



Appeal Decision

Site visit made on 28 September 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 October 2024

Appeal Ref: APP/Q4625/D/24/3346229

1 Ferndale Road, Balsall Common, West Midlands CV7 7AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Alexander Orme against the decision of Solihull Metropolitan Borough Council.
 - The application Ref is PL/2024/00006/PPFL.
 - The development proposed is described, in summary, as the 'construction of a gravel (permeable) driveway across SCH owned grass verge to provide all-year access for an electric vehicle.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the appeal proposal on public areas of landscaping, pedestrian routes and on the character and appearance of the surrounding area.

Reasons

3. Ferndale Road and the surrounding roads can be characterised as an 'open plan estate'. There are extensive lawned, open frontages to groups of terraced properties and rows of houses and around street corners. These areas are important to the verdant character of the locality.
4. It is proposed to construct an access from the road to the front of the appeal property, No 1 Ferndale Road (No 1). However, the depth of its frontage is less than the depth required to accommodate a vehicle in accordance with the Council's parking standards. This is not disputed by the appellant. The proposal would therefore result in vehicles parked at the property overhanging the open land at the front of No 1.
5. A narrow, concrete pedestrian path runs along the front of the terrace of properties containing No 1. It joins with another, wider footpath leading from the front of No 1. In turn, this extends across the grassed frontage towards the pavement adjacent to the road. The narrow path would be displaced by the proposal and the route could potentially be blocked by the appellant's vehicle, thereby unacceptably limiting pedestrian access to and from the front of the terraced properties and the road.

6. The combined width and length of the proposed driveway would erode an extensive area of the grassed frontage between the road and the terrace. It would also introduce a contrasting surfacing material which would further emphasise its extent. This open area is fully grassed, except for the paths described above and I conclude that the proposed loss of part of the landscaped area to provide a visually prominent drive would appear discordant. It would harm the character and appearance of this part of Ferndale Road to the detriment of the quality of the streetscape.
7. There are some properties on Ferndale Road and Greenbank Road which have drives that cross the areas of landscaping in front of them. I do not have their planning histories or any other evidence relating to their construction. But in any event, it appears that they have a sufficiently sized frontage to accommodate a vehicle, and their site-specific circumstances clearly differ from those of the appeal property. Accordingly, the appeal proposal has been determined on its own individual merits. For the same reason, little weight can be given to the Council's concern that the appeal proposal would set a precedent for similar development.
8. The submitted letter from Solihull Community Housing in respect of an access to No 16 Ferndale Road does not relate to planning matters. It is not therefore a consideration in this appeal for planning permission. Support for the proposal from the Parish Council based on parking pressures and similar development in the area is noted but does not outweigh the concerns identified above.
9. For the foregoing reasons I conclude that the appeal proposal would result in a vehicle unacceptably encroaching on an area of public landscaping, would limit pedestrian access along an established path and would harm the verdant character and appearance of the local area and its local distinctiveness. The proposal does not therefore comply with Policies P8, P10 and P15 of the Solihull Local Plan (2013) or the Council's adopted House Extensions Guidelines (2010) in respect of their aims to protect existing open plan frontages and local character. It is also counter to the aims and objectives of the National Planning Policy Framework and National Planning Practice Guidance.
10. For the reasons set out above and having regard to all other matters raised which do not affect my conclusions, the appeal is dismissed.

Elaine Benson

INSPECTOR