
Appeal Decision

Site visit made on 23 November 2021

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th November 2021

Appeal Ref: APP/P1133/D/21/3284127

92 Coombe Vale Road, Teignmouth TQ14 9EW

- 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 D Pitt against the decision of Teignbridge District Council.
 - The application Ref : 21/00768/HOU, dated 29 March 2021, was refused by notice dated 19 August 2021.
 - The development proposed is the installation of a garage within the current red brick wall.
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Preliminary Matter

1. The development proposed is briefly described above. The full description on the planning application form explains in more detail how the garage would enable the garden at the front of No 92 to be formed on each side and above the garage.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on highway and public safety.

Reasons

4. In common with other properties on the eastern side of the road No 92 is set high above the carriageway, with steps giving access to the dwelling. Most properties have no dedicated parking space, though there are a few exceptions, notably where a small garage has been inserted into the bank below the house (at No 88) and an example of an excavated parking site further to the south.
5. As I observed at my site visit, Coombe Vale Road has limited parking available on one side only. It was well used at the time of my visit, even in late November. I can therefore well understand the desire for dedicated parking for the appeal property.
6. The development plan includes the Teignbridge Local Plan, which was adopted in 2014. Policies S1 and S2, taken together, amongst other things seek to ensure that new development performs well in terms of road safety and prioritises the needs of pedestrians and cyclists above that of the motorist.

These objectives are in accordance with the advice of the National Planning Policy Framework (NPPF).

7. The proposed garage would be located at the back edge of the relatively narrow footpath on the eastern side of Coombe Vale Road. There would be little space in which pedestrians and cyclists would have advance warning of an emerging vehicle. In addition, the driver of any vehicle being moved out of the garage would have little opportunity to be aware of any approaching pedestrian, cyclist or other vehicle. The risk, for example, of a child being unseen as a car emerges, is real. It seems to me that the very close proximity of vehicles and other, vulnerable road users, would not follow the best principles of highway safety.
8. I understand the Appellant's disappointment at the Council's decision given that advice relating to an alternative scheme may have suggested that the scheme before me would be preferable. However, that is not a matter for me as I must deal with the proposal as now presented. I am similarly mindful that the Appellant has been seeking to resolve parking at the site for a number of years.
9. The fact that there is a similar development just 2 properties away from the appeal site cannot be ignored. However, I have no detailed knowledge of precisely when, and in what circumstances, that development took place. The same applies to the parking space located further to the south. I have noted comments relating to the space provided at No 71a, but again I have no detailed knowledge of that case. Each must be decided on the basis of its individual circumstances.
10. There are a number of access points on the western side of the street which give direct access to the highway. Some of these are garages and would offer similarly limited warning of vehicle manoeuvres. But the presence of these accesses and garages does not in itself lend material support to the proposal before me. Likewise, though I note and understand the support for off-street parking here, that should not be at the expense of safety.
11. In this case I do not agree that the provision of the garage would be sufficiently safe to enable the development to proceed. There would be harm to highway and public safety, and conflict with the requirements of the development plan policies noted above, and the NPPF. There are no material considerations which outweigh this harm.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Philip Major

INSPECTOR