
Appeal Decision

Site visit made on 9 June 2025

by **A Oyebade MSc FCILT**

an Inspector appointed by the Secretary of State

Decision date: 19 August 2025

Appeal Ref: APP/P4605/W/25/3364211

328-333 Bradford Street, Birmingham B5 6DB

- 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 Good Value Parking Limited against the decision of Birmingham City Council.
 - The application Ref is 2024/06563/PA.
 - The development proposed is change of use of land to surface car park (Sui-Generis) for a temporary period of 2 years.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the development on the use of sustainable travel modes.

Reasons

3. The appeal site abuts the western side of Mill Lane, at its junction with Bradford Street. It is also flanked by a college and a coach station at its western and eastern sides respectively, with a range of other uses comprising shops, offices and public houses in its proximate vicinity. In addition, Birmingham city centre lies within a short walking distance away from the site.
4. The site is currently used as an unmarked 'pay and display' public car park, which is accessed off Bradford Street. The appellant has estimated that the car park can accommodate up to 100 vehicles. I observed during the time of my site visit in the late afternoon that most of the car park was occupied.
5. The appellant's transport statement has indicated that 1071 spaces had been lost consequential to the closure of several car parks in the city centre area. It also highlighted that there had been other reductions in the on-street car parking spaces ensuing from the sustainable highway schemes implemented by the Council in the same vicinity. However, the appellant has not demonstrated whether the demand level for the remaining public car park and on-street spaces has surpassed the available spaces.
6. The Council's Transport Officer has reported that the car parking survey that was carried out in the city centre area in 2024 has revealed that the occupancy ratios for the public car parks in this area ranged from 38% to 51% of their maximum capacities.
7. In attempting to establish the magnitude of the spare spaces of the car parks in relation to the occupancy rates above, I have noted that the Council's 2024

parking study shows that 6 of the 10 public car parks observed contain around 200 to 959 spaces while 17 of the 20 private car parks hold approximately 160 to 1200 spaces. Therefore, given that the Council's car parking survey indicates that the remaining car parks in the city centre have sufficient residual capacity, adding more would likely result in the continued reliance on private vehicles being desirable above the use of other more sustainable transport modes.

8. I have also considered the appellant's statement signifying that the much higher parking costs associated with the private and public car parks in the city centre make this much cheaper temporary car park a useful and desirable facility. I would emphasise that expensive car parking cost in town centres is an important car use disincentive in sustainable transport planning, the aim of which is to encourage people to utilise sustainable means of travel for their journeys.
9. The appellant has quoted a recent application (2024/04370/POA) that was approved by the Council as like that of the appeal site. Nevertheless, the Council has pointed out that the consented scheme serves the University staff only and is subject to annual review of the institution's Travel Plan, with a view to reducing its capacity gradually.
10. Consequently, the development proposal would be contrary to Policy DM15 of the Development Management in Birmingham Development Planning Document (Adopted 2021). This Policy states that proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.
11. It would also be against paragraph 115 of the National Planning Policy Framework which directs that in assessing specific applications for development, it should be ensured that sustainable transport modes are prioritised considering the vision for the site, the type of development and its location.

Planning balance

12. I have noted that the Birmingham Supplementary Planning Document mentions that applications for temporary car parks or time extensions for temporary car parks will not be supported unless exceptional circumstances can be demonstrated. Hence, this provides certain level of flexibility in the application of the pertinent policies above.
13. The appellant has also highlighted that the temporary use of the appeal site for car parking prior to the implementation of the consented mixed-use development on it, would curtail anti-social behaviour. I have observed limited activities in large parts of this stretch of road, consequential to the presence of several abandoned business premises, during my site visit. Most of these properties have unsightly graffiti on them, with a few partially vandalised.
14. Nonetheless, the Council has explained that the majority of sites in this area are subject to various consents for demolition and redevelopment and, the appeal site is in no way exceptional in this regard.
15. While the benefit of securing more business activities that this development proposal would bring would serve a dual purpose of economic boost and surveillance actions along this road segment, this would only be for a short period. Hence, this momentary gain can only be afforded a small amount of weight, and

this would not outweigh the resultant harm of encouraging people to use non-sustainable travel modes in this locality.

Conclusion

16. For the reasons given above the appeal should be dismissed.

A Oyeade

INSPECTOR