

Appeal Decision

Site visit made on 24 September 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2024

Appeal Ref: APP/U4610/D/24/3349090
62 The Scotchill, Coventry, CV6 2EX

- 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 Swift Pave Ltd against the decision of Coventry City Council.
 - The application Ref is PL/2024/0001017/HHA.
 - The development proposed is a dropped kerb for vehicular access.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on highway safety.

Reasons

3. The appeal property comprises a two storey terraced dwelling set back from the road behind a small garden area. It is located close to The Scotchill's junction with Morton Close, which is located on the opposite side of The Scotchill to the appeal property. The surrounding area is residential and is characterised by the presence of similar two storey terraced dwellings.
 4. During my site visit, I observed that dwellings along The Scotchill tend to be set back from the road behind short garden areas, some of which have low walls between the garden and the pavement; and some of which have been paved and provide constrained parking spaces which appear reliant on vehicles manoeuvring across the public pavement to access The Scotchill.
 5. Neighbouring dwellings to either side of the appeal property have front gardens with low brick walls. During my site visit I noted there to be few restrictions to on-street parking along The Scotchill and that this results in plentiful examples of cars parking alongside and partly on, pavements.
 6. I also observed The Scotchill to comprise a busy road in a busy suburban area of the city, with pavements appearing well-used by pedestrians. The Scotchill also appears to be a bus route, with the presence of a bus stop close to and on the same side of the road as the appeal dwelling.
-

7. The proposed development would result in the creation of a parking area directly in front of the appeal dwelling. The proposal would result in a form of parking that would require vehicles to manoeuvre across a well-used pavement to reach a small area of hard-standing.
8. Notably, vehicles undertaking a round-trip journey would not be able to both enter and exit the area in forward gear but would need to either enter or exit the appeal property in reverse gear.
9. I find that the need for such manoeuvring would necessarily result in a hazard to pedestrians and other road users along a busy road, in close proximity to a bus stop and almost opposite a road junction. The harm arising from this would be exacerbated by the presence of parked cars, including cars parked on the pavement itself, providing a distraction and severely impacting upon sight lines.
10. I find that all of the above would combine to present a significant risk to the safety of pedestrians and other road users.
11. Taking all of the above into account, I find that the proposed development would harm highway safety, contrary to the National Planning Policy Framework; and to Coventry Local Plan (2016) Policies AC2 and AC4, which together amongst other things, seek to protect highway safety.

Other Matters

12. In support of his case, the appellant refers to the presence of other parking areas along The Scotchgate. I observed a number of such parking areas during my site visit and I noted that a number of them did not appear to provide for particularly safe access and egress onto and from the main road.
13. Notwithstanding this and in any case, I have found that the proposal would result in significant harm and this is not something that is mitigated by the presence of other developments elsewhere.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR