



Appeal Decision

Site visit made on 27 July 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16TH August 2024

Appeal Ref: APP/J0405/D/24/3343672

136-138 Buckingham Road, Aylesbury, Bucks HP19 9QN

- 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 Mr B Majeed against the decision of Buckinghamshire Council.
 - The application Ref is 23/03354/APP.
 - The development proposed is described as 'new dropped kerb to form access to 136 and 138 Buckingham Road with turning circle'.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal proposal on highway safety.

Reasons

3. The appeal site is close to a major traffic light-controlled junction of the A413 Buckingham Rd and Elmhurst Rd. Buckingham Rd is a primary inter-urban principal road running to and from Aylesbury town centre. It experiences a high volume of traffic throughout the day and is subject to a 30 mph speed limit within the vicinity of the appeal site.
4. There are double yellow lines and road markings on the road to the front of the appeal properties. Closer to the junction and on the same side of the road is a group of shops with a frontage parking area. There are 'keep clear' markings on the road adjacent to the access to these shops. Moreover, opposite the appeal site is a large, vacant commercial building. It has two vehicular accesses, one of which also serves an occupied commercial unit. In the event of the vacant unit being brought back into use, the use of its existing accesses would be likely to generate additional vehicle movements in the vicinity of the junction.
5. I do not doubt that frontage parking would be more convenient for the occupiers. However, the use of the proposed dropped kerb and vehicular crossing would increase the build-up of waiting traffic at the junction, particularly during busy periods of the day. Its use would obstruct and further slow traffic approaching the light-controlled junction, where the numerous road markings require close attention from drivers. Furthermore, within this context, vehicles attempting to turn west from the appeal site across two lanes of traffic with limited sightlines due to queuing traffic would be a dangerous manoeuvre

and detrimental to highway safety. Re-use of the commercial unit would further exacerbate these concerns. Within this context, I conclude that the proposed vehicle crossing would lead to conflict and interference with the free flow of traffic and would be detrimental to highway safety.

6. Some residential properties on the same side of the road have vehicle crossings. However, they are a sufficient distance away from the light-controlled junction to ensure that the adverse effects on highway safety identified above would not arise. Their existence does not justify allowing proposals that would be detrimental to highway safety.
7. Buckinghamshire's Local Transport Plan 4 seeks to prevent additional vehicle crossings where one already exists. In this case, there is an access road along the rear of the row of houses in which the appeal properties stand. It provides an access to the back gardens and a number of individual garages within them. I observed that the access is well used by local residents. The access road provides a safer access to the appeal properties, away from the traffic light-controlled junction. Contrary to the appellant's claims, the rear access is in a reasonable condition and from my observations does not preclude the use of this area to access the available off-street parking. Furthermore, there appears to be nothing to prevent an electric vehicle charging point being provided at the rear of the property.
8. In terms of other matters raised; the vehicle crossing would serve both of the appeal properties and part of their frontages would be combined. The combined area would provide sufficient turning space in order to exit and access in forward gear. I noted that both house frontages were already in use for off-street parking without a vehicular crossing being in place. There is also a wide verge to the front of the properties which provides for good visibility along the straight stretch of this road, notwithstanding that it crosses a public footpath. I have also considered the economic benefits of constructing the accesses. Nonetheless, these matters do not outweigh the harm to highway safety that I have identified.
9. For the reasons set out above and having regard to all other matters raised, I conclude that the proposal would lead to an unacceptable impact on highway safety in conflict with the National Planning Policy Framework and does not accord with the objectives of the Council's Local Transport Plan 4. Accordingly, the appeal is dismissed.

Elaine Benson

INSPECTOR