
Appeal Decision

Site visit made on 6 February 2018

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2018.

Appeal Ref: APP/Y3940/W/17/3179032

1 Langley Road, Chippenham, SN15 1BP

- 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 Khaira of Ask Build Ltd against the decision of Wiltshire Council.
 - The application Ref 17/01407/FUL, dated 13 February 2017, was refused by notice dated 24 April 2017.
 - The development proposed is the conversion of existing offices into 5 No flats, including rear extension and raising the roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. 1 Langley Road is within the Chippenham Conservation Area, and the nearby Little George Hotel and Church of St Paul are listed buildings. As required by Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.
3. The original application form did not state the house name or number of the appeal property. Having regard to the evidence before me, including that of the Council and the appeal submission from the appellant, the appeal site is 1 Langley Road. As this was consistent with what I saw at my site visit, and more accurately describes the site location, I have used that address above.

Main Issue

4. There is no dispute between the main parties as regards the principle or nature of the proposed conversion and extensions of the building into flats. On that basis, the main issue for the appeal is whether the proposal would be provided with sufficient parking space.

Reasons

5. The appeal property is a detached two storey building with attic rooms and a basement that is positioned on the corner formed by the junction of Foundry Lane with Langley Road. To the rear of the building there is a partly enclosed walled area of hardstanding, providing parking for two or three vehicles. There are a variety of ages and styles of buildings within the area, as well as a mix of

- uses, including both residential terraces and apartments, large retail units and service and commercial premises. Associated with the retail park are two private car parks, one either side of Foundry Lane.
6. The existing building would be extended to the rear to provide a total of five apartments. The proposed extension would cover much of the yard area, with space for a bike shed and the parking of a single car. Core Policy 64 of the Wiltshire Core Strategy (2015) (CS) requires the provision of car parking associated with new residential development to be based on minimum parking standards. These standards are set out in the Wiltshire Local Transport Plan (2011) (TP), and in this case there is a requirement for the provision of seven parking spaces. As such the provision of one on-site car space would fail to comply with the requirements of CS Policy 64.
 7. Both this policy and the supporting TP include provision for reduced parking provision in certain circumstances, such as where there are significant urban design or heritage issues. No 1 lies close to two listed buildings and is within a conservation area. The proposed rear extension would replicate the form and style of the main building, and raising the roof along with the provision of natural slates and additional dormers would not harmfully alter its appearance. The building has been vacant for some time albeit now used in part for storage, and the scheme would provide a use for the whole building. The use would change from office to residential, although the vitality and diversity of the character and appearance of the conservation area and the settings of the nearby listed buildings would be preserved. As such there would be a neutral impact on the historic environment and urban area that would not be the significant benefits required by the policy.
 8. CS Policy 64 also allows for reduced parking in cases where parking overspill can be controlled or where parking demand is likely to be low. The appellant has pointed out the sustainable location of the dwellings with future occupiers of the flats being in walking distance of the town centre, close to a range of services, employment and public transport opportunities. These would be locational benefits and along with the provision of a bike shed there would be alternative means of transport for future occupiers of the flats other than the use of the private car, as well as opportunities to reduce the need to travel. This would be in accordance with objectives of the National Planning Policy Framework (the Framework), and CS Policies 60 and 61 that seek amongst other things to reduce the need to travel and encourage sustainable transport alternatives.
 9. Notwithstanding these benefits, future occupiers of the flats may own a car even where there could be a range of sustainable alternatives available. Of those car parks that are nearby they are within private ownership with restricted use. On-street parking close to the site is limited, with much being restricted. From what I saw of the wider area during my mid-day site visit, there was a very high level of parking within both restricted and unrestricted roads. Taken as a whole, I share the concerns of the Council that the proposal would add to the existing high level of demand for what parking is available in the area.
 10. The former office use of the site would have generated a parking requirement, and there was a licence between the previous occupiers of No 1 and the retail park providing spaces in the nearby private car parks. These spaces would

have been close to the site, but in the absence of a workable and lawful planning obligation for the current proposal to provide them, the weight I can give to this is limited.

Conclusion

11. In conclusion, there would not be sufficient off-street vehicle parking space provided with the scheme for the future occupiers of the flats. This would be contrary to the requirements of CS Policy 64, the TP, and an objective of the Framework, that seek amongst other things appropriate levels of parking. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR