

Appeal Decision

Site visit made on 15 November 2016

by P Jarvis Bsc (Hons) DipTP MRTPI

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

Decision date: 01 December 2016

Appeal Ref: APP/Y0435/D/16/3159664

16 Bowling Green Close, Bletchley, MK2 2FG

- 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 Adam Bohdanowicz against the decision of Milton Keynes Council.
 - The application Ref 16/01581/FUL dated 1 June 2016 was refused by notice dated 27 July 2016.
 - The development proposed is the installation of insulated roller garage doors.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is whether the proposal would result in the loss of on-site parking to the detriment of highway safety and convenience.

Reasons

3. The appeal site comprises a modern terraced residential property within a recently constructed residential estate, adjoining areas of which are still under construction. The dwelling is one of four in the terrace which were all built with integral parking comprising a covered space under the building and a further tandem space to the rear within the garden area. Similar garage doors have been installed at two of the dwellings in the terrace but the Council notes that these do not appear to have planning permission, which would be required as permitted development rights have been removed from the whole terrace.
 4. The Council's Supplementary Planning Documents New Residential Development Design Guide (2012) (DG SPD) and Parking Standards (2016) (PS SPD) state that car ports are required to be open on two faces on which basis they are considered to be fully available for parking as, unlike garages, would not be suitable to be used for storage. In accordance with the PS SPD, the dwelling requires two parking spaces.
 5. The appellant contends that the garage door is required for security purposes as currently the rear garden and back of the property are open to the public and in fact there have been two recent incidents of trespass reported to the police. In this respect I noted on my site visit that currently it is possible to see into the rear garden of the property.
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6. The appellant also clarifies that the proposal will enable the continued use the parking spaces in a secure manner and that in any event, parking already takes place on the road, including contractors vehicles, a number of which I observed at the time of my site visit.
7. Whilst it is not possible to enforce the use of the parking spaces and persons are entitled to park on the public road, the current arrangement appears to me to allow the occupants of the dwelling to access the existing, off road parking spaces in a more convenient location. I acknowledge that the proposed garage door would make the area more secure and note that the appellant states that the parking spaces would continue to be used. However, I consider that they would be used less as they would not be readily accessible. Furthermore, for the reasons set out in the SPD, the installation of the doors would make the area more usable for other storage purposes thus further limiting their usefulness in providing off street parking.
8. I noted on the site visit that many of the parking spaces to the front of the dwellings opposite and further down the road were numbered and therefore likely to be allocated parking spaces. Whilst the site is close to the town centre and all its amenities, there is still a need to provide for adequate parking in such residential areas, for both residents and visitors. It seems likely that visitor parking would have to take place on street, thus any increased pressure from residents would reduce that availability and inconvenience existing users due to the fairly narrow street widths.
9. I therefore consider that the proposal would be likely to result in increased pressure for on-street parking to the detriment of highway safety and convenience. It would thus fail to comply with Policy T15 of the Milton Keynes Local Plan 2001-2011 (2005) which indicates that on-site parking should not be reduced below the maximum if it would be likely to result in off-site parking that cannot be resolved by on street parking controls.
10. I note the appellant's concerns with regard to security. However, it appeared to me that it would be possible to fence off at least part of the rear garden to provide added security whilst still enabling the parking spaces to be accessed.

Conclusions

11. I conclude that for the above reasons the proposal would not be acceptable and that this appeal should be dismissed.

P Jarvis

INSPECTOR