



Appeal Decision

Site visit made on 15 July 2024

by H Marriott MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2024

Appeal Ref: APP/U4610/W/24/3341074

Land adjacent to 7 Stockton Road, Coventry CV1 5HX

- 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 Nasir Ullah against the decision of Coventry City Council.
- The application Ref is PL/2023/0001557/FUL.
- The development proposed is erection of a new dwellinghouse.

Decision

1. The appeal is allowed and planning permission is granted for erection of a new dwellinghouse on land adjacent to 7 Stockton Road, Coventry CV1 5HX in accordance with the terms of the application Ref PL/2023/0001557/FUL, and the plans submitted with it, subject to the conditions set out in the schedule at the end of this decision.

Main Issue

2. The main issue is the effect of the proposed development on the demand for on-street parking, with particular regard to highway safety and the convenience for road users in the local area.

Reasons

3. Stockton Road is a one-way residential street leading to Harnall Lane East (B4110), which contains a mixture of residential and commercial premises. Other than a shop on the corner with the B4100, Stockton Road is mainly fronted by terraced houses on both sides, set back from the highway by a footway, and generally no off-street parking. Stockton Road has mainly unrestricted on-street parking along its length and I observed on-street parallel and echelon parking occurs along both sides of the street, as well as along adjoining residential streets including Hartlepool Road and Redcar Road. Other than double yellow lines and a controlled zebra crossing area on the B4110, parking in the vicinity is not controlled by measures such as controlled parking zones.
4. The appeal site comprises a gap in the terrace between Number 7 and Number 11 Stockton Road (No 7 and No 11). The appellant suggests that the site may have historically been occupied by a dwelling which was demolished following wartime bomb damage. The site is currently used in association with No 7 and contains a driveway that can accommodate two car parking spaces in a tandem arrangement behind metal gates. The appeal scheme proposes to fill the gap with a two-storey, 3-bedroom dwelling.
5. The proposed dwelling would remove the ability for vehicles to be parked on the existing driveway. According to the Council's parking standards, set out in

Appendix 5 of the Coventry City Council Local Plan (adopted December 2017) (LP), there is an expectation that 3-bedroom dwelling would require 2 parking spaces. As the proposal would not make any provision for parking and taking into consideration the loss of off-street parking currently provided at the appeal site, the proposal would fall short of this standard.

6. However, I have not been made aware of any mechanisms in place to ensure that the appeal site is only used for the parking of vehicles. Indeed, the opening and closing of the metal gates that front the driveway and the increased likelihood of the need to manoeuvre on and off the highway due to one vehicle being blocked by another may at times mean that parking on the appeal site is less convenient than parking in communal off-street spaces. Moreover, the introduction of a dwelling would remove the need for the existing dropped kerb to the front of the appeal site. The width of the dropped kerb and associated white line is less than the length of a typical parallel parking space. Even so, the appellant has calculated that taking into account the entire length of the road, one additional on-street car parking space could be accommodated on Stockton Road and this has not been disputed by the Council.
7. I visited the appeal site on a midweek morning. Although just a snap-shot in time I observed that on-street parking spaces in the vicinity of the appeal site were available yet limited. The appellant's Parking Survey Report (18.10.2022) (PSR) concludes that there is no spare parking capacity when the capacity is calculated based on parallel on-street parking. However, when considering the potential for echelon parking, the PSR states there is capacity around 19 spare parking spaces, including along roads within 20 linear metres from the site. This capacity cannot be relied upon as I saw for myself that the echelon parking is not formalised with markings. Furthermore, the highways authority state cars parked in an echelon arrangement overhang the footway/carriageway and could cause pedestrian and vehicle conflicts. I saw examples of this on my site visit.
8. Policy AC3 (Demand Management) of the LP states amongst other things that car parking associated with new development will be assessed on the basis of parking standards of the LP. However, these standards are maximum standards and this document further recognises that in exceptional circumstances there may be occasions when it could be appropriate to have a lower or higher level of parking depending on the specific details of the application. The appellant has suggested that the demand for parking is reduced due to low levels of car ownership in the area according to 2023 census data. They also highlight the short walking distance from several high frequency bus routes and cycle routes and the proposed provision of secure cycle storage. However, the proposal would still result in a small increase in the number of additional and displaced vehicles. I am not convinced that a lower level of parking provision is justified in this instance given the findings of the PSR in terms of high levels of existing parking stress and the lack of formalised on-street parking provision.
9. The slight increase in parking associated with the proposal would increase the demand for on-street parking, reducing convenience for road users in the local area including the occupiers of No 7 or the future occupiers of the proposed development, who may not be afforded the convenience of parking immediately outside their own dwelling on every occasion. It does not follow that this would result in unacceptable harm to their living conditions, even if they had to walk further down the road or to a nearby street to gain access to their vehicle. Nevertheless, there may be times when it is difficult to find a car parking space.

That said, given the limited increased demand for parking that would likely result from the proposal and the existing parking situation along Stockton Road and surrounding streets, there is no objective evidence to suggest this would equate to an unacceptable impact on highway safety or a severe residual impact on the highway.

10. The proposed development would increase demand for on-street parking, and reduce the convenience for road users in the local area. This would conflict with the parking requirements of Policy AC3 and Appendix 5 of the LP and would also fail to comply with the guidance set out in the Coventry Connected (Transport and Accessibility) Supplementary Planning Document (SPD) (2018) which further supports the accessibility requirements of the LP.

Planning Balance

11. The Council has acknowledged that it is not able to demonstrate a five-year housing land supply. As such, Paragraph 11 d) of the Framework is engaged, which means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
12. The proposal would contribute one dwelling to the market, increasing the choice and mix of homes in the area that would make a small but nonetheless beneficial contribution to boosting the supply of homes. That home would be on brownfield land, located in close proximity to a range of services and facilities and where there would be choices to travel by sustainable modes. There would be economic benefits relative to the construction phase and as future residents feed into the local economy.
13. Furthermore, whilst there would be conflict with the development plan and local parking standards, the appeal site is located where pedestrians can use the footway to gain access to services and I do not consider there would be unacceptable impact on highway safety. Even if the proposal would give rise to inconvenience for road users, the level of increased inconvenience would not be severe. Moreover, suitably worded conditions would ensure the provision of secure cycle parking and the removal of the dropped kerb, lessening the loss of parking provision and assisting with the opportunity to travel sustainably.
14. Therefore, when assessed against policies the Framework taken as a whole, any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits.

Conditions

15. Various conditions have been suggested by the Council, in the event that I am minded to allow the appeal. I have considered these against the tests set out in the Framework and Planning Practice Guidance. In some instances, while I have adopted the suggested conditions, I have made changes to wording to add precision and clarity as appropriate. In respect of pre-commencement conditions, these have been agreed in writing by the appellant.
16. Conditions specifying timescales for the commencement of development and requiring the development to be carried out in accordance with the approved plans, are necessary in the interests of planning certainty and clarity. A condition requiring the reinstatement of the dropped kerb is necessary as this would no longer be required as a result of the development and its removal

reduce any potential conflict with the footway and maximise the amount of off-street parking provision. A condition requiring samples of materials to be used is also necessary to ensure they reflect the character and appearance of the area. A condition requiring details of cycle parking facilities is necessary to ensure appropriate provision in the interests of sustainable transport and bin storage is necessary in the interests of the living conditions of the occupiers of neighbouring dwelling and the proposed dwelling. The Council's recommended condition in relation to the specification of a boiler is not a specific requirement of Policy DS3 of the LP. As conditions should be tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls, I do not consider it would be reasonable or necessary to impose such a condition.

Conclusion

17. The proposed development would conflict with the development plan but material considerations indicate that a decision should be made other than in accordance with it.
18. For the reasons given above the appeal should be allowed.

19. H Marriott

INSPECTOR

SCHEDULE OF 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 drawing nos 1989-LP-001 Location Plan, 1989-SK-002C Existing and Proposed Plans and Elevations and 1989-SP-003 Site Plan/Block Plan.
- 3) No development shall take place until a scheme to include details of the reinstatement of the highway kerb and removal of the white line road marking in front of the dwelling hereby approved, has been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied until the development has been constructed in accordance with the approved scheme.
- 4) No development above ground level shall take place until details/samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details/samples.
- 5) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until details of cycle parking facilities and bin storage have been submitted to and approved in writing by the local planning authority. The cycle parking facilities and bin storage shall be carried out in accordance with the approved details, which shall thereafter be kept available for these purposes.