



Appeal Decision

Site visit made on 1 June 2023

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th July 2023

Appeal Ref: APP/J0405/W/23/3314919

28 Glenfield Close, Aylesbury, Buckinghamshire HP21 7NE

- 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 R Banville against the decision of Aylesbury Vale District Council.
 - The application Ref 22/0208/APP, dated 8 August 2022, was refused by notice dated 14 November 2022.
 - The development proposed is conversion of a garage to habitable use, change of use of enclosed landscape area to residential garden land, demolition of front/ side wall and its replacement with timber fencing with gates to front.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site is a piece of open space on a prominent corner plot within Glenfield Close, a residential area comprising of mainly semi-detached and detached dwellings. Properties are set back from the road by driveways and front gardens. The front gardens along with open spaces in the form of grass verges adjacent to the pavement are a characteristic feature of the area cumulatively creating an open verdant feature.
4. The proposal seeks to convert a garage to a habitable use and change the use of land to residential garden, demolish a front/ side wall and replace it with timber fencing and a gate. The Council has no objection to the conversion of the garage and based on my observations on site and the evidence before me I have no reason to disagree.
5. The proposed relocation of the fence would enclose the land leading to a loss of green open character. The harmful impact would be exacerbated by the corner plot location. The appellant's willingness to plant against the fencing would do little to mitigate the harm.
6. I note the appellant's reference to a historical hedge boundary treatment and that a hedge could be planted without planning permission. Be that as it may, I consider that this fallback position would be less detrimental to the character and appearance of the area than the visual impact of the hard landscaping

proposed. Whilst the appellant says the land is at risk of littering and dog fouling, there was no evidence of this at the time of my site visit.

7. The appellant refers to examples of enclosure within the locality. I have limited details of the circumstances in which this has taken place to enable detailed comparison with the case before me. The examples are in different locations and so the circumstances will therefore differ. In any event, each case is determined on its own merits and my assessment is based on the information before me.
8. Even if the space has limited biodiversity value, the development would harm the character and appearance of the area. As such it would conflict with the part of Policy BE2 of the Vale of Aylesbury Local Plan (Local Plan) which requires new development to respect and complement the physical characteristics of the site and its surroundings. It would also conflict with the part of Policy I1 of the Local Plan which protects the loss of land to garden space where it has a useful purpose in terms of, amongst other things, its appearance.

Other Matters

9. Although the development would provide some employment during construction, the scale of the development means the benefit would be very small. I note the proposed use of sustainable materials and that the appellant is amenable to providing hedgehog holes in the fencing for ecological gain. However, this does not outweigh the harm identified.

Conclusion

10. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR