
Appeal Decision

Site visit made on 29 July 2025

by **P Brennan BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 August 2025

Appeal Ref: APP/U4610/W/25/3366392
403 Holyhead Road, Coventry CV5 8HS

- 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 of Swift Pave Ltd against the decision of Coventry City Council.
 - The application Ref is PL/2025/0000753/HHA.
 - The development proposed is described as: Dropped kerb for vehicular access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development has been taken from the application form, although the proposed plans also show an area of permeable block paving to form a driveway in front of the dwelling house, included as part of the appeal proposal. The paved area has already been completed.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area, with particular reference to its effect on a highway tree; and
 - highway safety with particular regard to safe access and egress and the delivery of a cycleway.

Reasons

Character and Appearance

4. The appeal site is an end of terrace dwelling with a parking area to the front, located on Holyhead Road. This section of Holyhead Road is a wide tree-lined avenue, with an open and verdant character and appearance. Residential properties are set back behind grass verges, several of which have dropped kerbs to enable vehicles to park directly in front of houses. A large mature highway tree is situated on the grass verge, on the edge of the proposed and neighbour's driveways. The trees, along with the grass verges contribute positively to the character of the area.
5. The appeal would result in the creation of a dropped kerb on the grass verge to the front of number 403. The kerb and subsequent driveway would be in close proximity to the large tree and its roots.

6. The appellant has made no reference within the evidence to the highway tree and its root structure being situated within the proposed driveway and dropped kerb location. Without a detailed supporting arboricultural report on the tree and the effect, if any, of the necessary ground works and surfacing associated with the development, the effect on the tree's health cannot be adequately assessed.
7. As such, the absence of sufficient information means I cannot rule out potentially unacceptable damage to, or loss of the tree and the consequential harm upon the visual qualities of the appeal site and surrounding area.
8. Consequently, there is insufficient information before me to provide certainty that the proposed development would safeguard the highway tree and not have an unacceptable effect on the character and appearance of the area. The proposal therefore fails to accord with Policies DE1 and GE4 of the Coventry Local Plan 2017 (CLP). Collectively, amongst other matters, these policies seek to ensure high quality development that is in keeping with the character of surrounding areas and does not have an adverse impact on retained trees.

Highway safety

9. Holyhead Road is a classified 'A' road. The appeal site side of the carriageway is subject to a 'no waiting and no parking on verge' restriction with double yellow lines. On street parking in designated bays is available on the opposite side of the carriageway to the appeal site. In front of the appeal property the speed restriction is 30mph. At the time of my visit, on a midweek morning, there were several vehicles parked in the designated bays and speeds and traffic levels did not appear excessive for a road of this nature. The appeal site is set back from the carriageway and is separated by a grass verge and footway.
10. Most dwellings along this part of the road, near to the appeal site, do not have on-plot parking spaces within frontages. However, there are several examples with frontage driveway parking and dropped kerbs in the immediate vicinity, which do not have the benefit of on-plot turning areas. These include the adjacent property at number 405. Whilst these plots may have been subject to historical or more recent planning decisions, they nevertheless form part of the highway context. As a result, manoeuvring into and out of parking spaces and the need to reverse onto the highway, similar to that proposed, is an established characteristic of the area.
11. No substantive evidence has been provided in relation to traffic flows and speeds, nor have any records of accidents been provided to show where reversing onto the highway was found to have been a contributing factor. As a result, it has not been demonstrated that the use of the proposed access would increase the risk of collision with pedestrians, cyclists, and other motorists.
12. Despite the position of the highway tree, as parking on street is restricted at the front of the appeal site, visibility to either side of the access would be clear and unimpeded. In mind of the limited speed of approaching cars, other road users would have ample opportunity to react to a vehicle reversing on or off the appeal site frontage.
13. Consequently, in view of the above, it is unlikely the proposed access and its use associated with one dwelling would cause an unacceptable impact on highway safety. In the absence of such evidence, a driver exercising the degree of caution that it is reasonable to expect when using the dropped kerb to reverse onto or off

the carriageway, would have sufficient view of oncoming highway users to avoid collision. Therefore, whilst recognising the concerns raised by the Highway Authority, I am satisfied that the proposal would allow a vehicle to enter and exit the site in a safe manner, without detriment to highway safety.

14. The Council intends to build a cycleway along the length of Holyhead Road linking the City Centre to Eastern Green. Whilst construction is expected to commence in 2026, public consultation on the scheme is currently being undertaken. A previous appeal decision for a dropped kerb at 338 Holyhead Road found conflict with the cycleway delivery. However, no evidence is before me regarding how the proposed cycleway would interact with existing dropped kerb access points along its route or how, if at all, the creation of an additional footway crossing would affect its delivery or operation. As such, I can only afford this matter limited weight against the appeal.
15. For the above reasons, I conclude that the proposal would not have an adverse impact on highway safety with particular regard to safe access and egress or the delivery of a cycleway. Accordingly, I find no conflict with Policies AC2 and AC4 of the CLP, which requires proposals to mitigate any negative impact on the safety of the highway network and supports the expansion of safe cycling networks.

Conclusion

16. For the reasons given above, I conclude that the proposal would conflict with the development plan and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

P Brennan

INSPECTOR