
Appeal Decision

Site visit made on 15 July 2019 by Amanda Sutton BA Hons DipTP DMS MRTPI

Decision by Susan Ashworth BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2019

Appeal Ref: APP/Q4625/W/19/3227888

989 Stratford Road, Solihull, West Midlands, B90 4BG

- 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 Mr Martin McHale against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/00481/MINFOT, dated 18 February 2019, was refused by notice dated 29 April 2019.
 - The development proposed is described as 'Demolition of existing double and single garages and a new dwelling built in their place, the new dwelling will be of timber construction with two bedrooms'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. It is stated in the decision notice, that the proposal would be contrary to Policy P7 of the Solihull Local Plan 2013 (Local Plan 2013) in respect to demonstrating that adequate off-street parking can be provided. I note that the Policy does not specifically address off-street parking for new development, and I have nothing before me to provide guidance on this matter. However, Policy P7 states that access to development will be expected to be safe for those vehicles which need to access the development, to which I have given appropriate weight in reaching my decision.

Main Issues

4. The main issues are:
 - The effect the proposed development would have on the living conditions of the occupants of adjacent properties;
 - The effect the proposed development would have on the character and appearance of the surrounding area; and
 - Whether the proposed development would make satisfactory provision for off-street parking and access for emergency services vehicles.

Reasons

5. The appeal site is a long, narrow, plot comprising a dwelling house and attached garden with rear garages, behind which is located an additional garden area. The dwelling fronts the busy A34 Stratford Road (dual carriageway) and forms part of a short row of semi-detached properties. The garden beyond the garages is bounded by vegetation and trees to the west, and to the east, a wooden panel fence. The appeal site is accessed via a narrow private road, which is the sole access to similar garages and garden areas associated with other properties in the row. The garden areas at the rear of these garages are managed to varying degrees, with some overgrown (adjacent to the appeal site) and others well maintained. The area is relatively tranquil despite its proximity to the A34.
6. The proposal would remove the garages on the appeal site and replace them with a two-bedroom dormer style dwelling house, with a parking area at the front of the proposed dwelling and the remaining area at the rear forming a garden. The proposed dwelling would be accessed by the existing shared private road which exits onto the A34.

Living Conditions

7. The appellant describes the area at the rear of the Stratford Road properties as wasteland and it is noted that the plot adjacent to the appeal sites (associated with 991 Stratford Road) appears unmanaged. However, some of the gardens are clearly used for the purpose intended, including that of the appeal site, and in the future, current and subsequent occupiers of 991 Stratford Road may wish to use this land as a garden. The proposed dwelling would overlook this area and beyond, resulting in a loss of privacy for current and future occupants, and therefore, would be contrary to Policy P14 of the Local Plan 2013 which seeks to ensure that new development would respect the amenity of existing and proposed occupiers and would be a good neighbour.

Character and Appearance of the Surrounding Area

8. The proposal would introduce a dwelling, albeit modest in size, to an area, which purpose is clearly to provide parking and garden space for properties fronting a busy dual carriageway. Furthermore, the immediate area is characterised by a linear pattern of development. The proposal comprises a backland style development which would significantly alter and harm this character. It is noted that the appellant indicates that the occupiers of 991 Stratford Road are currently proposing to construct a new brick garage. I do not have the details before me to confirm this, however foundations for a structure were observed on the site visit. Such a development would be in keeping with the character and appearance of the area, whereas it would be altered by that proposed by the appellant. Therefore, the proposal would be contrary to Policy P15 of the Local Plan 2013 which requires new development to conserve and enhance local character, distinctiveness and streetscape quality.

Provision for Off-Street Parking & Access

9. The proximity of the appeal site to the dual carriageway, which prevents on street parking, necessitates off-street parking provision for new development. The proposed plans show a tarmac hardstanding to the front of the proposed

dwelling. The appellant indicates that this is sufficient for two cars, stating that skip lorries have accessed the area in the past. I observed on the site visit that although there would be a potential area for off-street parking, the access and site is restrictive which would not be ideal when manoeuvring cars and small vehicles. Furthermore, the appellant has not provided evidence that the access road would be suitable for emergency vehicle access and turning. Therefore, the proposal would be contrary to Policy P7 of the Local Plan 2013, which requires new development to provide safe access for vehicles needing to access the development.

Other Matters

10. The appellant proposes to build on land close to his mother, occupant of 989 Stratford Road, so he can assist her as she gets older. I have no details before me to assess this specific need and therefore I am unable to give weight to this matter in reaching my decision. Consequently, any benefits in this regard do not outweigh the harm I have identified.

Conclusion and Recommendation

11. For the reasons outlined above the proposal would be contrary to Policies P14, P15 and P7 of the Local Plan 2013 with regards protecting the living conditions of existing and proposed occupiers, conserving and enhancing local character and ensuring safety for vehicles requiring access. Therefore, it is concluded that this appeal should be dismissed.

A J Sutton

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR