
Appeal Decision

Site visit made on 17 December 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th January 2021

Appeal Ref: APP/V4630/W/20/3258141
227 Lichfield Road, Walsall Wood WS9 9PB

- 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 Paul Feerick against the decision of Walsall Metropolitan Borough Council.
 - The application Ref 20/0479, dated 27 April 2020, was refused by notice dated 22 July 2020.
 - The development proposed is a recessed garage into existing front raised garden with rear access via stairs to ground level.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the potential to disrupt the flow of traffic and any safety implications for Lichfield Road and the pavement and;
 - the effect of the proposal on the character and appearance of the area.

Reasons

Highway congestion and safety

3. The site is on the busy A461 classified main road between Lichfield and Walsall. It is a clear thoroughfare and indeed there is a no stopping sign close to the appeal site. There is a school nearby but otherwise the road is fronted by houses and there are wide pavements both sides of the road.
4. The houses front the A461 in a fairly uniform line, with individual drives and open front gardens. The appeal site has a single width drive with no turning/manoeuvring and a narrow front garden.
5. The proposal is for 4 car parking spaces in a ramped two tier structure. The cars would not be able to turn on the site rather they would have to reverse out onto the road. These manoeuvres would require oncoming vehicles to stop in a timely manner, which would cause congestion and hazard to pedestrians, cyclists and motorists. Whilst the existing arrangements involve reversing, the proposal would lead to more such movements.

6. The proposed parking would have a mechanical ramp between two floors. If this ramp mechanism failed and became stuck, then a car would be prevented from gaining access and left stranded on the road/pavement which would cause congestion and be a hazard.
7. The increase in dropped kerb would indicate a priority for cars and leave pedestrians without the protection of a raised kerb. This would also be unnerving for vulnerable pedestrians especially adjacent to a busy road, which would be significant as pedestrian flow will be high given the width of the pavement and nature of the area including the school nearby. Additionally, the extended dropped kerb would also be a temptation for indiscriminate parking on the pavement.
8. At some points on Lichfield Road the dropped kerbs have been widened but this is for the sharing of an access for two or more adjacent houses. However, this site already has an access and the increase in width would not be justified. The other dropped kerbs would have been permitted by the Highway Authority but notably they raise concern over this proposal.
9. The appellant has offered to provide signage and alarms. However, no details have been provided and, in any event, they would need to be assessed by the Highway Authority and a safety audit may well be required. Whilst the appellant suggests that the site does not have a blind spot, in the dark or in poor visibility, reversing out onto the busy road would be hazardous.
10. I therefore conclude that the proposal would cause congestion and impair highway safety.
11. Saved Walsall Unitary Development Plan (UDP) Policies T4 and T13 seek to keep street parking and direct frontage access to a minimum and parking is safe. The proposal would be in conflict.

Character and appearance

12. The proposal would be elevated and forward of the building line. Consequently, it would be prominent from the pavement. The proposal would curtail the sense of openness along the frontage and open garden which would detract from the pleasant setting of the individual houses.
13. The proposal would appear as a complex, over-engineered structure out of keeping with the modest suburban context.
14. The proposal would harm the character and appearance of the area. Saved Policies UDP GP2 and ENV32 and Designing Walsall SPD DW3 Character, expect development to make a positive contribution to the quality of the environment and provide criteria for quality design. The proposal would be in conflict.

Conclusion

15. I therefore conclude that the proposal should be dismissed.

John Longmuir

INSPECTOR