



Appeal Decision

Site visit made on 11 December 2020

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2021

Appeal Ref: APP/Y0435/W/20/3257221

25 Wenford, Broughton, Milton Keynes, MK10 7AN

- 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 Tunde Adio against the decision of Milton Keynes Council.
 - The application Ref 20/01178/FUL dated 17 May 2020, was refused by notice dated 16 July 2020.
 - The development proposed is change of use to a house in multiple occupation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of the proposed development from the Council's decision notice. It adequately and simply describes the proposed development instead of the much longer and detailed description given on the application form.

Main Issue

3. The main issue is the effect of the proposed development on highway safety, with particular regard to parking provision.

Reasons

4. The appeal site is within a predominately residential area and comprises a three-storey property. The proposal would change the use of the building to a house in multiple occupation (HMO) with 4 bedrooms to be provided on the first and second floors.
5. The Milton Keynes Council Parking Standards Supplementary Planning Document, 2016 (SPD) and the Houses in Multiple Occupation Supplementary Planning Document, 2012 (HMO SPD) set out parking standards for HMOs and the site would fall within Zone B, where 3 on-plot parking spaces would be required.
6. There is a parking court to the rear of the site and the appellant has indicated that 2 tandem spaces would be available for future occupants, though no further details have been provided. I saw on my site visit that the spaces within the rear parking court are not properly marked or laid out, and I cannot therefore be certain that these spaces would remain available solely for occupants of the HMO.

7. Nevertheless, both the SPD and HMO SPD are clear that parking spaces should be independently accessible, with a presumption against tandem parking. Where tandem parking is proposed additional convenient on-street parking is required.
8. The appellant has stated that the 2 parking spaces to the rear could remain available, with their use being co-ordinated between future occupants. There is however no detail as to how this would operate or be enforced, and considering occupancy could change, I am not persuaded that this would be practical or that it could be addressed by a condition.
9. Therefore, even on the basis that the spaces to the rear of the site would be exclusively available to occupants of the HMO, I consider only 1 space could be considered as accessible and the proposal would therefore still result in a shortfall of 2 on-plot parking spaces.
10. There is on-street parking available within lay-bys around a central area of public open space to the front of the site, though I saw on my site visit that the availability of spaces was limited. I also saw that due to the restricted width and curve of the road, vehicles parked inappropriately, partially on the footpath, in an attempt to avoid obstructing two-way traffic. This leaves little or no room for pedestrians, particularly those with pushchairs or in wheelchairs to pass, and adversely impacts on visibility and safe manoeuvrability of vehicles, particularly at road junctions and driveways. I appreciate my observations provide just a snapshot, though they do reflect those raised by the Council.
11. There is on-street parking available on other nearby roads, though this is limited. It would also be remote from and not within the surveillance of the site, and in any event, it is likely that occupants and visitors of the HMO would aim to park as close to the property as possible, resulting in further inappropriate parking.
12. The site is close to local shops, commercial units and bus services, though limited detail has been provided on the routes or frequency of those services. The proposal would create 4 bedrooms to be occupied by adults, and even taking into account the proximity to nearby facilities and services, I consider the use would generate an increased demand for parking provision from future occupiers and their visitors that would exceed that associated with a family dwelling. The zones and parking requirements set out within the SPD and HMO SPD already take account of the location of the site and levels of car ownership amongst HMO occupants.
13. Therefore, having regard to the above factors I consider the parking shortfall could not be satisfactorily accommodated within properly marked or laid out parking spaces in the highway, and the deficiency in on-plot parking provision would lead to an increased demand for on-street parking. This could result in further inappropriate parking which would affect visibility and the manoeuvrability of vehicles and this could lead to conflicts between pedestrians and vehicles to the detriment of highway safety.
14. Therefore, for the reasons stated, the development would be contrary to Policy CT10 of the Milton Keynes Plan: MK 2016-2031, adopted 2019 which seeks to ensure that development meets the Council's full parking standards and on-site parking is not reduced below the Council's full expectations if this would increase additional pressure in off-site parking that could not be resolved by

on-street parking controls. For the same reasons the proposal would also fail to accord with Paragraph 109 of the National Planning Policy Framework, which states that proposals should be refused if there would be an unacceptable impact on highway safety, and the guidance within the SPD and HMO SPD which seek to ensure sufficient parking provision for HMOs so that they do not cause traffic problems, such as obstructions.

15. There were no objections to the application and there were no comments provided by the Council's Highway officer, though this does not lead me to a different conclusion. The proposal would provide affordable accommodation and contribute to the housing mix, though due to the size of the scheme this would have only a limited impact, and this does not outweigh the harm I have identified.
16. The Covid-19 pandemic has affected travel patterns, though restrictions had been eased at the time of the site visit, and there is no evidence to demonstrate the level of impact this may have had, or that parking demands would reduce in the long term. This does not, therefore, lead me to a different conclusion.
17. There would be no concerns in relation to concentration of HMOs, noise, level of internal or external accommodation for future occupants and sufficient cycle and bin storage could be required by condition. However, these matters would have a neutral effect, and therefore do not weigh in favour of the appeal.

Conclusion

18. For the reasons given above I conclude that the appeal should be dismissed.

A Denby

INSPECTOR