
Appeal Decision

Site visit made on 11 August 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th November 2020

Appeal Ref: APP/C4615/W/20/3251322
72-76 Daisy Street, Coseley, WV14 8QQ

- 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 Gurnek Singh against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P19/1674, dated 25 November 2019, was refused by notice dated 11 March 2020.
 - The development proposed is 3 two bedroom bungalows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effects of the proposal on the character and appearance of the area;
 - the adequacy of the parking for the existing and proposed residents and the safety implications and;
 - the adequacy of the proposed private amenity space for existing residents.

Reasons

Character and appearance

3. The appeal site includes a two storey building which fronts Daisy Street which is a main road through the area. To the rear is a curtilage of open rough grass, which is very prominent from two tarmac footpaths to the side/rear and a well-worn grass path parallel to the rear boundary, particularly as all these footpaths are significantly higher than the site. These footpaths are across public open spaces interspersed between copses of trees.
4. The proposed bungalows would be built to the rear of the site and behind the Daisy Street frontage. Seen from the above footpaths the proposed bungalows would look awkward against the back of the existing building.

They would not appear to have any inherent connection and therefore would be out of place.

5. The proposed houses would lack a road frontage and be perceived as disjointed from Daisy Street. Whilst Field View Close is an offshoot to the side this has been designed as a purposeful avenue with road frontage. This proposal has no such definitive road layout. Consequently, I consider that in principle the form of the development would be harmful to the character and appearance of the area.
6. Policies HOU2 of the CS and Policies S1, S6 and L1 of the Dudley Borough Development Strategy (DS) seek to promote quality urban design and response to context. The proposal would conflict with these policies.

Parking

7. The appeal site is directly behind a ground floor barbershop and a grocery store, with flats on the upper storey. The site has an open frontage with a layby for car parking, off Daisy Street, which is a busy thoroughfare. There is a supermarket nearby, but this is generally an extensive residential suburb.
8. The flats currently have parking to the rear from a side access. This rear access point would be re-positioned to one arising from the end of the layby and would cut through the frontage (with the demolition of a frontage wall).
9. The bungalows would each have one parking space, but several occupants would be likely due to the two bedrooms and spacious kitchen/dining room and sitting room. Visitor spaces for the bungalows would be shared with spaces for the existing flats and their visitors, 5 parking spaces (as well as an additional disabled space) are proposed, which would be unlikely to be adequate for all this accommodation. Moreover, no allowance has been made for the staff in the retail units and this would increase the parking need. Consequently, I conclude that there would be a parking shortfall.
10. The proposal would lead to parking on the access road or the layby. I estimated on my site visit that the layby only accommodates 3 cars, (after the demarcated access only lines are taken into account). The shops are accessed off the layby and will need regular deliveries, collection of waste and servicing of equipment. Car parking on the layby would be likely to remove the opportunity for the parking of service/vehicles, this would lead to indiscriminate or imperfect parking and would also hinder access by lorries as they would need adequate turning and width. Furthermore, the proposed access would be relocated more directly off the layby which would increase these pressures.
11. The above parking pressures would lead to imperfect parking and congestion which would impair the visibility and movement of a wide range of pedestrians needing to cross the layby to use the shops as well as those exiting vehicles. This would create a significant hazard as these pedestrians may not be seen due to obstructing cars.
12. I therefore conclude that the parking provision would be inadequate which would harm pedestrian safety around the shops. Policy TRANS 2 of the Black Country Core Strategy (CS) highlights the need to consider significant

transport implications including safety and accessibility. The proposal would be in conflict with this policy.

Private amenity space

13. An area of open space would be provided for the existing flats, which the Council quantify as 129sqm. This would allow an area large enough for everyday outdoor activities and its function would be assisted by its regular shape.
14. The open space would be adjacent to the pedestrian access at the rear of the building. This would allow easy access by the residents of the flats as well as allowing the opportunity for social interaction. Furthermore, the space would have reasonable privacy, being distanced from any view into the appeal site. Whilst the open space would be adjacent to the proposed car park, vehicle speeds and therefore any noise would be low. Being gated it would offer security to the users and keep dogs away from the facility. Moreover, this siting would allow mutual surveillance which would promote security.
15. I therefore conclude that the proposal would provide adequate private outdoor space. Policies HOU1, HOU2 and CSP4 of the CS and Policies S1, S6 and L1 of the DS and the New Housing SPD seek to ensure adequate living standards for existing and proposed residents. The proposal would accord with these policies and guidance in this respect.

Conclusion

16. The proposed 3 new dwellings would have social and economic benefits, including a contribution towards housing land supply. However, these benefits do not outweigh the harm that I have found above to the character of the area and the impact of the parking shortfall, even allowing for the adequacy of outdoor space. Therefore, on overall balance I conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR