



Appeal Decision

Site visit made on 15 September 2025

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 September 2025

Appeal Ref: APP/P4605/D/25/3364791

280 Rotton Park Road, Edgbaston, Birmingham, B16 0JH

- 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 Waqar Ali against the decision of Birmingham City Council.
 - The application Ref is 2024/04655/PA.
 - The development proposed is Installation of footway crossing.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the development in the banner heading above from the council's decision notice, avoiding superfluous wording, as this gives a more concise description of the development proposed.

Main Issue

3. The main issue is the effect of the proposed development upon pedestrian and highway safety.

Reasons

4. The appeal property is a semi-detached house on the corner of the B4129 Rotton Park Road, and Parkside, a small cul-de-sac with a gated access, and approximately 50m from the junction with the A4040 City Road. There was a steady flow of traffic at the time of my visit in the late afternoon before the main evening rush hour. Most houses close to the appeal site had paved front gardens which appeared to be used for off street parking, although not all had dropped kerbs and road access. There was also roadside parking with most cars parked partly on the pavement. There were no parking restrictions other than close to the junction with City Road.
5. The appeal property frontage is paved with metal gates across the boundary with the pavement. There is insufficient space for parking cars to turn to enter or leave in forward gear. Vehicles would therefore have to reverse into or out of the front of the property next to the entrance to Parkside, risking potential collision with vehicles entering or leaving Parkside and with pedestrians crossing or waiting to cross the road at the entrance to Parkside. Vehicles slowing down or waiting to use the crossover would also hinder the safe movement of traffic close to the junction with City Road.

6. I therefore conclude that the proposed development would conflict with Policies PG3, TP39 and TP44 of the Birmingham Development Plan (2017), Policies DM2 and DM14 of the Development Management in Birmingham Development Plan Document (2021), Birmingham Design Guide Supplementary Planning Document (2022) and the National Planning Policy Framework (2024) which seek to protect highway and pedestrian safety.

Other Matter

7. I understand the appellant's wish to park in front of the house for greater security but that does not outweigh the potential harm that I have identified.
8. I appreciate that there are dropped kerbs elsewhere along Rotton Park Road, including the example provided by the appellant close to the junction with City Road. However, none that I saw were adjacent to the only point at which pedestrians could cross a road entrance and as such were not directly comparable to the appeal proposal. In any case, I have come to my own view regarding the development rather than relying on the approach the Council may have taken elsewhere.

Conclusion

9. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR