

Appeal Decision

Site visit made on 11 March 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal Ref: APP/G4620/D/23/3332083

15 Tame Crossing, Sandwell, Wednesbury WS10 0DT

- 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 Mrs Louise Withers against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/23/68383, dated 14 June 2023, was refused by notice dated 21 August 2023.
 - The development proposed is a garage extension to the front of the dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the convenience and safety of all road users.

Reasons

3. The proposal would result in the loss of the garage. It would provide a store which could be used for bicycles or other household items that would previously have been contained in the garage. It would also provide a second reception room to compliment the single downstairs lounge. This would bring benefits for the residents of this three-bedroom property.
 4. The house only has one parking space in addition to the garage. The proposed retained outside space would become close to the minimum size necessary to park a vehicle in terms of its length but would, nevertheless, continue to offer parking for a reasonably sized private vehicle. A vehicle would extend close to the footpath when parked, but if parked with care, it should not interrupt pedestrian movements.
 5. There are no on-street parking restrictions, but legitimate spaces are limited due to the number of dropped kerbs serving the houses and nearby junctions. A number of houses in the vicinity have replaced parts of their front gardens to provide greater numbers of parking spaces. My visit was in the early evening. It was apparent that there is considerable parking stress in this area. There were many vehicles parked on the roads and most of these were partially blocking the pavements and restricting movements from driveways opposite. Cars were also parked close to, on and opposite junctions. Although my visit
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offered only a snapshot of the evening parking situation, it was apparent that there is generally a very high demand for the legitimate limited on-street parking spaces. Other parked vehicles severely hinder accessibility by foot, particularly with pushchairs, wheelchairs, mobility scooters and prams; and the character of the area is being harmed by the prevalence and dominance of such vehicles within the public realm.

6. The appellant is of the view that the proposal would not change the parking situation as the garage is too small for use and as a result the property currently has only one off-street parking space which would be retained. It is evident that the garage is undoubtedly small and could only accommodate a small vehicle. Even then, it would require care when entering and parking in order to allow for the driver to exit the vehicle. Internal movement within the garage when parked and other storage uses would also be constrained. Given that the parking space outside blocks the access, this makes its use even more inconvenient. However, despite this, it does offer parking provision, albeit for only a small car and a relatively agile driver.
7. As I understand that the current occupiers do not use the garage, its loss, in the short term, would not alter the current parking issues in the vicinity. I anticipate that this is likely to be a common scenario with a number of the properties, which have similarly sized garages nearby. Despite this, the garage does offer some ability to be used by a small vehicle. The requirement for two parking spaces, for a three-bedroom house, in this location, is not at all unreasonable and is a requirement of Supplementary Planning Document: Revised Residential Design Guide 2014 (SPD) Appendix 3.
8. In these circumstances, allowing a further loss of parking provision, albeit not convenient or suited to the current residents, would be a retrograde step that is likely to ensure that parking demand would continue to outstrip supply into the future and reduce the options available for addressing this concern. The proposal conflicts with the SPD which also advises that where garages and driveways are provided in higher density housing layouts and counted as parking spaces, they will be conditioned to remain as such. It sets out that consideration regarding the conversion of garaging/parking spaces into living areas will only be acceptable where it can be demonstrated that sufficient car parking can be accommodated safely within the plot. There is no potential for this in this case. It would appear that the removal of permitted development rights to take away the ability of residents to convert these garages without consent was a necessary approach by the council given the limited overall number of parking spaces provided in the vicinity.
9. The proposal would consolidate the unacceptable levels of pavement parking and the adverse impact on pedestrian accessibility that results; as well as encouraging the increase in on-street parking that already results in parking that detracts from the character and appearance of these residential streets. The lack of parking provision designed into this estate does not appear to have influenced car ownership choices and as a result, the estate provides insufficient parking for the current demand. Reducing the potential legitimate parking spaces further, would increase and consolidate this poor design feature of the estate. It would conflict with the design principles set out in policy ENV3 of the Black Country Core Strategy 2011; and policy SAD EOS 9 of the Site Allocations and Delivery Development Plan Document 2012. I also find conflict

with the *National Planning Policy Framework* 2023 which seeks development that functions well and adds to the overall quality of the area.

10. I have had regard to the particular circumstances of the appellant and the limitations of the garage and the property generally. I am also mindful that neighbouring residents were consulted and no responses were received. Whilst there are a number of matters that weigh in favour of allowing these alterations to the property, they are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR