



Appeal Decision

Site visit made on 25 September 2019

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2019

Appeal Ref: APP/V2004/D/19/3230951

148 Southcoates Lane, Hull HU9 3AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Kevin Hawkins against the decision of Kingston-upon-Hull City Council.
 - The application Ref 19/00357/FULL, dated 2 April 2019, was refused by notice dated 29 May 2019.
 - The development proposed is described as 'dropped kerb for vehicle parking for disabled parents and residents.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on a) the safe use of the highway; and b) the character and appearance of the area.

Reasons

Highway Safety

3. The appeal site is the front garden to No 148 Southcoates Lane, a two storey end terraced dwelling set back from and facing the road. The appeal scheme seeks planning permission to form a new vehicular access from Southcoates Lane and in so doing use the front garden as a parking space for a single car. The plans submitted with the appeal show a parallel parking arrangement.
4. I have no doubt that it would be possible to fit a car into the space provided by the front garden but I have concerns as to how one would get there. There is a significant depth to the space between the carriageway edge and the site boundary. It is formed by a grass verge and a shared footway/cycle path. There are also side boundary treatments to 146 and 150 either side of the appeal site as well as two mature trees in the highway. When taken together, these factors mean that an entering vehicle would have to do so at a steep angle relative to the space.
5. I am not certain based on the evidence I have seen that doing this forwards would not lead to having to undertake correction manoeuvres backwards across the verge and the footway/cycle path to be able to then fit parallel to the front of the dwelling as shown. Any reversing manoeuvre in this area

would have the potential to bring the vehicle undertaking them into conflict with users of the footway and cycle path. Ultimately, the difficulty in completing an entry of the appeal site forwards could lead to a reliance on doing it in reverse wherein I foresee similar problems arising, but in this case it would involve a reversing manoeuvre in the carriageway which, given the road is a busy main route through town could hinder the free flow of traffic.

6. I have seen the appellant's evidence which shows stills from a video of their vehicle parking on the frontage. I note however that this shows a car reversing into a position at right angles to the front elevation of the dwelling which would involve reversing either into or out of the parking space. This would result in similar problems to those I have set out above.
7. Based on the evidence therefore, and taking into account my findings, I am not persuaded that the appeal scheme would be acceptable in highway safety terms. Thus, there would be conflict with the Framework¹, namely paragraph 108 (b) which seeks to ensure that safe and suitable access to the site can be achieved for all users.

Character and Appearance

8. The appeal site is one of a number of shallow and enclosed front gardens facing Southcoates Lane. The area is densely developed and consists mainly frontage two storey terraced dwellings. Whilst there are access points along the road in the immediate area these tend to lead to the side of buildings, to larger set back complexes, rear parking courts or side roads. There do not seem to be any vehicular parking to the front of dwellings along this stretch of Southcoates Lane. The road edge is characterised by a shared hard surfaced route which carries pedestrians and bicycles and a grassed verge.
9. The creation of the parking space and new access would require a dropped kerb onto the carriageway. Given the design of the parking space, it seems this would have to be of significant width, spanning the extent of the width of the plot. This would eliminate the characteristic verge and introduce a formalised entrance onto a plot frontage which would be wholly against the established street scene. Put simply, it would appear anomalous in the above context, accordingly harming the character and appearance of the area.
10. By virtue of these factors, the appeal scheme would be contrary to Policy 14 of the Local Plan² which states, amongst other things, that development should demonstrate how its design supports the delivery of a high quality environment in Hull and have regard to the relationship of the development and surrounding built form in terms of character.

Other Matters

11. I note the reasons the appellant gives for providing off street parking which is to assist their disabled parents. Whilst I attach some weight to this as a need, such a need does not extend to the occupants of the dwelling. In addition, I have not been made aware that providing the parking space is the only way of achieving the improved access that is needed. I am not therefore minded to attach such weight to this consideration that it would be sufficient, in light of the harms I have identified, to allow the appeal.

¹ The National Planning Policy Framework 2019

² Hull Local Plan 2017

12. A number of examples of other vehicular accesses have been provided in the evidence. Be these as they may, I am not fully cognisant of the circumstances of their approval if indeed they required express planning permission. In any case, they are not before me to determine. I have considered the appeal scheme on its own merits, accordingly finding there to be harm and conflict with the development plan for the reasons I have given.

Conclusion

13. I have had regard to other matters that have been raised but it is for the reasons that I have given that the appeal is dismissed.

John Morrison

INSPECTOR