
Appeal Decision

Site visit made on 16 September 2025

by Mr T Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025

Appeal Ref: APP/U4610/W/25/3369481
127 Sewall Highway, COVENTRY, CV2 3NG

- 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 against the decision of Coventry City Council.
 - The application Ref is PL/2025/0000344/HHA.
 - The development proposed is the formation of vehicular access including a dropped kerb and erection of side boundary fencing to the front garden.
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Decision

1. The appeal is allowed and planning permission is granted for the formation of vehicular access including a dropped kerb and erection of side boundary fencing to the front garden at 127 Sewall Highway, COVENTRY, CV2 3NG in accordance with the terms of the application, Ref PL/2025/0000344/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 drawings: Location Plan; Existing Block Plan; Proposed Block Plan; Tree Survey; Proposed Fence Detail.
- 3) The hedge shown on the approved drawings shall be reduced in height to no more than 0.9meters before the dropped kerb is brought into use. The hedge or any other subsequent boundary treatment shall be retained at a height of no more than 0.9m thereafter.
- 4) No development or other operations (including any demolition, site clearance or other preparatory works) shall commence unless and until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with the approved details.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the safety of road users and pedestrians.

Reasons

3. The appeal relates to this modest, 2 storey terraced house, which is located within a residential area of similar properties. The frontage to the property contains a pathway and a soft area containing a small tree and a shrub. There is a low brick wall at the front of the site, a hedge to the right on the boundary with No 129 and no boundary feature with No 125.

4. Between Nos 125 and 123 is a grassed vehicle access leading to land to the rear, which includes a dropped kerb and the carriageway edge. In addition, I note that planning permission was granted for an access at No 123 by means of an appeal, dated 30 August 2024 (Ref: APP/U4610/D/24/3345285).

5. In front of the appeal site is a pavement, then a strip of verge and then a hard-surfaced strip running for much of the length of the road, clear of the carriageway, which accommodates parking. There is a tree within the verge directly outside the neighbouring property at No 125, close to the appeal site.

6. The Council's concerns relate to the likelihood that cars would reverse out of the appeal site, between parked cars and adjacent to the tree, without suitable visibility of other road users; thus posing a threat to highway safety. There are just a few other dropped kerbs on the road and, as was noted in the previous appeal decision, vehicles appear to have been reversed into the parking spaces, on the whole. In addition, the parking area that has been formed along the road, clear of the carriageway, would require drivers to stop and manoeuvre into those spaces, some no doubt reversing into them. Therefore, I consider that the proposal would not lead to any manoeuvres that do not currently occur. Furthermore, these existing vehicles and their drivers are subjected to the same patterns of highway visibility as would be present at the appeal site, which I find neither unusual nor unacceptable. The existing tree within the verged area would not interfere unacceptably with a driver's view of vehicles travelling on the road nor of pedestrians on the pavement, in my judgement.

7. The Council's reason for refusal also refers to the proximity of the appeal site to a roundabout on Sewall Highway. I note that this was a matter raised in the aforementioned appeal at No 123, which is closer to the roundabout. I agree with the Inspector in determining that appeal, that at a distance of around 50m or more, the proposal is unlikely to be harmful to the flow of traffic. In relation to the boundary hedge between No 127 and No 129, the Council Officer's report states that, if the application were being recommended for approval a suitable condition to control the height of the hedge would be considered, so that there would be sufficient visibility in relation to pedestrians.

Conditions

8. I shall include a condition which identifies the approved plans so that there is certainty of the nature of the approval. I shall also attach a condition in relation to the adjacent hedge to protect pedestrian safety. Due to the proximity of the tree within the verge, I shall include a condition which controls the construction works in relation to its effects on the tree, although I have simplified the Council's suggested wording which also refers to levels of floors, which is not relevant here.

Conclusion

9. I judge that the proposal would have no detrimental effect on highway safety and would not conflict with Policies AC1 and AC2 of the Coventry Local Plan, nor with the advice in the NPPF. Therefore, the appeal is allowed.

T Wood

INSPECTOR