



Appeal Decision

Site visit made on 24 October 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06.11.2023

Appeal Ref: APP/U4610/W/23/3327494 86 The Scotchill, Coventry, CV6 2EX

- 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 Joshua Gazzard against the decision of Coventry City Council.
 - The application Ref PL/2023/0000998/HHA, dated 17 May 2023, was refused by notice dated 6 July 2023.
 - The development proposed is the installation of a vehicular crossing (dropped kerb).
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Decision

1. The appeal is allowed and planning permission is granted for the installation of a vehicular crossing (dropped kerb) at 86 The Scotchill, Coventry, CV6 2EX in accordance with the terms of the application, Ref PL/2023/0000998/HHA, dated 17 May 2023, 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 and Plan Reference Number TQRQM23136144650460.

Main Issue

2. The main issue is the effect of the proposal on highway safety.

Reasons

3. The appeal property is an end-terraced house along a linear stretch of The Scotchill, a classified road lined with terraced properties to both sides. The frontages to the dwellings are all similar in terms of their depths and side enclosures, which broadly comprises either low brick walls, fences or hedgerows. No 86 has an existing open hard stand to the front. It has a low level close-boarded fence supported by concrete posts of a similar height to the side boundary with the attached No 88 and which is repeated to the opposite side boundary of this neighbouring property with No 90. There is a pedestrian access between the appeal site and No 84. The boundary to this side of the appeal site is open, with a low wall and taller rendered pier at the back edge of the pavement to the side boundary of No 84. The proposal is to provide a vehicular access to the site from the road across the pavement via a new dropped kerb enabling off-street parking on the existing hard stand.

4. On-street parking along The Scotchill is unrestricted at this point, and during my visit I saw the road to be heavily parked with vehicles half on the pavement. I was also struck by the significant number of properties with hard standings where cars were able to be parked perpendicular to the road. Many had pavement crossovers facilitated by dropped kerbs, others did not but were obviously used by vehicles bumping over the kerb. Those that did have a formal access arrangement were numerous in close proximity to the appeal site and on the same side of the road, including at Nos 66, 72, 76, 78, 82, 84, 96 and 98.
5. I accept that the frontage space to the appeal site would not be sufficient in size to allow a vehicle to turn and thereby exit and enter the highway in forward gear. But, it was clear from my observations that reversing manoeuvres would already be commonplace due to the very significant amount of frontage parking which already occurs. Cars already emerge onto the carriageway along The Scotchill between parked cars. The proposal for No 86 would add to the mix but I have been presented with no evidence to demonstrate that the existing highway environment presents any inherent danger to its users, regardless of traffic volumes on the highway. I therefore have no reason to consider that the proposal would somehow unacceptably 'tip-the-balance' by creating additional vehicle reversing movements that would be detrimental to the safety of highway users.
6. In terms of pedestrian visibility, I was unable to discern any meaningful difference between the enclosures to the side of No 86 and any of the other formal frontage parking arrangements nearby where the means of enclosure varied in height from site to site. Again, I have been presented with no substantive evidence to demonstrate that any existing point of access onto The Scotchill is a proven hazard to pedestrians. Indeed, from my own observations, in every example I saw that the frontages were clearly open, where the emergence of a vehicle would not be uncommon and would be clearly seen. The arrangement at No 86 would be no different to some and better than others. Given also the prevailing boundary enclosures along this part of The Scotchill, I find it highly unlikely that the height of the existing side boundary enclosure of the appeal site would change.
7. The Council has raised concern that the proposal would also lead to the loss of an on-street parking space. Be that as it may, I have not been directed to any possible harm that this may cause to highway safety.
8. Overall, I find that access for a vehicle to and from the existing hard surface at No 86 would function in a manner comparable to many other vehicles which already manoeuvre into a significant number of other nearby properties in the immediate area. Without any substantive evidence to the contrary, I am unable to conclude that the proposal would contribute to any deterioration in the safety of highway users, either along the footpath or along the carriageway. In the absence of any identified negative impact on the capacity and/or safety of the highway network I find no conflict with Policy AC2 of the Coventry Local Plan 2017.

Conditions

9. In addition to the standard time limit condition a condition specifying the relevant plans is necessary in order to provide certainty. The Council has not suggested any other conditions in the event of the appeal succeeding.

Conclusion

10. For the reasons given, I find that there would be no harm to highway safety. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR