



Appeal Decision

Site visit made on 1 April 2025

by P Brennan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th April 2025

Appeal Ref: APP/W2845/W/24/3357198

16 Buckingham Road, Brackley NN13 7HH

- 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 Miss Emma Bryan against the decision of West Northamptonshire Council.
 - The application Ref is 2024/2248/FULL.
 - The development proposed is the conversion of garage space to form separate residential accommodation for short term rental use.
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Decision

1. The appeal is allowed, and planning permission is granted for the conversion of garage space to residential accommodation for short term rental use at 16 Buckingham Road, Brackley NN13 7HH in accordance with the terms of the application, Ref 2024/2248/FULL, and the location plan.

Preliminary Matters

2. The application form confirms that the development has been completed and I was able to see this during my site visit. I have determined the appeal on that basis.
3. The completed development has not been undertaken in accordance with the plans submitted. The converted garage space now includes a kitchen, its own heating system with boiler and no link is provided into the main property at 16 Buckingham Road. As the plans do not correspond with the development completed, I have determined the appeal based on the development undertaken and only the location plan with red line boundary is referred to in the decision above. I have also amended the description of development in the banner heading to more accurately describe the development.

Main Issues

4. The main issues are:
 - Whether the proposal would provide acceptable living conditions for the future occupiers of the dwelling with regard to internal and external space, and
 - Whether the proposal would provide sufficient off-street parking for both existing and future occupiers.

Reasons

Living conditions

5. The appeal site is a mid-terraced dwelling which from the front appears as two-storey and from the rear, is three storeys. It is located at the back of footway on Buckingham Road. To the rear, the only appreciable area of external space, is a driveway. Most occupiers of the terraced row have converted their garages to further habitable living space.
6. The existing garage door has been replaced with a front door and window. The proposal would share existing external areas and parking arrangements. The existing dwelling has no private external space and as such, none can be afforded to the new dwelling. However, this would not cause significant harm to the living conditions of future occupiers as the absence of external space is consistent with the level of provision found for the existing and neighbouring residential accommodation.
7. Whilst the accommodation, the subject of this appeal, is independently heated with its own boiler, no evidence is before me as to whether the accommodation is metered through the main dwelling. The garage has been converted to habitable accommodation comprising a shower room, kitchen, and a studio bedspace with a double bed, shelving unit, television, and sofa. A wardrobe and breakfast bar are provided as fitted furniture. Natural ventilation is provided through the new opening window. Whilst the unit is relatively small, it did not seem cramped when I visited and readily accommodates all the necessary facilities for independent day-to-day living.
8. Consequently, I find that the proposal provides acceptable living conditions for future occupiers with regard to internal and external space and does not harm the amenity of future occupiers or users of neighbouring properties. Accordingly, I find no conflict with Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 (SNLP) in regard to living conditions. This policy, among other matters, seeks high quality design that responds to, and integrates with, surrounding buildings, and reinforces local distinctiveness alongside ensuring that a good standard of amenity is provided for existing and future occupiers.

Parking

9. The appeal site is located within the settlement confines of Brackley and within walking distance of the centre, where on street parking is subject to limitations. Buckingham Road to the front of the appeal property has parking restrictions as do many of the surrounding roads. However, the access road to the rear of the appeal site is unrestricted and during my visit was freely available. Off-street parking for two vehicles is provided at the rear of the appeal property.
10. No evidence is before me that the development would lead to parking demand over and above the existing dwelling's provision, either on or off the site, or that the suggested absence of parking would lead to demonstrable harm to highway safety. The parking requirement for the new dwelling would not be significant and, may be zero, based on the close proximity of the centre. Consequently, and based on my site visit, I find the existing parking availability both on and off site to be acceptable.

11. As outlined above, the appeal site is within a short walking distance of the centre with its requisite services. Future occupants would be able to reach these on foot and, to further afield by public transport, providing them with a choice rather than reliance on a private car.
12. Accordingly, I find no conflict with Policy C2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) or Policy SS2 of the SNLP, concerning parking provision and highway safety. These policies require, among other matters, new development to maximise travel choice from non-car modes, mitigate its effects on the highway network and include a safe and suitable means of access for all people.

Other Matters

13. I note the objection from Brackley Town Council. This raises objections on grounds that I am satisfied have been adequately addressed in the main issues above.

Conditions

14. The Council have suggested three conditions that I find do not meet the relevant tests for imposing conditions outlined in the Framework.
15. The condition relating to the development proposed being ancillary is not considered necessary as I have determined that the development could be a separate dwelling without causing harm. The suggested conditions restricting the space to be used for holiday let purposes only, and for no more than a 28-day period, are considered restrictive and unnecessary. Longer term rentals in excess of 28 days may have less impact on the adjacent neighbours than a number of short-term holiday lets. The Council's reasoning for the suggested conditions is also questioned as the proposed development is not for a new dwelling in the open countryside.
16. As the development has already taken place, it is not necessary to impose a commencement of development condition, approved plans, or a submission of materials condition.

Conclusion

17. For the reasons given above, I conclude that the proposal would comply with the development plan as a whole and there are no material considerations, including the Framework, which indicate that the development should be determined otherwise than in accordance with it. As such, the appeal should be allowed.

P Brennan

INSPECTOR