
Appeal Decision

Site visit made on 9 July 2025

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 25 July 2025

Appeal Ref: APP/W2465/W/25/3365119

James House, 55 Welford Road, Leicester

- 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 Euro Car Parks Ltd against the decision of Leicester City Council.
 - The application Ref 20241301, dated 18 July 2024, was refused by notice dated 7 November 2024.
 - The development proposed is the temporary change of use of land to form car park for up to five years.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application is retrospective; the site is already in use for car parking.

Main Issues

3. The main issues are:
 - Whether the proposal conflicts with the City's car parking strategy;
 - Whether the design and facilities of the car park are acceptable; and
 - The effect of the car park on the character and appearance of the area, including the effect on heritage assets.

Reasons

Car parking strategy

4. The proposal is to continue to use about 0.33 ha of land between Welford Road, Carlton Street and Lower Brown Street for temporary car parking. The previous office block on the site has been demolished and the rough surface, not marked out with spaces, can accommodate perhaps 100 cars.
5. The site lies within the City's central commercial zone, a strategic regeneration area and a potential development area. Indeed, planning permission for the redevelopment of the site was granted in July 2023. It is not clear why this scheme is not progressing at speed.
6. Policy CS15 in the Leicester Core Strategy adopted in July 2014 (the LCS) states that no additional public car parking, including temporary parking, will be acceptable in the city centre unless associated with new development (not

the case here) or a need is identified by the City-Wide Parking Strategy. The policy also includes a commitment to review the parking strategy, but this does not appear to have happened as the Council refer to the City Centre Car Parking Strategy SPD adopted three years earlier in March 2011.

7. The SPD divides the city centre into four zones with the appeal site in the south west zone, albeit on the boundary with the south east zone. Both appellant and Council seek to extrapolate from the supply and demand information in the SPD to demonstrate whether or not the additional 100 spaces provided by the proposal are needed now. However, the information provided is not sufficiently robust to reach any conclusions. The SPD is over 14 years old and is based on even earlier survey information – surface car park useage was surveyed over 15 years ago in 2009/10. The SPD only estimates supply and demand as far ahead as 2016 and the promised review has not been carried out, an essential exercise given the changes in the economy, travel patterns, employment trends and shopping behaviour that have occurred since 2011.
8. The car park was being well used on the date of the site visit, but this may be unrepresentative, may be due to the season tickets apparently on offer or the pricing structure in comparison to nearby alternative car parks.
9. For these reasons it is not possible to establish whether the proposal conflicts with the City's car parking strategy.

Design and facilities

10. The SPD states on page 7 that all new parking should be of high-quality design, include good management provision and should address both internal and external lighting, security, potential noise impacts and residential amenity. These are reasonable requirements and not out of date. The word 'all' makes clear that these standards apply to temporary as well as permanent parking.
11. However, the car park has a rough surface of crushed construction materials with no marked-out spaces, no disabled spaces, no electric vehicle charging facilities, no lighting, no on-site management and no security arrangements¹. Other than the access point, the car park is surrounded by 2 m high solid fencing with small viewholes on the Welford Road side. These are insufficient to enable any meaningful surveillance of the site resulting in an enclosed, unsafe car parking facility susceptible to criminal activity.
12. In response to these concerns the appellant suggests that conditions could be attached to require new boundary treatment, lighting and marked out disabled spaces, but not landscaping, improved surfacing or electric vehicle charging as these are not considered feasible for a temporary car park. There is no suggestion that on-site management or CCTV could be provided. The appellant opened the car park without permission or investing in any enhanced facilities and no improvement proposals were put forward as part of the application or appeal. The cost and thus viability of improvements if agreed is unclear and the success of conditions therefore not guaranteed. Even if some works were carried out, the car park would still remain sub-standard. In addition, although the appellant seeks a temporary permission for five (or alternatively two) years there is no evidence that redevelopment is certain in that period and thus in

¹ Notwithstanding a sign inside the car park claiming 24-hour CCTV is in operation.

practice there is a risk that the sub-standard car park would remain open for a lengthy period.

13. For these reasons the design and facilities of the car park are not acceptable and conflict with LCS Policy CS03. This requires spaces to be fit for purpose, car parking to be safe, and for design to reduce crime and fear of crime and promote public safety day and night. The car park also fails to comply with the design requirements set out in the SPD paragraph 7. In the circumstances granting permission subject to conditions would not sufficiently overcome these policy conflicts.

Character and appearance & heritage

14. The car park is bounded on three sides by unattractive two metre high solid fencing with no landscaping other than the existing trees behind the fence on the Carlton Street frontage. Whilst the fencing screens the car parking behind from public view, the site remains a discordant gap in the built-up street scene and a poor quality, prominent feature on the busy Welford Road.
15. The northern boundary of the site abuts Nos 39-41 Welford Road, the former Jemsox hosiery factory, lies close to No 31 Lower Brown Street, another red brick Victorian factory now in residential use, and diagonally opposite one corner of the New Walk Conservation Area, an historic part of the City planned around the Georgian promenade. The car park significantly detracts from the setting of these heritage assets, particularly the Jemsox building, exposing its featureless flank wall, not designed to be seen, to view.
16. For these reasons the car park causes significant harm to the character and appearance of the area and the setting and thus significance of heritage assets in conflict with LCS Policies CS03 and CS18. These expect high-quality, well-designed development that contributes positively to the character and appearance of its surroundings, is appropriate to the local setting and protects and enhances the setting of heritage assets.

Conclusion

17. The proposal would supply about 100 temporary car parking spaces for the City but this benefit is outweighed by the poor design and quality of provision and the harm that is caused to the character and appearance of the area and the setting of heritage assets.
18. The appeal should therefore be dismissed.

David Reed

INSPECTOR