



Appeal Decision

Site visit made on 24 November 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th December 2020

Appeal Ref: APP/T3725/W/20/3255686

3-5 Mill Street, Leamington Spa, Warwickshire CV31 1ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Patrick O'Sullivan against Warwick District Council.
 - The application Ref W 20/0247, is dated 7 February 2020.
 - The development proposed is the subdivision of 3 and 5 Mill Street to create two separate dwellings, single storey extensions to the rear, dormers within rear roof slope, application of render to front elevation, insertion of windows at first floor level to front elevation, new front boundary wall with railings.
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Decision

1. The appeal is dismissed and planning permission for subdivision of 3 and 5 Mill Street to create two separate dwellings, single storey extensions to the rear, dormers within rear roof slope, application of render to front elevation, insertion of windows at first floor level to front elevation, new front boundary wall with railings is refused.

Procedural Matters

2. The above description of development is taken from the appeal form as it is more succinct.
3. The appeal was lodged before the application was determined by the Council. Nonetheless the Council has provided a report of the case which has informed the main issue below

Main Issues

4. The effect of the proposal on the parking demand in the area and any resulting safety implications.

Reasons

5. Mill Street is close to the town centre. It is only a short section of road but is part of a network of more extensive roads. The houses in the area are typically close to the roads, with little off-street parking. Much of the streets have restricted parking.
6. The appeal site includes a block of traditional town houses closely fronting the road, which have no off-street parking. There are double yellow lines on one the side and the other has 3-4 spaces which are restricted to permit only. No 1

Mill Street has been converted from a community centre to a mixed shared office/commercial space/café.

7. The proposal would be an additional unit of accommodation. Even allowing for the smaller size of the resulting dwellings, there would be an increase in the need for parking as four spaces would be required rather than three currently.
8. The proposal cannot provide any spaces and would increase pressure on the current on-street spaces. Whilst the shortfall would only be one space this would be significant for such a small street. The resulting parking pressure would lead to more congestion, more manoeuvring and movements to try to find spaces in the locality, which would be likely to jeopardise safety. I also noted unauthorised and obstructing parking in Mill Street on my site visit.
9. I understand that it has not been possible to undertake a robust parking survey due to Covid. The submitted statement is based on previous studies for other sites in other streets. Whilst I acknowledge the content, it does not specifically consider Mill Street.
10. I also note that these surveys were undertaken on 2 evenings which may be different to the daytime pressures. Whilst 2 evenings are suggested in the Parking SPD, the document suggests this would be a minimum. The SPD also notes the impact of town centre locations and commercial premises. On my site visit at mid-morning all the Mill Street spaces were occupied, and the surrounding spaces also appeared full, during a time of essential travel only.
11. The proposal would restore the properties back to the separate houses as they have been in the past but that does not override the current situation today. Whilst the site may be close to services, evidence of lower car ownership in this locality has not been provided.
12. Warwick District Local Plan Policy TR3 states that development will be expected to comply with the parking standards set out in the Parking SPD. This SPD confirms the aforementioned parking requirements unless there is reasonable justification. The Royal Leamington Spa Neighbourhood Plan policy RLS14 Traffic and Transport is aimed at the prioritisation of non-vehicular transport and specific junction improvements. The pre-amble to policy RLS21 Protected car parks notes the need to provide a level which supports commercial and residential developments, whilst not over providing to the point where it discourages other modes of transport. The proposal would be in conflict with the Local Plan Policy, and SPD and the aims of the Neighbourhood Plan.
13. Whilst a robust parking survey has not been possible, I can only consider the submitted evidence before me, on which, I conclude that the proposal would lead to increased demand for parking in an area otherwise short, thereby undermining highway safety.

Other matters

14. The proposal is within the Royal Leamington Spa Conservation Area and the Council has provided a copy of a guide (appraisal). The area is characterised by its classical design formal town houses, up to mid 1830's on the back of the spa boom. It notes the evidence of Bath influences and buildings closely fronting the road. The application of render to the front elevation would be beneficial and frontage railings, boundary wall and the new windows would be appropriate. The rear of the appeal site is visible from New Street in

conjunction with its neighbours. This is not a notable view as the buildings lack the formal interest of the frontage, nonetheless the amended proposal makes the changes subservient in terms of scale, form and detailing, thereby not harming the character and appearance of the Conservation Area.

15. There are listed buildings in the vicinity, including 4/6 Priory Terrace, the Shakespeare Inn, 4/6 Church Terrace and 5-7 George Street. However, these are distanced and in their own context.
16. The proposal would provide smaller accommodation which may be more appropriate in this location and create an additional dwelling which would make a contribution to housing land supply. It would also support the restoration and use of the building. However, these benefits do not outweigh the harm from the parking shortfall.

Conclusion

17. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR