



Appeal Decision

Site visit made on 18 June 2024

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 5th July 2024

Appeal Ref: APP/U4610/D/24/3344496

26 Glebefarm Grove, Coventry CV3 2NE

- 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 Mrs Ward against the decision of Coventry City Council.
 - The application is Ref. PL/2023/0002475/HHA.
 - The development is described as the erection of a boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council altered the description of the development. I have adopted the Council's description of the development as it is more succinct albeit I have removed the reference to retrospective as this is not an act of development.
3. The wall has already been built and I accordingly determine the appeal on this basis.
4. The appellant also refers to a revised proposal whereby the wall could be reduced in height but there are no plans before me to show this reduction, nor was it considered by the Council in their determination of the application. Accordingly it would not be appropriate for me to consider this alternative option and I will base my decision on the plans which were assessed by the Council during the original planning application.

Main Issues

5. The main issues in the appeal are the effect of the proposed development on (i) highway safety and (ii) the character and appearance of the area.

Reasons

Highway Safety

6. The appeal property, No 26 Glebefarm Grove, (No 26) is located on a corner plot within a residential estate on an incline at the junction of Glebefarm Grove, a cul de sac, and Fieldside Lane. The wall projects from the front elevation of No 26 towards the highway along its boundary with the neighbouring property, No 25 Glebefarm Grove (No 25). As such its construction means that visibility is reduced when manoeuvring in and out of Nos 25 and 26.

7. The Council's Householder Design Guide Supplementary Planning Document (SPD) reiterates that highway visibility sightlines requirements must be maintained in the case of a proposal for a vehicle crossing. However from the photographs provided to me and my own observations on site, due to the height of the wall, a good level of visibility nonetheless can still be obtained in both directions before starting a manoeuvre across the footway. In my view vehicles manoeuvring from the driveways of Nos 25 and 26 are likely to do so at low speeds and as such would have sight of any oncoming vehicles as they were crossing the footway. Further, I found Glebefarm Grove and Fieldside Lane to be within a quiet residential area which was lightly trafficked, and with a low speed environment. Vehicles manoeuvring from driveways and within the road are to be expected in such areas and drivers are likely to be relatively alert to the potential for this occurring and to act with due caution. As such I do not share the concerns of the Council that manoeuvres from Nos 25 and 26 would be to the detriment of highway safety.
8. For the above reasons, the development does not have a materially harmful effect on highway safety. Of the policies put to me by the Council I find Policy AC2 of the Coventry Local Plan 2016 (Adopted 2017) (Local Plan) to be the most relevant and find that the proposal would not have a negative effect on the safety of the highway network

Character and Appearance

9. Permitted development rights to erect fences and walls were removed by a condition at the time of the original planning permission for the estate. Properties on Glebefarm Grove and Fieldside Lane are set back from the road with open plan front gardens, including landscaping and driveways. The predominantly open frontages and low level walls convey a sense of space and openness and positively contribute to the streetscape. No 26 is in a prominent position in this streetscape due to its corner plot location near to the junction with Fieldside Lane.
10. The erection of the boundary wall between Nos 25 and 26 results in a dominant structure in a prominent location which contrasts markedly with the sense of space that characterises the area. Further, it is particularly obtrusive in views from Fieldside Lane where it presents an enclosed frontage which disrupts the rhythm of the open plan front gardens and boundary treatment and undermines the open character of the area. Consequently, the fence is an incongruous feature that harms the character and appearance of the area.
11. The appellant's agent has drawn my attention to other fences within open plan estates, including one elsewhere on Glebefarm Grove. However, I do not know the circumstances in which these developments were accepted, nor do they justify development which would otherwise be unacceptable. In any event, I must consider the present appeal scheme on its own merits.
12. The appellant's agent refers to a second wall at the appeal property in respect of which no enforcement action has been taken by the Council. However the presence of this wall does not in itself justify development which would otherwise be unacceptable. Further, whilst permitted development rights, if applicable, might ordinarily permit a wall of this height, it is clear from the visual appearance and open streetscape that the original design and layout of the estate has on the whole been maintained as intended by the removal of

such permitted development rights. Consequently, the wall draws the eye as a discordant feature at odds with the character and appearance of the area.

13. For the above reasons the development results in unacceptable harm to the character and appearance of the area. As such it is contrary to Policy DE1 of the Local Plan and the SPD which together require development to respect and enhance their surroundings and positively contribute to the local identity and character of the area. It would also conflict with the National Planning Policy Framework which seeks to promote development sympathetic to local character.

Other Matters

14. Concerns have been raised as to third party rights in respect of access from the highway. Matters relating to private property rights are not matters for my consideration in this appeal.

Conclusion

15. Whilst I have found that the development does not cause unacceptable harm to highway safety, I have found that the development does cause unacceptable harm to the character and appearance of the area. For this reason and having regard to all matters raised, the appeal is dismissed.

K Winnard

INSPECTOR