



Appeal Decision

Site visit made on 8 June 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2021

Appeal Ref: APP/Y0435/D/21/3268912

18 Grove Corner, Redhouse Park, Milton Keynes, MK14 5FA

- 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 Martin Purkiss against the decision of Milton Keynes Council.
 - The application Ref 20/02410/FUL, dated 24 September 2020, was refused by notice dated 7 December 2020.
 - The development proposed is described as conversion of car port.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of the car port at 18 Grove Corner, Redhouse Park, Milton Keynes, MK14 5FA in accordance with the terms of the application ref: 20/02410/FUL, dated 24 September 2020 and subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan drawing no. 20114-A04, and Plans & Elevations Following Alterations drawing no. 20114-A02 Revision A.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The car port that is the subject of this appeal has already been constructed. I have dealt with the appeal on that basis.
4. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

5. The main issue is whether the development provides adequate provision for car parking and the effect on highway safety.
-

Reasons for the Recommendation

6. The appeal site comprises an end-of-terrace, two-storey dwelling on a corner plot. The appeal property and the adjoining property were constructed with an integral car port and an additional car parking space on the driveway in a tandem layout. The appellant has installed garage doors to the front and rear of their car port, which has created a garage. The original planning permission for the estate¹ removed permitted development rights for the conversion of a car port to a garage.
7. Some of the properties in the street have driveways and a few also have a car port, while others share parking areas. In Grove Corner and the surrounding streets there are a number of lay-bys which are described by the Council as parking spaces for visitors, however these are not visibly marked as visitor spaces.
8. The original car port was slightly below the size requirements set out in paragraph 4.21 of the Parking Standards Supplementary Planning Document (2016) (SPD), although as the shortfall was not substantial this was deemed to be acceptable by the Council. The installation of the garage doors has not reduced the size of the internal area.
9. The SPD shows that the appeal property lies within Zone 3 and as such requires two allocated car parking spaces. Paragraph 4.4 of the SPD states that garages do not count as parking spaces. The appellant states that the car port was not usable for car parking due to damage being caused to the car by sheltering cats, and that the provision of garage doors has now provided a usable car parking space. Photographs provided by the appellant show that the garage is suitable for car parking. Moreover, paragraph 4.17 states that one additional, convenient on-street parking space must be provided for every two dwellings that have tandem parking, which suggests that there are existing concerns about the possibility that homeowners could choose not to park their cars in a car port and that additional car parking provision should be made for that eventuality.
10. Whilst only a snapshot of time, at the time of my site visit spaces were available in the nearby laybys. No evidence has been submitted to demonstrate that this is not normal or that at other times there is pressure on the on-street parking provision. Furthermore, the streets are quite narrow and appear to have been designed to minimise or prevent cars from being parked on the street outside of the laybys and parking areas. As such, the conversion of the car port to a garage has not caused any significant detrimental effect to the car parking provision in the street nor is there any evidence that it has led to parking in locations that would be detrimental to highway safety.
11. Therefore, for the reasons given above, the proposal does not cause any harm to highway safety. Consequently, the proposal accords with Policy CT10 of the Plan:MK 2016-2031 (March 2019) which requires on-site parking to not be reduced below the Council's parking standards if this would cause additional pressure on off-street parking.

¹ Planning application ref. 07/00496/MKPCR

Conditions

12. In order to provide certainty and in the interests of proper planning it is necessary to specify the approved plans. The appellant has suggested a condition requiring the garage to be available for the parking of cars at all times. However, such a condition may be difficult to enforce without constant surveillance and, in any event, given the absence of any identified harm in relation to the main issue, the condition is not necessary to make the development acceptable in planning terms.

Conclusion

13. For the reasons given above and having had regard to all other matters raised, I therefore recommend that the appeal should be allowed and planning permission granted subject to the condition listed above.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis, I agree with the recommendation and shall allow the appeal and grant planning permission subject to the condition above.

Chris Preston

INSPECTOR