed on site the visibility for a driver exiting the site would be good in both directions and the open street scene would give pedestrians a clear view of traffic crossing the footway. Given the relative infrequency and short duration of such manoeuvres and the low speeds involved, vehicles using the new access would be unlikely to obstruct other footway users or present a significant danger to them. Furthermore, such manoeuvres would already be commonplace owing to the number of dropped kerbs in the vicinity, and there is no compelling evidence that these existing dropped kerbs cause conflict between vehicles and pedestrians along this stretch of road.

5. Given the limited depth of the frontage area, the Council suggest that the site would be of inadequate depth to accommodate a larger vehicle. Vehicles overhanging the public footway would reduce the useable width of the pavement. However, frontage parking is prevalent within the street and at my site visit I observed several vehicles overhanging the footpath along this stretch of road. The dimensions of many of the existing driveways nearby appear to be similar to the appeal proposal. Although the proposal would likely result in an additional vehicle which could overhang the footpath, this would not be harmful in the context of the parking arrangements present on other properties in the immediate vicinity of the site. Therefore, the effect of the appeal proposal on pedestrian safety would be unlikely to be any different to the existing situation of nearby properties using the area to the front of the dwellings for car parking.
6. In conclusion, the proposal would not be harmful to highway and pedestrian safety. The proposal would accord with Policies AC2 and AC4 of the Coventry Local Plan (2016) which seek, amongst other things, to ensure that proposals do not have a negative impact on the safety of the highway network.

Conclusion

7. For the reasons set out above, I conclude that the appeal should be allowed.

N Robinson

INSPECTOR