



Appeal Decision

Site visit made on 8 July 2025

by Jonathan Price BA(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/Y0435/W/25/3364994

26 Hidcote Drive, Westcroft, Milton Keynes MK4 4FH

- 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 Mr Nevio Prandini against the decision of Milton Keynes City Council.
 - The application reference is PLN/2024/2648.
 - The development proposed is change of use of annex to Airbnb on short-term let.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. The proposal relates to a house within a row of inter-linked two and a half storey dwellings of the same design. All front closely onto the footway following the curved alignment of Hidcote Drive and are sited beyond a grassed highway verge. As originally designed, each appears to have been provided a detached garage, accessed from under the first floor accommodation linking the houses. These garages are located adjacent to the back gardens of the respective homes.
3. On 15 April 2024, planning permission was granted to extend the garage at No. 26 and convert it into an annex¹. Condition 4 of the permission states that the development hereby approved shall be used only as ancillary accommodation to No. 26 and shall not be used as an independently occupied dwelling and no separate curtilage shall be created. The reason given was that the site is considered inappropriate for an independent unit of accommodation in addition to the main dwelling and such development would be detrimental to the amenities of the area, contrary to Policies D1 and D5 of Plan:MK (2019); the current development plan.
4. The accommodation has been provided slightly differently from the layout approved and, from my inspection, the plans currently before me. Notably, the approved bedroom has been moved away from the rear of the annex, with this part occupied by the bathroom and an adjacent corridor. This corridor leads to a back door opening onto a small, private area of outside space, enclosed by tall fencing.
5. The change of use sought for short term letting via Airbnb had already commenced. This is acknowledged in the appellant's statement, which advises me that the Airbnb is listed on Booking.com with three reviews. The earliest of these is from 22 October 2024, and hence the proposal is considered retrospective. Moreover, the

¹ Council reference 24/00266/HOU.

Council served a Breach of Condition Notice on 8 May 2025 requiring the cessation of short-term lets and the reinstatement of the annex to how it was immediately prior to the unauthorised use taking place. Pending the outcome of this appeal, the appellant has completely stopped all short-term letting activities.

6. Based on the refusal reason and that given for breached condition 4, the main issue in this appeal is whether the proposed change of use is appropriate in this location, in respect of the effects upon existing and neighbouring living conditions and highway safety.

Reasons

Living conditions

7. The proposal would cause limited harm to the living conditions at No. 26, particularly since the short-term let has now been provided its own enclosed outside space. If desired, those staying could be prevented from sharing the appellant's private back garden. In any event, the appellant has control over the management of the unit and the frequency of occupation and, in seeking this permission, is clearly prepared to tolerate any disturbance or loss of privacy entailed. Any future occupiers at No. 26 will be able to exercise choice and, assuming a condition could prevent the unit being sold or let separately from No 26, might exercise the same controls over its usage.
8. Neighbouring occupiers have no control over the proposed use. The unit is within a terrace of quite large town houses, which do not have spacious grounds and where the housing has been built to a reasonably high density. Consequently, the activities engendered by the use occur in quite close proximity to the rear outlooks and modest back gardens of neighbouring dwellings. There would be no direct over-looking of any neighbouring dwelling and the tall fencing around the rear outside space provided would preserve visual privacy. However, the creation of a separate unit of accommodation for short-term letting in this confined position constitutes a discomfiting intrusion. I can appreciate neighbouring occupiers finding the transient and differing occupation resulting from short-term lets disconcerting, disturbing and out of character with the residential living environment otherwise offered within this development of large townhouses.
9. This annex building is unsuitably located for short term lets, given the closely-knit character of housing in this suburban area and its proximity to neighbouring dwellings. Compared to the approved annex use, with occupation ancillary to the main house, this change of use involves a separate unit of accommodation. This brings the likelihood of a significantly more frequent turnover of occupants, higher levels of activity and vehicular movement and generally greater and less predictable levels of noise and disturbance. This proposal would have a significantly harmful effect on the quality of living conditions these neighbouring homes might otherwise reasonably expect to enjoy. For this reason, the use of the annex as a short term let Airbnb would not respond appropriately to the site and surrounding context, giving rise to a conflict with development plan policies D1 and D5 of the Plan:MK.

Highway safety

10. The conversion of the former garage means this no longer offers an on-site parking space. The car port area under the first floor link has been reduced by the metal

fence defining a small forecourt to the short-term let and also by waste bin and ancillary household storage. This reduces its useability for car parking. However, accessing the single on-site space it might still provide would depend on the paved access dividing the grass verge being kept free of any cars. However, this is shown as parking for No. 26 and any vehicles using this space would first need to be moved to permit entrance to the car port, if allocated to the short-term lets. Arrangements for this could be made via the booking process. Nevertheless, I accept the Council's evidence that the access dividing the verge is part of the public highway and not owned by No.26. Therefore, the appeal address offers only one off street parking space, rather than the two required under the adopted standards for this size of dwelling.

11. The parking allocated for No. 26, displaced by the use of the on-site car port by guests at the short-term let, would reduce the available visibility for users of other driveways and adversely impact on the safety of pedestrians. Based on the adopted standards, I agree with the Council that there is inadequate parking for the existing dwelling and the proposed short-term let. The proposal therefore conflicts with Policy CT10 of Plan:MK, which resists insufficient on-site parking provision where this would increase additional pressure in off-site parking that could not be resolved by on-street parking controls, not operating in this part of Hidcote Drive.
12. The appellant suggests that guests would be made aware of parking arrangements when booking, with clear instructions provided as part of an approved guest management plan that could be required through a planning condition. In these circumstances, I consider that this proposal alone would not have a significantly adverse effect upon highway safety. Nevertheless, there remains a residual degree of harm which weighs against this proposal, given that the impacts of allowing small-scale exceptions to adopted car parking requirements will generally only be of a cumulative nature.

Balance and Conclusion

13. There is a tacit acknowledgment of harm through the appellant's suggestion of several conditions to mitigate this. A condition restricting the use to short-term holiday accommodation, as opposed to permanent occupation, would not alter the adverse impacts identified from high guest turnover, greater disturbance and insufficient car parking. I do not doubt that the appellant would manage occupancy in a responsible manner. However, conditions securing such owner control and adherence to an agreed guest management plan, whilst beneficial, would not dispel my concerns over the general unsuitability of the approved annex as non-ancillary accommodation. The same would apply to a condition seeking to prevent the annexe being sold, let, or otherwise disposed of as a separate dwelling unit, which partly contradicts the short term Airbnb use sought.
14. The appellant suggests a condition that the annex shall not be let for more than 90 nights per calendar year, unless further planning permission is obtained. Whilst this might reduce the impacts of the proposed use, I am doubtful this would be enforceable. Again, such a condition would not alter my fundamental concern over the unsuitability of the change from ancillary annex accommodation to a self-contained residential unit.
15. Finally, the appellant would accept approval for a temporary two to three year period. This would help generate the income required to offset the costs of

providing the unit and of maintaining both No 26 and the appellant's parents' home, pending its sale and their relocation to the annex. The Planning Practice Guidance advises that a temporary permission may be appropriate where a trial run is needed to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period². My view is that the change of use of the annex to a short term let is unacceptable in principle in this location and so a temporary permission is not warranted to further assess its effects. The annexe was approved in April 2024, and I am not persuaded that a further two to three years of short-term letting is justified, either to recoup costs or provide the time necessary to sell the parents' dwelling.

16. On the basis of paragraph 56 of the National Planning Policy Framework (NPPF), this is not an instance of where an otherwise unacceptable proposal could be made acceptable through the use of the conditions. Those suggested would be insufficient to overcome the harm identified. They give rise to conflict with the advice in NPPF paragraph 57 that conditions be kept to a minimum and satisfy tests of enforceability and precision, which some do not.
17. The conditions suggested, and the appellants personal circumstances, are not considerations sufficient to outweigh the harm identified. There are some wider public benefits resulting from the proposal. Those deriving from short stay accommodation reducing long-term strain on local infrastructure resulting from permanent residential use would be negligible. The NPPF supports the efficient use of land, although this proposal provides little appreciable benefit in this regard, compared to that already offered through the approved annex.
18. There would be modest economic benefits through this proposal helping to meet a strong demand for short-term lets in Milton Keynes, which is a major business and technology hub attracting professionals needing temporary accommodation. There would be similarly modest social and economic benefits in the short-term accommodation helping people relocating here who are in the process of finding a permanent home. There are benefits from such lets enhancing local tourism by accommodating visitors attending events in the area.
19. Although the proposal aligns with NPPF objectives over economic growth, efficient land use, tourism support and housing flexibility, these quite moderate benefits are insufficient to outweigh the significant degree of harm identified. Therefore, material considerations would not indicate this appeal be determined otherwise than in accordance with Plan:MK, with which there would be conflict when considered as a whole. Accordingly, I conclude the appeal should be dismissed.

Jonathan Price

INSPECTOR

²Paragraph: 014 Reference ID: 21a-014-20140306 Revision date: 06 03 2014