



Appeal Decision

Site visit made on 29 July 2025

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2025

Appeal Ref: APP/U4610/W/25/3364328

Site of former 604 to 622 Stoney Stanton Road, Coventry CV6 5FT

- 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 Ali against the decision of Coventry City Council.
 - The application Ref is PL/2025/0000186/FUL.
 - The development proposed is described as 'retro temp carpark – 18 months approx.'
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Decision

1. The appeal is allowed and planning permission is granted for use of land as a temporary car park for 18 months at site of former 604 to 622 Stoney Stanton Road, Coventry CV6 5FT in accordance with the terms of the application, Ref PL/2025/0000186/FUL, subject to the conditions in the attached schedule.

Preliminary and Procedural Matters

2. The description of development taken from the application form is 'retro temp carpark – 18 months approx.' Given the use of abbreviations that have not been clarified, this description is wholly unclear. Therefore, I have used the description of development taken from the appeal form which is similar to that used on the Council's decision notice in my formal decision. The only difference is that the Council included the term 'retrospective', which I have not included as this does not describe an act of development. Given that the parties have used effectively the same description of development I am satisfied that the parties would not be prejudiced by this approach.
3. A Car Park Management Plan was submitted with the appeal which was not before the Council when it made its decision. The Plan sets out the expected number of vehicles and hours of operation, amongst other matters, but does not fundamentally alter the scheme. Additionally, as this was submitted alongside the appeal the parties would have had the opportunity to comment on the Plan and as such the parties would not be prejudiced by my accepting this Plan.
4. The change of use of the appeal site to a car park has already occurred which I saw on my site visit. However, the vehicular access has not been constructed and as such I have determined the appeal based upon what has taken place as well as what is proposed.

Main Issues

5. The main issues relevant to this appeal are:
- The effect of the development on highway safety

- The effect of the development on the character and appearance of the area; and
- The effect of the development on the living conditions of nearby occupiers with regard to noise and disturbance, including air quality.

Reasons

Highway Safety

6. The appeal site is situated on Stoney Stanton Road, an area characterised by a mix of commercial and residential uses. This varied land use is evident along the length of the road. The built form predominantly comprises two-storey buildings, including terraced dwellings and larger commercial premises. Most buildings are positioned close to the roadside, although some commercial properties are enclosed by metal fencing.

7. The appeal site and adjacent property differ notably from the prevailing pattern of development along Stoney Stanton Road. The neighbouring building is set back significantly from the highway and is enclosed by metal fencing. Based on my site visit, the appeal site contains minimal building form and is bound by solid timber fencing. Based on the evidence before me and what I saw on site, the road is subject to a high volume of traffic, although there appeared to be a relatively slow flow of traffic due to the high volume and the regularly spaced signalised crossings along the road.

8. Concerns have been raised regarding the continued vehicular access to the appeal site across the footway, which currently lacks a dropped kerb and the requisite 2 metre by 2 metre pedestrian visibility splays. Given the site's proximity to a bus stop, the ongoing use of this access without appropriate modification would result in an unacceptable impact on highway safety. However, the submitted plans propose a vehicular access in the same location as previously approved by the Council for the erection of a three-storey building comprising 16 flats with associated access, parking and landscaping at the appeal site. As it was determined that a vehicular access in this location would be acceptable the proposal to create a similarly designed access point would not necessarily cause harm to highway safety, whilst acknowledging that this would be for a different use.

9. A Car Park Management Plan was submitted with the appeal which indicated that the car park is intended to be used for the storage of vehicles associated with another business and would not be accessible to the general public. It is proposed that the site would accommodate a maximum of 30 vehicles and the typical movements to and from the site would be limited. Furthermore, the car park would only operate during specified hours from Monday to Saturday and remain closed on Sundays. Given the site's location within an area where commercial activity is prevalent, and considering the limited vehicular movements, there is no substantive evidence to suggest that the development would generate unacceptable levels of traffic congestion on the surrounding road network. Additionally, given the limited number of expected vehicular movements, the use and location of the proposed vehicular access, in a similar location to one that has already been approved, would not have an unacceptable impact on highway safety even if used for commercial purposes. Subject to conditions requiring approval and implementation of final access details and adherence to the Car Park Management Plan, the proposal would not result in an unacceptable impact on highway safety.

10. Therefore, subject to the implementation of the vehicular access, the temporary use of the appeal site as a car park used to store vehicles would not have an unacceptable impact on highway safety. Consequently, the development would generally accord with Policies AC1, AC2 and AC3 of the Coventry Local Plan (LP) insofar as they expect development, amongst other matters, to mitigate and manage traffic growth which they are predicted to generate to ensure they do not cause unacceptable levels of traffic congestion and highway safety problems.

Character and Appearance

11. The surrounding area exhibits a mixed commercial and residential character, with buildings typically positioned close to the roadside but set back behind small areas of landscaping or low-level brick walls or metal fencing, creating a generally enclosed streetscape. The appeal site is enclosed by solid timber fencing, which is notably taller than the metal fencing surrounding the neighbouring site. Due to its height, solid construction, and proximity to the back edge of the footway, the fencing presents an overbearing appearance. Furthermore, the use of timber materials and the solid appearance of both the fencing and access gates are visually incongruous within this context. The design of the hoardings currently enclosing the site, along with the advertisements affixed to them, detracts from the character and appearance of the area. However, the appellant has expressed a willingness to revise the design of the hoardings and access gate and has proposed a condition to secure these amendments, which could address concerns raised regarding their current visual impact.

12. As the site is located in a mixed commercial and residential area, the view of a commercial operation in this location such as the storage of vehicles would not appear out of character. As such, even when viewed through the hoardings to be approved via condition, the use of the appeal site for the storage of cars would not harm the character and appearance of the area. Moreover, the use would only be for a temporary period.

13. Therefore, subject to matters to be approved by condition, the development would not harm the character and appearance of the area. Consequently, the development would generally accord with Policy DE1 of the LP insofar as it expects developments to, amongst other matters, respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Living Conditions

14. Residential properties are located opposite the appeal site, as well as along nearby roads accessed via Stoney Stanton Road. Concerns were raised that the car park use adversely affects neighbouring occupiers by reason of undue noise and disturbance.

15. The appeal site lies within a mixed-use area comprising both commercial and residential development and is accessed from a road which, based on the evidence before me and my own observations, experiences a high level of traffic. A large retail park is situated nearby. While my site visit provides only a snapshot in time, it was apparent that noise and disturbances associated with vehicular movements and commercial activities are already prevalent in the locality, likely attributable to existing uses.

16. Considering the likely existing background noise and activity in the area, there is no substantive technical evidence to indicate that the use has resulted in unacceptable levels of noise, disturbance, or air pollution beyond what is already experienced locally. The Car Park Management Plan specifies that there would be a limited number of vehicles on site, restricted operating hours, and that the site would not be open to the public. This plan could be secured via a suitably worded condition. Taking these factors into account, along with the site's location in a busy commercial setting and the temporary nature of the proposal, I conclude that the development would not have a significant adverse impact on the living conditions of nearby residents or users of the adjacent community centre.

17. Therefore, for the reasons given above, I conclude that the development would not cause unacceptable harm to the living conditions of nearby occupiers. Consequently, the development generally accords with Policy DE1 of the LP insofar as it expects developments, amongst other matters, to seek high quality design and attention to detail in the layout of development, individual buildings and infrastructure in terms of function and impact, not just in the short term, but over the lifetime of the development.

Other Matters

18. Concerns regarding the design of the hoardings and the use of the site outside of the operational hours specified in the Car Park Management Plan would be effectively addressed through the imposition of appropriate planning conditions. These conditions would ensure enforceability and provide a mechanism to mitigate the identified issues.

19. While it appears that trees and other vegetation may have been removed from site, I have not been provided with evidence to suggest that these were subject to a Tree Preservation Order or that the site is in a Conservation Area. In the absence of such protection, their removal could have occurred at any time without requiring formal consent.

20. The ongoing operation and management of the car storage area would likely deter some criminal activity from taking place. Additionally, the hoardings to be approved would allow for the site to be secured. Consequently, it is not evident that the site would lead to a significant increase in the risk of criminal activity to warrant refusal of the scheme.

21. As the car park use is proposed for a temporary period and does not involve substantial built development, it would not preclude the future redevelopment of the site for residential purposes. Additionally, it is not always necessary to prove there is a need for a use as part of the planning process and given that I saw on my site visit the site was full of vehicles, it has not been substantiated that such a use is unnecessary.

22. The Council has not raised concerns regarding the health and safety of users or staff on site. Furthermore, given the site's location within a built-up area comprising both commercial and residential uses, there is no substantive evidence to suggest that the provision of utilities or amenities on site would be unfeasible.

23. Notwithstanding the retrospective nature of the development, the proposal must be assessed on its individual planning merits. Private matters such as alleged trespassing or works undertaken on land outside the appellant's ownership have little to do with these.

Conditions

24. Given that the development is only sought for a temporary period, a condition requiring the use ceases and the site is restored in accordance with details to be approved is necessary in the interests of certainty. Furthermore, a condition requiring the development is carried out in accordance with the approved plan, notwithstanding the fencing details shown on it, is necessary in the interests of certainty.
25. Condition 3 is necessary in the interests of highway safety.
26. Condition 4 is necessary in the interests of the character and appearance of the area.
27. Conditions 5, 6 and 7 are necessary in the interests of the living conditions of nearby occupiers, as well as highway safety.
28. For the reasons given above and due to the temporary use of the site and the management of it via the Car Park Management Plan it has not been demonstrated that a condition requiring the submission of an air quality management plan is necessary.
29. External lighting is not proposed and as such a condition requiring no lighting or external illumination is installed would not be necessary.

Conclusion

30. The development accords with the development plan and the material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

G Sibley

INSPECTOR

Schedule of Conditions

1. The use hereby permitted shall be for a limited period of 18 months from the date of this decision. At the end of this period, the use hereby permitted shall cease, all materials and equipment brought onto the land in connection with the use shall be removed, and the land restored to its former condition in accordance with a scheme previously submitted to and approved in writing by the local planning authority.
2. The development hereby permitted shall be carried out in accordance with drawing no: 1767-100 Rev A, except in respect of the fencing details shown on drawing no 1767-100 Rev A.
3. Unless within 1 month of the date of this decision a scheme for the vehicular access to the site, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 1 month of the local planning authority's approval, the use of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

- a. If no scheme in accordance with this condition is approved within 3 months of the date of this decision, the use of the site shall cease, and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented.
 - b. Upon implementation of the approved details of the vehicular access specified in this condition, the approved vehicular access shall thereafter be retained.
 - c. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.
4. Unless within 1 month of the date of this decision details of the hoardings to be installed on site, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 1 month of the local planning authority's approval, the use of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented.
 - a. If no scheme in accordance with this condition is approved within 3 months of the date of this decision, the use of the site shall cease, and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented.
 - b. Upon implementation of the approved details of the hoardings specified in this condition, the approved hoardings shall thereafter be retained for the lifetime of the development.
 - c. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.
5. The temporary car park hereby permitted shall be operated in accordance with the submitted Car Park Management Plan, prepared by Agility Planning & Design, dated April 2025.
6. No activity shall take place on site other than between 10:00 hours and 18:00 hours Mondays to Fridays, between 10:00 hours and 14:00 hours on Saturdays and at no time on Sundays and Bank or Public Holidays.
7. The temporary car park hereby permitted shall not be made available for the parking of vehicles by members of the public at any time.

End of Schedule