



Appeal Decision

Site visit made on 4 December 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2024

Appeal Ref: APP/U4610/D/24/3350136
314 Beake Avenue, Coventry CV6 2HJ

- 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 for Swift Pave Ltd against the decision of Coventry City Council.
 - The application Ref is PL/2024/0001239/HHA.
 - The development proposed is a dropped kerb for vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb for vehicular access at 314 Beake Avenue, Coventry CV6 2HJ in accordance with the terms of the application, Ref PL/2024/0001239/HHA, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1 to 500 scale block plan showing the proposed access, dated 3 July 2024.

Preliminary matter

2. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024, during consideration of the appeal. Having regard to the changes in the Framework and to the comparatively minor scale and nature of this appeal proposal, I consider that further consultation on this matter is not necessary.

Main issue

3. The main issue is the effect of the proposal on the safety of public highway users.

Reasons

4. Beake Avenue is a classified urban road carrying a significant amount of traffic. It is street lit and subject to a 30mph speed limit in the vicinity of the appeal site. No 314 is a mid-terrace house. Its frontage has been tarmacked to provide a couple of parking spaces, but with no dropped kerb. There are timber bollards on the road verge, so that No 314's parking could only be accessed at present via the dropped kerb next door at No 316, if at all. The proposal would provide a new section of dropped kerb to allow direct access. No turning space

- would be provided on site, so that vehicles would either have to reverse in or reverse out.
5. This part of Beake Avenue is relatively straight and level, with good visibility in both directions. The site is over 50m north of the signal controlled junction with Burnaby Road so that any vehicles approaching from the junction should have plenty of warning of vehicles reversing into or out of the drive. There is a bus stop on the opposite side of Beake Avenue, the timetable for which shows a frequent service. When buses are stopped in the northbound carriageway, vehicles may pull into the southbound carriageway, next to No 314, to pass. Once again, however, drivers would have adequate visibility for this to take place without undue risk.
 6. There are many other residential accesses nearby, without turning space on site, and no evidence has been submitted to indicate that these have caused accidents. I find no need for on-site turning space here.
 7. The Council is also concerned that 2m by 2m visibility splays should be provided to the footway and that this would require control over neighbours' land. This situation applies to many other residential accesses nearby, so drivers and other highway users must be aware of the general situation. There is no serious visibility problem at present as there is a low wall to one side of No 314 and an open parking area to the other side. Even if, for example, the wall was raised the situation could be dealt with by drivers exercising reasonable care and attention.
 8. I understand the Council's point that there is a general correlation between the number of direct accesses and the number of accidents, but on street parking can also cause issues. This correlation is not, to my mind, sufficient reason to restrict new accesses in a location like this where they would be reasonably safe individually and in a context where highway users already need to be aware of the many other existing direct accesses.
 9. I conclude that the proposal would not prejudice the safety of public highway users. It accords with Coventry City Council Local Plan policies AC2 and AC4, which aim to ensure that proposals do not have a negative impact on the safety of the highway network, including provision for pedestrians.
 10. I note that the Council is promoting proposals for a 'cycle superhighway' along Beake Avenue. I have seen only indicative plans for this scheme, with no specific proposals or commitments. Detailed planning would need to take the existing accesses into account. I see no reason why this additional access should undermine the scheme.
 11. I impose a condition specifying the relevant plans to provide certainty. The Council has not recommended any other conditions and I see no need for any.
 12. The proposal accords with the development plan for the area, taken as a whole. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR