



Appeal Decision

Site visit made on 2 August 2024 by R Parker BSc (Hons)

Decision by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2025

Appeal Ref: APP/U4610/D/24/3341061

27 Tamworth Road, Coventry CV6 2EJ

- 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 Mrs Colette Evans against the decision of Coventry City Council.
 - The application Ref is PL/2023/0002216/HHA.
 - The development proposed is described as a 'Dropped kerb to front of property. Driveway to be laid with permeable block paving, both boundary fences to either side of property to remain. Drainage to be added to driveway. Vehicle access to side to access back of property'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. The appeal site is located on Tamworth Road, which is a busy classified road. The site is a short distance from a signal-controlled crossing and multiple other road junctions. There are two schools within proximity of the site, and a third nearby on Sandpits Lane. The appeal property itself is an end of terrace dwelling with an area of land to its unattached side. The appeal proposal is, in effect, for the creation of a dropped kerb with block paving within the appeal property.
5. During my site visit I observed a continuous flow of traffic along this section of Tamworth Road and frequent queues from the traffic lights past the appeal site. Whilst my visit was a snapshot in time, I have no reason to conclude that this was not a normal occurrence in this location.
6. The plans submitted with the application do not detail the extent of the proposed driveway nor where vehicles would park or turn. However, from the limited information before me, it would be extremely difficult to manoeuvre a vehicle within the appeal site to enable it to enter and exit in a forward gear. Whilst the Appellant has indicated that this may be possible by utilising the

area of land at the property frontage, or the rear garden, very little evidence to demonstrate this has been provided.

7. In the absence of any convincing evidence to the contrary, vehicles would be forced to manoeuvre on the pavement or the main carriageway which would in turn have an unacceptable increase in highway danger. This is particularly the case given the high volume of traffic and proximity of road junctions which increase the likelihood of conflict between vehicles emerging from the site and other highway users, including bicycles and pedestrians.
8. My attention has also been drawn to the planning history of the site and the new dwelling which is now 27a Tamworth Road. From the evidence before me, the approved plans included a shared access with the appeal property and a turning area to enable vehicles to enter and exit in a forward gear. However, from my site visit, this access arrangement either was not implemented or has been altered to remove this shared access arrangement. Either way, should there be any breach of planning control this is a matter for the Council.
9. I also acknowledge that there are other properties in the area with driveways which do not benefit from turning facilities, and that as part of a traffic calming scheme there is a 30mph speed limit. However, none of these factors constitute a compelling reason to now grant permission for an otherwise unacceptable development. Moreover, each proposal must be assessed on its individual merits.
10. As set out above, the proposal would result in significant harm to highway safety and would conflict with Policy AC2 of the Coventry Local Plan 2017, which amongst other matters seeks to ensure that new development proposals do not result in unacceptable highway safety issues.

Other Matters

11. In their consultation response the Local Highway Authority asserted that the appeal site includes adopted land, which the appellant has challenged. However, this did not form part of the Council's refusal and falls beyond the scope of this appeal.

Conclusion and Recommendation

12. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Parker

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence, and my representative's report, and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR