

Appeal Decision

Site visit made on 4 September 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2024

Appeal Ref: APP/J0405/W/24/3336952

4 Marlborough Road, Aylesbury, Buckinghamshire HP21 8AU

- 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 Bibi, Studio E17, against the decision of Buckinghamshire Council.
 - The application Ref is 23/02995/APP.
 - The development proposed is a new attached 2 bedroom dwelling comprising double storey with single storey rear structure.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site includes a semi-detached dwelling in a residential area. The surrounding neighbourhood is informally bound by a railway line to the west and by Churchill Avenue, a busy thoroughfare, to the south. This gives the neighbourhood a self-contained feel which, in turn, emphasises its consistent characteristics. There is a notable degree of uniformity, particularly on Marlborough Road and the adjacent Romney Road; dwellings share the same simple architectural style, and generous gaps between buildings are a prominent local feature. These gaps allow wide views of rooftops, trees, and the sky beyond, creating a pleasant, open feel to the area.
4. The boundary between the appeal site and 6 Marlborough Road is clearly marked by planting and a simple enclosure. The existing appeal property has two-storey side and single-storey front extensions which, in the context of the simple host building, are substantial. Even so, the retention of a significant gap between the extended house and the boundary with No 6 ensures that the appeal site continues to adhere to the characteristics of the area as described above, as well as giving a spacious feel to the appeal site itself.

5. The proposal comprises a new dwelling adjoining the appeal property, which would occupy much of the space between the appeal property and its side boundary. By reducing the existing gap, the proposal would significantly impinge upon existing views beyond the appeal site, eroding the current sense of openness and undermining the coherence of the local area. Whilst the proposal would replicate detailing in the existing appeal property and adhere to established ridge heights and building lines, it would be a noticeably narrower building than any of its neighbours. This would give it an incongruous appearance in the area and, given the close proximity of the proposal to the boundary, would result in an uncomfortably compressed feel.
6. Having regard to the above, the proposal would be prominent, appearing incongruous and compressed in the context of the surrounding area and the narrow plot. As such, it would harm the character and appearance of the area.
7. Planning permission exists for a new dwelling at No 6. However, the width of that approved dwelling would be consistent with local homes, and would leave a greater distance to the boundary than the appeal proposal. As such, the dwelling approved at No 6 would not have the same incongruous appearance and harmful effect on openness as the appeal proposal would. For these reasons the permission at No 6 does not justify a planning permission in this instance.
8. For the reasons set out above the proposal would give rise to significant harm to the character and appearance of the area. This would conflict with Policy BE2 of the Vale of Aylesbury Local Plan 2013-2033 (VALP) which requires, amongst other things, development proposals to respect and complement the distinctiveness and vernacular character of the locality. It would also conflict with the guidance of the Vale of Aylesbury Local Plan Design Supplementary Planning Document 2023 which seeks to promote high quality buildings that respond to their location and deliver a sense of place. In addition, it would conflict with the National Planning Policy Framework (the Framework), including paragraph 135, which requires that developments are sympathetic to local character and maintain a strong sense of place.

Other Matters

9. I recognise that the proposal would respect the amenities of neighbours and would be acceptable with regards to flooding or drainage. It would also have appropriate internal space standards and parking provision, and suitable landscaping, ecology, refuse and bike storage arrangements could be delivered. Nonetheless, these are policy expectations rather than benefits.
10. The proposal would result in a net gain of one new dwelling towards the Government's aim of increasing housing supply, in an existing residential area with very good levels of access to services, facilities, and public transport. The proposal, including electric charging points, could be built out quickly. The proposal would result in short-term economic benefits during construction, and a boost to the local economy from additional residents in the local area. It would result in a two-bedroom house, meeting a need identified in Policy H6a of the VALP. These benefits weigh in favour of the proposal.

Planning Balance

11. The Council cannot demonstrate a five-year supply of deliverable housing sites. In such circumstances, Paragraph 11(d) of the Framework is a relevant consideration. However, in my view, the adverse impacts of the proposal on the character and appearance of the area would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

12. The proposal would conflict with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

A Knight

INSPECTOR