



Appeal Decision

Site visit made on 26 March 2025

by C Billings BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2025

Appeal Ref: APP/U4610/W/25/3358877

617A Stoney Stanton Road, Coventry CV6 5GA

- 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 Mohammad Safaq against the decision of Coventry City Council.
 - The application Ref is PL/2024/0001043/FUL.
 - The development proposed is shop store/upholstery workshop at rear with integration with domestic garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development has been taken from the application form with the addition of reference to the domestic garage, as referred to on the appeal form and Council's decision notice. Although, matters that are not development have been omitted from such. No party would be prejudiced by this.
3. As undisputed by the main parties the domestic garage already has planning permission, granted under application ref: L/1999/0999. Works related to the garage have commenced, yet it has not been completed to date.

Main Issues

4. The main issues are the effect of the proposed development on:
 - highway safety; and,
 - the living conditions of occupiers of neighbouring dwellings, in particular regard to outlook.

Reasons

Highway safety

5. The appeal site is on a busy main road, located close to a light controlled junction. There is an existing vehicular access with dropped kerb from Stoney Stanton Road leading into the appeal site, via a roller shutter opening to one side of the frontage unit. Due to the position of adjacent buildings, which are forward of the appeal frontage building and a lamppost within the pavement area in front of the site, the existing access already has restricted visibility in one direction in relation to traffic and pedestrians. Also, I observed during my site visit, that because the access onto the main road is in the middle of the light controlled junction, it would be difficult for drivers leaving the appeal site to have full visibility of the signal heads, in order to establish whether it is safe to exit the site.

6. While it is proposed to widen the roller shutter door opening, the visibility on egress from the appeal site would remain as existing. Furthermore, the width of the access way leading down the side of the frontage building to the rear of the site would remain narrow and does not allow 2-way traffic. This would have the potential to create conflict between traffic on access and egress from the site, with the need for vehicles to reverse to allow oncoming vehicles right of way. It would not be safe to have vehicles reversing onto the pavement and road in front of the site, particularly due to the location within the light junction and the restricted visibility of the access.
7. Even though the appeal site and its access could be used for commercial purposes as existing, the proposed development would add a store and workshop use at the rear of the site and so, would likely intensify the use of it. Also, based on the Council's parking standards, 4 parking spaces are required for the proposed development, yet only 3 spaces are proposed. Notwithstanding the appellants intended operational use of the proposed development and the number of staff and parking spaces required by them for such, once built, the development could be occupied and used differently and more intensely. Such increased use of a restricted and unsafe existing access would have an unacceptable impact on highway safety.
8. While the removal of the rear double doors would create a more open aspect at the rear leading into the proposed parking area, this would not overcome the concerns with regard to the intensification of use of the appeal site, nor improve the restricted access onto the main road. Even though the appellant proposes to restrict vehicular access to the rear to one small caddie van and staff parking, this would not guarantee it is only used in such way at all times. Furthermore, the accessway would be shared with the domestic use of the garage, which would be used differently and require access to be maintained thereto, even if it is only used for storage purposes. This could add further conflict for manoeuvring vehicles and pedestrians within and accessing the site.
9. In view of the above, the proposed development would have a harmful effect on highway safety, in conflict with Policy AC2 of the Coventry City Council Local Plan (December 2017) (LP), which requires amongst other matters, that new development which are predicted to have a negative impact on safety of the highway network should mitigate and manage traffic growth to ensure they do not cause unacceptable highway safety problems. Also, there would be conflict with Policy AC4 of the LP, which requires development proposals to incorporate appropriate safe and convenient access to walking and cycling routes.

Living conditions

10. At the rear of the appeal site are terraced residential properties which have short rear gardens. At present the appeal site is fairly open at the rear, despite that there have been previous buildings within the site.
11. The proposed workshop and storage building would be close to the boundary wall with the neighbouring residential properties at the rear. Also, although the size of the proposed building may have been reduced during the consideration of the planning application, it would not be of an insignificant scale and height and it would extend across the rear garden widths of several neighbouring properties. As

a result, the proposed building would form an overly dominant feature at the end of the small rear gardens of these properties, harmful to the outlook of their occupiers.

12. Due to the close proximity of the appeal building to the boundary with neighbouring residential properties, there would not be enough space to accommodate meaningful landscape planting to reduce the appearance of the new building from neighbouring occupiers. Furthermore, alternative external materials would not reduce the dominance of the building. The proposed building may hide other existing unsightly nearby commercial buildings from the neighbouring occupiers. However, the proposed tall building so close to the rear of the neighbouring residential properties would not enhance the visual amenity enjoyed by the occupiers, as it would appear overly dominant and oppressive.
13. Even though the proposed building would not be visible from the main road, its design would suit its proposed function and that there is a variety of building design in the surrounding area, such matters would not overcome the harm to the living conditions of neighbours due to its scale and location.
14. In view of the above, the proposed development would harmfully affect the living conditions of occupiers of neighbouring dwellings in particular regard to outlook, in conflict with Policy DE1 of the LP, which amongst other matters, requires all development proposals to respect and enhance their surroundings.

Other Matters

15. The actions of the Council during the planning application process are neutral factors, which do not affect the merits of the appeal proposal or my findings on them.

Conclusion

16. For the reasons given above, the proposal would conflict with the development plan as a whole and material considerations do not indicate a decision should be made other than in accordance with it.
17. Accordingly, the appeal should not succeed.

C Billings

INSPECTOR