



Appeal Decision

by G Hall BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 13/02/2025

Appeal reference: CAS-03773-N6S6C5

Site address: 6 Badgers Walk, Undy NP26 3PS

- 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 Vers (Kardinal Investments Ltd) against the decision of Monmouthshire County Council.
 - The application Ref DM/2023/01610, dated 14 November 2023, was refused by notice dated 9 July 2024.
 - The development proposed is Change of use from C3 to C4 HMO for 6 occupants.
 - A site visit was made on 14 January 2025.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposed development on highway safety with regard to parking.

Reasons

3. The appeal site consists of a detached four-bed two-storey dwelling with an integral garage and a front driveway. It is accessed via a private drive off Badgers Walk, which serves two other similarly designed and styled dwellings. Badgers Walk is set on a hill, rising upwards from the junction near St Mellons Close.
4. In order to ensure safe and easy access for road users, Policy MV1 of the Monmouthshire Local Development Plan (LDP) requires, amongst other things, that development proposals provide satisfactory levels of car parking and meet the requirements of the adopted parking standards.
5. In supporting Policy MV1, the Council's Parking Standards Supplementary Planning Guidance (SPG) allows for some flexibility in applying the standards contained within, taking into account local circumstances such as accessibility by walking and cycling and the availability and frequency of public transport. Although it does not specifically refer to House in Multiple Occupation (HMO) proposals, the SPG offers useful guidance for parking requirements, rather than strict requirements.
6. Unlike student accommodation, which is typically managed with restrictions on car ownership and located in areas with access to alternative transport arrangements, the proposed HMO would function as a shared residential property with no such controls. Its residents would have greater independence, and their transport needs and car ownership

patterns are likely to differ significantly from those of students in purpose-built accommodation.

7. I also do not agree that the proposed HMO would be comparable to a four-bedroom dwelling occupied by a single household. Six individuals living independently would be unlikely to share vehicles and journeys in the same way as a single household, which would reasonably be expected to significantly increase the demand for parking spaces compared to the existing situation. Given the similarities in terms of individual households, I consider a requirement for 6 parking spaces, as based on the SPG requirements for self-contained flats, to be appropriate.
8. While the garage's permanent retention for parking could potentially be secured through a condition, the independent nature of HMO occupancy makes it unlikely that the garage would be available for parking at all times. At times, vehicles would need to be moved to allow access to and from the garage. However, given the independent nature of the occupiers, this would not always be practical. As a result, the garage would become a less attractive parking option and may not always be available for use. I therefore consider the 3 external parking spaces proposed would be insufficient to meet the parking needs that would arise from the appeal proposal.
9. I saw few local services and limited public transport options. The nearest bus stop I observed was located on the B4245, with a round trip requiring a climb up from Manor Chase to the appeal site. The nearest train station, Severn Tunnel Junction, was over two miles away. The nearest local centre was at The Square, Magor, with a round trip of over a mile, again including a climb back up to Badgers Walk. Due to the distance and gradient involved, it is therefore reasonable to assume that future residents would rely on private vehicles for their daily needs. The appellant has highlighted two new housing developments in the area where financial contributions were sought to enhance sustainability. However, without evidence detailing the location of these schemes, the specific improvements secured, or their implementation status, I afford them limited weight.
10. I acknowledge that HMOs are often attractive to lower-income households who may be less likely to own a car. However, for the reasons outlined, I find it likely that, in this particular location, individual occupiers would rely on access to a private vehicle. As a result, there is insufficient justification for a reduction in the provision of the 6 parking spaces required to meet the needs of the proposed HMO.
11. During my mid-morning site visit, I observed a few vehicles parked on driveways and on the street, with additional roadside spaces available. I have also noted the results of the appellant's parking survey. The width and layout of the private drive on which the appeal property is situated would restrict its use for parking. Due to the narrow width of the main estate road, I observed many of the vehicles parked on the street were partially mounted on the pavement on both sides. As well as blocking the pavement, this arrangement also creates a risk of conflict between vehicles exiting driveways and those parked directly opposite, a situation further complicated by the rising gradient of the road.
12. In the absence of sufficient parking provision, car using residents and their visitors, would be required to park on-street, further obstructing the pavement, narrowing the carriageway width and hindering the free and safe flow of traffic and pedestrian safety. The increased demand for on-street parking arising from the appeal proposal would not be acceptably accommodated in the surrounding area and would result in harm to highway safety.
13. My attention has been drawn to a 2022 approval by the Council for a 6 person HMO in Chepstow. I do not have full details of this development before me, which is some

distance away from the appeal site, and it may not be directly comparable to the appeal scheme and its individual site characteristics. I have therefore determined the proposal on its own merits.

14. For the above reasons, I consider that the development would have a harmful effect on highway safety, with regard to parking, and as such is contrary to LDP Policy MV1.

Conclusion

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

16. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

G Hall

INSPECTOR