



Appeal Decision

Site visit made on 13 June 2023

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 29th June 2023

Appeal Ref: APP/J0405/D/23/3319961

10 Alma Street, Aylesbury HP18 0FU

- 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 and Mrs Beck against the decision of Buckinghamshire Council.
 - The application Ref: 23/00059/APP dated 9 January 2023, was refused by notice dated 6 March 2023.
 - The application is for front roof light windows and two rear dormers.
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Decision

1. The appeal is allowed and planning permission is granted for front roof light windows and two rear dormers in accordance with application 23/00059/APP dated 9 January 2023 subject to the conditions as follows:
 - i) The development hereby permitted shall begin not later than three years from the date of this decision.
 - ii) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - iii) The development hereby permitted shall be carried out in accordance with the following approved plans: 22034 -PL02 – A dated 15 November 2022.

Main Issues

2. The main issue is the impact of the proposal upon the safe and efficient use of the highway.

Reasons

3. The appeal property is a modern mid terrace townhouse within a new development called 'Berryfields'. The development on the whole appears to have been a substantial housing and mixed use development of a large scale and adjoins other such developments nearby where there has seemingly been a deliberate attempt to invest in placemaking and good urban design.
4. As a result of these apparent endeavours Alma Street is designed with a relatively informal highway and parking design, with properties tightly enclosing the street presumably in an attempt to better reflect the local vernacular traditions. From the Appellants appeal statement I understand that

Aylesbury Vale railway station is around 500m, and local facilities are around 200m away from the property. I also understand that the area is served by bus routes, the closest stop of which is around 60m away from the property.

5. It appears to me that the quantum and location of development here would have been intentionally configured so as to minimise private car use, or at the very least to enable residents to travel without the need for a private car. The presence of local schools, playgrounds, bus stops and facilities within walking distance would be testament to this fact.
6. The proposal before me initially sought a Certificate of Lawful Development for a loft conversion including two dormer windows. This was refused by the Local Planning Authority (LPA) due to the property having the relevant Permitted Development Rights removed in the original application for the estate. Subsequently a full planning application was submitted for the same development.
7. The proposal therefore would increase the number of bedrooms from two to four with two new bedrooms being located within the roof space of the existing house. The reasons for the refusal reflect the potential inadequacy of parking that would result. This was seemingly based upon the number of spaces required for such a property with four bedrooms.
8. As alluded to above, I consider that the wider estate has many facilities within walking distance. I therefore consider that the location of the appeal property is sustainable by its nature and that, although car use will inevitably be required at times, there is every opportunity here to reduce such reliance. This appears to have been reflected by the Council's Highways consultees who raised no objection following an assessment of traffic generation, access or parking with regards this scheme.
9. I did see on my site visit that there were schools within a reasonable distance of the appeal property, but I would not term these as being necessarily close. Therefore, although there may be the potential for parking and pedestrian conflict at times, I must heed the advice from the Highway's Consultee who saw no issue in this regard. Similarly, I have no direct evidence before me of the likelihood of any harmful impact through this proposal upon highway safety.
10. Ultimately this proposal would seek to improve the living conditions of relatively long-term residents here whilst enabling them to expand their living accommodation and help sustain the local facilities necessary for a sustainable community. Although on occasion car parking may present issues, I consider that there are adequate alternatives for other on street parking options that would not prejudice highway safety or the functioning of the highway through their use.
11. As such I consider that the Policy requirements of Policy T6 of the Vale of Aylesbury Local Plan (September 2021) has been met as have the aspirations for sustainable development as contained within the National Planning Policy Framework. As such I allow the appeal.

Conclusion

12. For the reasons given above, and taking into account of all other matters raised, I allow the appeal subject to the standard conditions as set out at the head of this decision.

A Graham

INSPECTOR