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## Appeal Decision

Site visit made on 6 August 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 September 2025

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**Appeal Ref: APP/Y0435/W/25/3366804**

**19 Lavender Hill, Broughton, Milton Keynes MK10 7AA**

- 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 Dr Benedict Itsuokor against the decision of Milton Keynes Council.
  - The application Ref is PLN/2025/0413.
  - The development proposed is change of use planning application from a C3 dwelling to C4 HMO.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. At the time of my site visit, I saw that the development had already taken place, and I have dealt with the appeal on that basis.

### Main Issue

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

### Reasons

4. The appeal property is a three storey building with an internal garage. It is located within a predominantly residential area and is in use as a HMO. The appeal site has no private allocated parking spaces but there are a number of unallocated spaces within the wider area that can be used by residents and visitors for parking.
5. The Council's Parking Standards Supplementary Planning Document January 2023 Development Plans and Transport Policy and Planning (Parking SPD) provides guidance on the amount of parking provided. According to the Parking SPD the appeal site is located within zone 4 which would require a six bedroom HMO to provide 4 on site parking spaces when rounded up.
6. The appellant suggests that the garage would provide one allocated parking space, however, the Parking SPD does not include garages in parking allocation due to their practicability for regular use and pressure for storage. I am also mindful of this and the inconvenience of using this space may put of future occupiers using it regularly and instead seek to park elsewhere. In any case, even if the garage was used for parking, the proposal would still not provide enough car parking spaces.

7. Lavender Hill contains some visitor parking; however, these are public and there is no restriction on their usage. This would mean that there would be no guarantee that these would be available for future occupiers to use. I am mindful of comments from neighbours and photos from the Council which indicate that the visitor spaces are well used and that on-street parking takes place throughout the day.
8. I note that the current occupiers do not use the garage for parking, because they have no need to and that bicycle parking is available and used. The site is also in a location that is close to public transport and walking distance to facilities. However, while there are options for alternative travel other than a private car, the development is not car free and while car usage may be low at the moment I must have regard for any future occupiers, all of which could have a car and would need to find space to park. This is likely to be immediately in front of the dwelling which combined with the other parking that is taking place is likely to cause an obstruction for other road users and pedestrians to the detriment of highway safety.
9. The appellant considers that the most important words I need to consider are whether the impact on highway safety would be severe. However, Paragraph 116 of the National Planning Policy Framework is clear that whether the impact would be severe needs to take into account all reasonable future scenarios. In this regard, the potential for all occupants to have their own private vehicles without sufficient parking or mitigation is likely to lead to a severe impact on highway safety.
10. I therefore conclude that the development would harm highway safety with regard to parking provision. It would conflict with Policies CT2 and CT10 of the Plan:MK 2016-2031 Adopted March 2019 which amongst other things, seek to ensure that development does not compromise highway safety and not increase additional pressure in off-street parking.

### **Other Matters**

11. The Council have found that the development is acceptable in terms of its proposed use as a HMO, Design, living conditions of future occupiers and neighbouring occupiers, waste and impact on protected species, I have no reason to conclude otherwise, however, these are neutral matters.

### **Conclusion**

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

*D Wilson*

INSPECTOR