



Appeal Decision

Site visits made on 10 June 2021 and 29 June 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2021

Appeal Ref: APP/J0405/W/21/3271397

Land to the rear of 2, 3, 4 Pightle, Maids Moreton MK18 1QP

- 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 Alan Hickford of Hickford Construction against the decision of Aylesbury Vale District Council.
 - The application Ref 20/03942/APP, dated 14 November 2020, was refused by notice dated 12 March 2021.
 - The development proposed is described as 'proposed 2 no 4 bed dwellings. Site has 2 no 3 bed dwelling approved under 18/02821/app we are looking for whether no 4 bed these will get approval also'.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision notice refers to emerging Policy BE2 in the emerging Vale of Aylesbury Local Plan (eVALP). These have been subject to examination and main modifications. The Council sets out in its report to Planning Committee that that this policy carries moderate weight. I have no reason to disagree with this and have proceeded on that basis.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether or not the proposal would provide satisfactory parking arrangements without inconvenience or risk of conflict between future occupiers of the site.

Reasons

Character and appearance

4. The appeal site is an irregular shaped plot positioned to the rear of Numbers 2 and 3 The Pightle (Nos 2 and 3). It shares a long boundary with No 2 from which it is separated by a high timber close board fence. It has a long frontage to Walnut Drive at the rear, separated from the highway by a grass verge. The Pightle is a small cul-de-sac of residential development. It is characterised by

pairs of semi-detached houses positioned apart from each other in a relatively uniform layout encircling the turning head at its far end. Between Nos 2 and 3 there are views of detached properties on the far side of Walnut Drive. This spacious arrangement of development with views between properties contributes to the open character of the area.

5. The proposal would be for two detached houses positioned between The Pightle and Walnut Drive, accessed from The Pightle. The proposed houses would occupy a similar position and be of the same height to that of an approved scheme¹ for a pair of semi-detached properties at the appeal site. The proposed houses would be separated from each other by a gap, indicated to be approximately 5 metres wide. A modest gap between No 3 and the proposed houses would be retained.
6. Three parking spaces per house would be provided, one to the front and two tandem spaces to the side of each property. In comparison to the approved scheme, this parking would be less visible from The Pightle. Nevertheless, it would dominate the front of the proposed development. With one of the spaces hard up against the boundary with No 2, there would be very limited space for a front garden or landscaping to soften the appearance of the proposal.
7. The proposed houses would have a strong visual relationship with Walnut Drive due to their linear arrangement, set back but with a long frontage to this road. They would nevertheless also be visible between and close to Nos 2 and 3. In combination with the absence of landscaping to provide a visual separation from the distinctive development characteristic of The Pightle, the proposed houses would appear as a backland form of development, visually intrusive and incongruous in the context of the semi-detached houses within the cul-de-sac.
8. The appeal proposal is on a slightly larger plot than the previous scheme. The proposal would meet the Council's required minimum separation distances from the side boundaries. It would also have the same separation from the front boundary as the previous scheme. The spacing between the proposed houses would provide some enhancement on the approved scheme. However, the reduced garden space as a result of the increased size of the proposed houses and additional parking requirements would reduce this benefit. Overall, I find the scheme would appear cramped within the plot.
9. The appellant has suggested that a condition be imposed to secure appropriate landscaping to the front. However, the submitted drawings indicate that much of the front area of the site would be required for manoeuvring of vehicles as well as parking directly adjacent to the boundary fence. As such, I am not satisfied that there would be adequate space for landscaping to overcome the harms I have identified could be provided.
10. I conclude that the proposed development would harm the character and appearance of the area. It would therefore conflict with Saved Policies GP35 and GP38 of the Aylesbury Vale District Local Plan Part 1 2004 (LPP1) which require proposals to respect and complement the physical characteristics of the site and its surroundings and to include landscaping proposal to help buildings fit in with their surroundings. It would also not accord with emerging Policy BE2 of the eVALP which similarly requires new development proposals to respect and complement its surroundings.

¹ Council Ref 18/02821/APP

Parking arrangements

11. The layout of the proposed development shows six parking spaces in accordance with the Council's parking requirements. The highway authority has confirmed that the spaces are all of a satisfactory size and that a manoeuvring space is provided within the site, indicated to be in excess of 6 metres, which would enable all vehicles to safely enter and exit the site in a forward gear. The proposed parking arrangement would not therefore cause a highway safety concern.
12. The parking layout is awkward and would require considerable manoeuvring within the site. With up to eight vehicles using this space, and no separation between vehicles and pedestrians, it seems to me that there would be an increased risk of conflict to future occupiers of the site. Whilst I note that the previous scheme similarly required manoeuvring in order to park the overall number of vehicles within the site was less and the parking area was set away from the proposed houses. It does not therefore justify the proposal before me.
13. I conclude that the proposal would provide unsatisfactory parking arrangements which would both inconvenience and increase the risk of conflict between future occupiers of the site. I have found no conflict with Saved Policies GP35 and GP38 of the LPP1 or emerging Policy BE2 of the eVALP which together relate to character, appearance and landscaping and are not directly relevant to the matter before me. However, I find that the proposal would not accord with the National Planning Policy Framework which seeks developments that function well and are safe and accessible for future users.

Other Matters

14. The appeal site has been cleared. I am aware that a number of disused and derelict sheds and overgrown vegetation have been removed. This may enhance the appearance of the site. However, this benefit would also be provided by the approved scheme. I give this limited weight.
15. The appeal scheme would provide two homes in an established village. The site is described as an underused piece of land. There would be some economic and social benefits arising from the development of the site. Such benefits would be similar to the approved scheme and do not outweigh the harm arising from the appeal proposal.
16. The junction of The Pightle with Main Street is relatively narrow. The addition of two dwellings would not give rise to a material increase in vehicle movements provided a satisfactory visibility splay at this junction can be provided. The appellant has demonstrated that a satisfactory visibility splay can be achieved without recourse to third party land. The Council do not dispute this and I have no reason to disagree with this position. This is a neutral factor.

Conclusion

17. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR