



Appeal Decision

Site visit made on 4 March 2025

by **A Phillips MPlan, BA, CertHE and MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

Appeal Ref: APP/J0405/D/25/3359627

15 Mowbray Road, Aylesbury, Buckinghamshire HP20 2DQ

- 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 Ms Suely Ribeiro de Sousa against the decision of Buckinghamshire Council.
 - The application Ref is 24/03363/APP.
 - The development proposed is the installation of a car port.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development as set out in the planning application form includes the term 'retrospective'. As this is not an act of development, I have omitted it. During my site visit I observed that the car port had been completed.

Main Issues

3. The main issues are:
 - The effect on the character and appearance of the local area.
 - The effect of the proposed extension on the living conditions of the occupants of adjoining properties, with particular reference to outlook.

Reasons

Character and appearance

4. The property forms half of a pair of semi-detached dwellings and is link attached via its garage to 13 Mowbray Road. This form of semi-detached dwellings with setback link attached garages is the dominant style of the street, with some detached set back garages and garages in line with the front wall of dwellings. The open aspects to the dwellings and ordered building line contribute positively to the pleasant spacious residential character and appearance.
5. The development is set noticeably in front of the dwelling and is very apparent throughout the street, due to both its size and positioning. Hence, it appears as a highly prominent and obtrusive feature within the street. Harm arises because it is unsympathetic to the established pattern of development in the street.
6. The appellant asserts that the development is open and lightweight and therefore, would appear subordinate. These qualities do limit its impact, but ultimately do not overcome the primary harm arising from its size and location. In addition, the

subordinate appearance of the structure is at odds with its conspicuous position. Therefore, the development is not a high quality design that would lead to an improvement in the overall character of the street.

7. For the reasons stated above the proposal has a detrimental impact upon the character and appearance of the local area and therefore conflicts with Policy BE2 of the Vale of Aylesbury Local Plan (adopted 2021) that requires development to respect and complement its setting. The proposal also conflicts with the National Planning Policy Framework that seeks high quality design.

Outlook

8. The proposed car port is directly visible from the attached neighbour's (No.17) ground floor front window and could be discerned from the link attached (No.13) ground floor obscure window in the converted garage space. However, given the development is an open structure it will only affect a small area of the field of vision from both adjoining neighbours and therefore does not create a dominant feature to these adjacent residents. The distance to any other neighbour within the street means no other property's outlook will be detrimentally harmed. On the basis that the proposal complies with Policy BE3 of the Vale of Aylesbury Local Plan (adopted 2021), which requires development to not unreasonably harm residential amenity of existing residents. On that basis I find no conflict with the National Planning Policy Framework that seeks a high standard of amenity for existing residents.

Other Matters

9. The development would be beneficial to the appellant and her family and would be convenient for charging electric vehicles. However, the associated social, environmental and economic benefits highlighted are likely to be small given the scale of the scheme. These do not outweigh the harm to the character and appearance to the area as detailed above.
10. In making my determination, I have had regard to the neighbours who have signed to state they are not opposed to the development. However, this does not amount to a tangible benefit and so, this matter is a neutral factor.
11. The cost of the removal of the car port does not attract weight, as applying for development retrospectively should not weigh for or against the proposal.

Conclusion

12. For the reasons given above the appeal should be dismissed.

A Phillips

INSPECTOR