
Appeal Decision

Site visit made on 26 September 2016

by Rachel Walmsley BSc MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th October 2016

Appeal Ref: APP/D4635/W/16/3153137
44 Limes Road, Wolverhampton WV6 8RB

- 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 Miss Lauren Bennett against the decision of Wolverhampton City Council.
 - The application Ref 16/00332/FUL, dated 2 April 2016, was refused by notice dated 16 May 2016.
 - The development proposed is the conversion of a single dwelling into two.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of a single dwelling into two at 44 Limes Road, Wolverhampton WV6 8RB in accordance with the terms of the application, Ref 16/00332/FUL, dated 2 April 2016, subject to the following conditions:
 - i) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - ii) The development hereby permitted shall be carried out in accordance with the following approved plan: *As Existing and As Proposed Elevations and Plans*.
 - iii) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.

Main Issue

2. This is the effect of the proposal on highway and pedestrian safety.

Reasons

3. The appeal site adjoins Limes Road, a residential street with unallocated and unreserved on street parking. The appeal site is a short walk to the village centre of Tettenhall.
4. The development plan is the starting point for the consideration of this appeal. Policies CSP4 and TRAN2 of the Core Strategy¹ emphasise the importance of development being within accessible, safe and sustainable locations. Policy

¹ Black Country Core Strategy (adopted February 2011)

AM12 of the Local Plan² along with Policy TNP22 of the Neighbourhood Plan³ seek an appropriate provision of car parking for each development.

5. The appeal site is within easy walking distance of the village and therefore within a highly accessible location; a conclusion supported by the Council's Transport Officer. In light of Policies AM12 and TNP22, therefore, a maximum of 2 spaces is required for the development proposed.
6. Whilst the provision of parking is not referred to in the planning application submission, the evidence before me points to the intended use of on street parking. Notwithstanding one additional photograph, the photographs before me showing car parking capacity at 7am and 7pm and on different days are identical. Whilst accurate comparisons between different times of the day and on different days cannot be drawn therefore, the photographs do show capacity for on street parking. Together with my observations on site, I am satisfied that there would be space for two vehicles to park.
7. Whilst the Council raises concern that the road is heavily subscribed I have no evidence before me to demonstrate this. I have found that the site is within a highly accessible location and with capacity on-street for a maximum of two vehicles to park. As a result two vehicles could be parked safely, without causing harm to highway and pedestrian safety. As such the proposal would comply with policies CSP4 and TRAN2 of the Core Strategy, AM12 of the Local Plan and TNP22 of the Neighbourhood Plan.

Conditions

8. The Council has suggested a number of planning conditions which I have considered against the advice in the Planning Practice Guidance. As a result I have amended some of them for clarity and eliminated others to avoid duplication.
9. In addition to the standard time limitation for commencement, I have imposed a condition specifying the relevant drawings as this provides certainty.
10. In the interests of the character and appearance of the area, I have imposed a condition concerning matching materials.

Conclusion

11. For the reasons given above I find that the development would not be contrary to the development plan and therefore the appeal is allowed.

R Walmsley

INSPECTOR

² Wolverhampton Unitary Development Plan (adopted June 2006)

³ Neighbourhood Plan for the Tettenhall Wards (2014-2026)