



Appeal Decision

Site visit made on 9 March 2021

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 30 March 2021

Appeal Ref: APP/Q4625/W/20/3264059

27 Old Warwick Road, Olton, Solihull, B92 7JQ

- 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 Dilip Mayariya against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2020/01126/PPFL, dated 1 June 2020, was refused by notice dated 19 October 2020
 - The development proposed is the change of use of existing building from residential care home (C2) to hostel (sui generis).
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the development on highway safety.

Reasons

3. The appeal site is a substantial, detached building in a row of Victorian Villas, which was until recently used as a residential care home. It is proposed to convert the building into a hostel with 19 bedrooms.
4. Policy P7 of the Solihull Local Plan (December 2013) (SLP) requires that development is focused in the most accessible locations. Old Warwick Road is located a brief walk from local facilities, the bus network and Olton Station, which provides a short commute to the centre of Birmingham. The proposal therefore fulfils this aspect of the local plan.
5. Policy P8 requires off-street parking is provided in accordance with the SPD¹. The SPD recommends that a maximum of one space per bedroom in hostels should be provided. It also states that significantly lower levels of off-street parking should be adopted at locations readily accessible by walking, cycling or public transport. Provision for parking should also be reduced if accommodation is for students or similar because demand is likely to be less than for family housing. I conclude that the development needs a maximum of 19 parking spaces. This number can be significantly reduced because of proximity to public transport and community facilities.

¹ Vehicle Parking Standards and Green Travel Plans Supplementary Planning Document, Solihull Metropolitan Council (adopted June 2006)

6. Taking into consideration the treatment of the forecourts of similarly sized neighbouring properties, I am satisfied that the car park could accommodate up to 8 vehicles. It is therefore necessary for me to consider if 8 car parking spaces would be sufficient for the development and, if not, if there would be an unacceptable impact on highway safety.
7. The application does not provide definitive information regarding who will be using the hostel. The appellant has suggested that clients would be seeking short term, inexpensive accommodation and 'could' be tradespeople, nurses, students or 'perhaps young tourists', or people in transit prior to being re-housed elsewhere.
8. I accept that it is highly likely that students and tourists would have a low level of car ownership. However, I consider it likely that tradespeople, nurses and people being re-housed are more likely to have a vehicle. In addition, there would be a permanent manager on site and a café for guests, and therefore some staff car parking is likely to be required.
9. Based on the description of likely clientele, the requirement for staff and the number of rooms in the development, I consider it highly likely that more than 8 parking spaces would be required. No evidence to the contrary, such as a breakdown of likely clients and their vehicle use, has been provided. I therefore conclude that it is highly likely the development would result in vehicles parking off-site.
10. I did not observe on-street parking on Warwick Road. The closest side streets had very limited parking available because of the frequency of driveways associated with residential development. I observed that on the rare occasions that there was space, cars were parked partly on the pavement to avoid blocking the roads. This was causing an obstruction for pedestrians and I observed examples where they would be forced to walk in the road, which significantly reduces their safety. Unsafe parking is also more likely to block sight lines for vehicles and cyclists, increasing the risk to these road users.
11. In addition, third parties have drawn my attention to an increase in congestion during the day due to commuters, to the extent that refuse bins are sometimes not able to be collected. I was unable to observe this because my site visit was during a period of 'lockdown' due to the coronavirus pandemic. However, given the proximity of the station, I consider it highly likely that commuters would exacerbate the shortage of parking locally.
12. There may be parking at greater distances from the appeal site, but I consider that the occupants of the building would be most likely to take advantage of the nearest spaces, even if not ideal for the purpose. Based on my observations at the site visit, I am not satisfied that there are any safe on-street places to park within a reasonable distance of the appeal site, and I have not been provided with any evidence to the contrary.
13. It has been brought to my attention that the previous care home operated without complaints and this has not been disputed by the Council. However, I consider it unlikely that the residents were driving, which means that the number of spaces required would have been limited to staff, medical professionals and visitors.

14. I conclude that there is insufficient safe on-street parking locally to absorb the potential requirement generated by the development, and that this would cause a significant reduction in the safety of users of the highway, in conflict with Policy P8 of the SLP.

Other matters

15. The appeal site is within Olton Conservation Area. There would be no external changes to the building, and I am content that there would be no harm to the character and appearance of the CA, nor its setting. In coming to this conclusion, I have considered the duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

Conclusion

16. The development benefits from being in a location accessible by local transport, and in close proximity to community facilities. However, I have found that the traffic generated would cause unacceptable harm to highway safety, and there would therefore be conflict with the local development plan when read as a whole. I conclude that the appeal should be dismissed.

B Davies

INSPECTOR