



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: 11 August 2025

Appeal Ref: APP/U4610/W/25/3365448

242 Allesley Old Road, Coventry CV5 8GJ

- 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/2025/0000554/HHA.
 - The development proposed is described as: 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 242 Allesley Old Road, Coventry CV5 8GJ in accordance with the terms of the application, Ref PL/2025/0000554/HHA, 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 following approved plans: Location Plan, Block Plan and Proposed Block Plan reference TQRQM25072121837567.

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 Issue

3. The main issue is the effect of the proposed development on highway and pedestrian safety with particular regard to safe access and egress.

Reasons

4. Allesley Old Road is a wide, tree-lined classified 'B' road. This stretch of Allesley Old Road is a dual carriageway and bus route to and from the city centre. The appeal site is set back from the carriageway and is separated by a grass verge and footway. On street vehicle parking is available on both sides of the carriageway. In front of the appeal site, the speed restriction is 30mph. At the time of my visit, on a midweek morning, there were several vehicles parked along Allesley Old Road. However, I observed that on-street parking was available, and speeds and traffic levels did not appear excessive for a road of this nature.

5. Most dwellings along this part of the road, near to the appeal site, do not have on-plot parking spaces within their frontages. However, there are a few existing dropped kerbs within the vicinity that would result in vehicles reversing onto the highway. Whilst these dropped kerbs may have been subject to historical 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 street, similar to that proposed, is an established characteristic of the area.
6. As observed on my visit, the driveway parking area has been completed and has an upward gradient from the footway to the front of the dwelling. Details of the gradient of the parking area are not before me. Nevertheless, the local Highway Authority asserts that this would be in excess of 1:15 but has not adequately demonstrated how this would result in harm to highway safety. Furthermore, the Council has not drawn my attention to policy or guidance that refers to appropriate driveway gradients. In the absence of any policy requirements and based on my observations on site, the gradient of the frontage and approach to the highway is considered to be suitable.
7. A lamp column is located within the grass verge. Based on my site observations, whilst adjacent to the dropped kerb, the lamp column would not be at undue risk of being struck by a vehicle entering or exiting the driveway via the proposed dropped kerb.
8. Despite on street parking, the visibility of oncoming traffic would not be unduly restricted for emerging vehicles from the proposed access. Also, given 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. The users of the dropped kerb would also have adequate visibility of the footway in both directions to observe oncoming pedestrians. Furthermore, the street includes various points of access and other street features. As such, it is likely that pedestrians and drivers would be alert to potential conflict around the appeal site if applying due care and attention.
9. 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.
10. Consequently, in view of the above, it is unlikely that 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.
11. Even though the proposal would involve the loss of one on-street parking space in front of the appeal site, which currently has unrestricted public usage, this space would be displaced within the appeal site. Whilst my site visit only represents a snapshot in time, there were spaces available on Allesley Old Road. No evidence has been presented that the proposal would reduce the provision of on-street

parking to such an extent that it would cause parking stress or prejudice highway safety.

12. For the above reasons, I conclude that the proposal would not have an adverse impact on highway and pedestrian safety with particular regard to safe access and egress. 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 walking and cycling networks.

Conditions

13. Having regard to the National Planning Policy Framework and the Planning Practice Guidance, in addition to the standard implementation condition, it would be necessary in the interests of certainty to define the plans with which the scheme should accord.

Conclusion

14. I have found that, subject to conditions, the proposed dropped kerb would cause no unacceptable harm to highway safety. It would also provide significant benefits to the present occupiers of the dwellinghouse, given the disability of a family member, and the development could also benefit future occupiers.
15. I am satisfied that the proposed dropped kerb complies with the development plan taken as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. A grant of planning permission would also further the aims set out under s149 of the Equality Act 2010 to eliminate discrimination against disabled people, advance equality of opportunity for them, and foster good relations between them and people who are not disabled. Therefore, the appeal is allowed.

P Brennan

INSPECTOR