



Appeal Decision

Site visit made on 18 November 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 December 2025

Appeal Ref: APP/J0405/W/25/3363464

Stratstone, Buckingham Road, Aylesbury, Buckingham HP19 9QH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Lidl Great Britain Limited against the decision of Buckinghamshire Council.
- The application Ref is 24/03005/VRC.
- The application sought planning permission for demolition of existing buildings and erection of Class E discount foodstore with associated car parking, landscaping, engineering and drainage works without complying with a condition attached to planning permission Ref 24/01356/VRC dated 7 August 2024.
- The condition in dispute is No 11 which states that:
Notwithstanding the details submitted with the application, prior to the commencement of the development hereby permitted, other than demolition, an Off-site Highway Improvement Plan shall be submitted to and approved in writing by the Local Planning Authority. The Improvement Plan shall include, but not be limited to, the following:
 1. Relocation of the existing pedestrian refuge on Weedon Road, east of Cromwell Avenue, to a location approximately 40m westwards. Associated alterations will also be made where necessary to white lining and SCOOT loops associated with the Horse & Jockey junction.
 2. Provision of a 3m wide footway / cycleway on the western side of Buckingham Road for the entire length between the Toucan crossing at the Horse & Jockey junction northwards to where the existing footway cycleway currently terminates. This will include advanced give way markings for vehicles to provide priority to the new footway /cycleway across the Horse and Jockey Car park.
 3. Provision of a 3m wide footway / cycleway on the eastern side of Buckingham Road for the entire length between the Toucan crossing at the Horse & Jockey junction southwards to the proposed southern store access. This will include junction treatment in the form of raised priority to the new footway /cycleway, in line with guidance provided in LTN1/20 for the two site access road junctions.
 4. Provision of a 3m wide footway / cycleway on the northern side of Weedon Road for the entire length between the Horse & Jockey junction and the existing footway / cycleway west of Holman Street. This will include junction treatment in the form of raised priority to the new footway /cycleway, in line with guidance provided in LTN1/20 for the access to garages on Weedon Road, approximately 50m west of the Horse and Jockey Junction, for the junction with Meadowcroft and the junction with Holman Street.*The Off-site Highway Improvement Plan shall thereafter be completed in accordance with the approved details, prior to the development being brought into public use and thereafter retained as approved.*
- The reason given for the condition is:
In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to accord with policies T4 and T5 of the Vale of Aylesbury Local Plan and with the NPPF.

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Lidl Great Britain Limited against Buckinghamshire Council. This application is the subject of a separate Decision.

Preliminary Matters

3. I have amended the description of the original act of development, given in the application form, in the banner heading above to omit superfluous text that is not a description of development.
4. Reference is made to Policy S7 of the Vale of Aylesbury Local Plan (2013-2033) (VALP) within the reason for refusal in the Council's Decision Notice. Both parties agree that this was in error and should have instead stated VALP Policy T7. On the basis of the evidence before me, I am satisfied that VALP Policy T7, rather than Policy S7, is the relevant policy in the determination of this appeal.

Background and Main Issue

5. Planning permission¹ was granted in 2024 for the development described in the banner heading above. This included condition No. 11 which required an off-site Highway Improvement Plan to be submitted prior to the commencement of the development, excluding demolition. This condition has 4 key parts, the fourth of which is the subject of this appeal.
6. The appellant seeks to vary condition 11 to require compliance with the submitted off-site Highway Improvement Plan in terms of parts 1, 2 and 3. It also seeks to remove part 4, which specifically relates to the provision of a 3m wide footpath/cycleway (cycleway) to the northern side of Weedon Road, between the Horse and Jockey junction, and Holman Street.
7. In refusing to vary condition 11, the Council did not object to matters relating to parts 1, 2, and 3, but concluded that the works under part 4 were essential for the development to successfully provide for and encourage the use of sustainable forms of transport.
8. Accordingly, the main issue is whether part 4 of the condition is necessary, relevant and reasonable in the interests of promoting sustainable transport.

Reasons

Whether cycling would be promoted

9. Located to the north of Aylesbury town centre, the appeal site is positioned at the junction between Buckingham Road, Weedon Road and Elmhurst Road, known as the Horse and Jockey junction (H&JJ). Prior to demolition, the site was occupied by a car showroom and workshop. It is located in a mixed-use area with a cluster of commercial uses around the H&JJ, with surrounding residential areas. Buckingham Road, Weedon Road and Elmhurst Road are all identified as a strategic route or main distributor within the Council's 'Freight Strategy'.
10. When utilising the TRICS review and the database for all of the appellant's food stores, there is broad agreement between the parties on the number and distribution of cycle trips to and from the proposed food store. Moreover, there is

¹ Planning Permission Ref: 24/01356/VRC

no dispute that the identified peak hours coincide with activities associated with the movements of the secondary school on Weedon Road and thereby additional cycle trips may not be new but a diversion to the store. The appellant argues that there would be no prospect of any material uplift in single purpose cycling trips as a result of the proposed food store. Nevertheless, this only reflects anticipated movements based on existing levels and data, and not any uplift as a result of the implementation of measures that successfully promote cycling within the context of this particular food store.

11. I saw that the length of Weedon Road subject to part 4 of condition 11 carries the volume of traffic, including heavy goods vehicles, to be expected on a road of this status. Though ground levels are generally flat, I saw the provision of narrow lanes where there were right turning lanes and stretches of hatched markings, as well as on-street parking bays running parallel to Weedon Road. All these factors create a crowded road environment that would be uninviting for all but the most competent of cyclists. Consequently, I found that the existing cycle access along this section of Weedon Road to be inadequate and would deter many people from choosing to cycle to the food store. I note the submission of data relating to road traffic accidents in the wider area. However, this has not been a determinative factor in this case.
12. There are no dedicated cycleways at the H&JJ nor along Buckingham Road or Elmhurst Road to the south and east of the junction respectively. To the north of the H&JJ, on the eastern side of Buckingham Road, there is an existing cycleway that continues in a northerly direction. Under part 3 of condition 11, a new cycleway would be provided between this and the H&JJ. Consequently, this would provide, with other off-site highway works around the H&JJ, a cycle route between the proposed food store and the modern housing developments to the north. Such a dedicated provision would promote cycling beyond this existing cycleway and the proposed food store.
13. An existing cycleway runs along approximately half the length of the northern side of Weedon Road between Holman Road, adjacent to the secondary school, and Bicester Road to the west, where it appears to join other cycle routes. The cycleway required by part 4 of condition 11 would connect this existing cycleway on Weedon Road with the H&JJ and the food store. Weedon Road is the primary road to the west of the appeal site and represents the most direct route for much of the residential areas accessed off it to the proposed food store. Other routes will undoubtedly exist, but these have not been presented to me to enable a comparison. Providing a dedicated cycle route, linking with others, and in such proximity to adjacent residential areas, would promote cycling to and from the food store by making journeys more accessible and attractive.
14. Whilst there are some existing services and facilities in and around the H&JJ, the introduction of a food store of this nature and size would inevitably generate new journeys, including those by cycling, to the appeal site from its catchment area, particularly compared to its previous use.
15. I am in no doubt that the food store would attract a significant number of visitors by private car to undertake bulk food shopping. However, due to the site's proximity to adjacent residential areas that are a cyclable distance, there would be a noticeable proportion of non-bulk food shopping visits that could be feasibly undertaken without the need of the private car to transport the shopping. The provision of a

cycleway along Weedon Road that would be well placed to serve residential areas and connected to other cycleways, linking to the food store would further promote the use of cycling to visit the store under such circumstances, thereby reducing reliance on private car trips.

16. Therefore, on the basis of the evidence before me and from my own observations, I am satisfied that the provision of a dedicated cycleway, separate from the main carriageway, along this stretch of Weedon Road would promote cycling and result in an increase in cycle trips to the site compared to if the cycleway was not provided.

Whether necessary, relevant and reasonable

17. Concerns relating to the wording of part 4 of condition 11 being onerous to achieve cost effectively have not been substantiated with specific costings relating to a detailed design of the cycleway. Although some details of street trees and furniture that may impact upon the 3m width of the cycleway have been presented, I saw between the school and Bicester Road an example of a localised reduction in an existing cycleway's width due to the positioning of a speed camera. I note the comments from both parties on this issue, and I am persuaded that the Council would take a similarly reasonable and pragmatic approach to comparable scenarios. Moreover, there is nothing before me to indicate that the existence of footway crossings, the potential disruption to residents, the liaison with statutory undertakers and the need for traffic management would be unreasonably onerous or inhibit the cycleway's implementation.
18. The required cycleway along Weedon Road is of a significantly greater distance than that required to the north of the H&JJ. In the context though of its position to the adjacent residential areas, the H&JJ and the appeal site it is not excessive. Moreover, it is both reasonable and logical to link the upgrades with existing similar dedicated cycle routes, as it would be highly likely to achieve a far greater success in promoting sustainable transport than providing a length of cycleway elsewhere in isolation. Not including this cycleway would be to remove a key aspect of the off-site highway improvements that would promote sustainable transport to a large part of the identified catchment of the store.
19. One of the main policy objectives of the Aylesbury Garden Town Local Cycling and Walking Infrastructure Plan (LCWIP) is to see significant increases in the levels of walking and cycling. The LCWIP sets out long-term plans to identify cycling, walking and wheeling improvements. Weedon Road forms part of the cycle network. Nevertheless, there is no convincing argument before me that the requirement of part 4 of condition 11 is being sought for the sole purpose to fill a gap in the existing cycling infrastructure.
20. It has been raised that the development of a nearby food store did not need to provide the same length as cycleway as required under part 4 of condition 11 and that the reopening of the school on Weedon Road did not seek the implementation of any cycleway works. In response, the Council has identified that the food store scheme implemented other benefits, and the reopened school was at a lower capacity than its predecessor, thereby generating a lower level of traffic movement. In either case, there is limited information before me to establish if circumstances are comparable to the appeal proposal. As such, a comparison is of

limited relevance in this instance. I have therefore considered the appeal before me on its individual planning merits.

21. There would be no significant impacts from the development on the transport network or on highway safety. Paragraph 116 of the National Planning Policy Framework (the Framework) advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios. Paragraph 117 is also clear that, within this context, priority should first be given to pedestrian and cycle movements, both within the scheme and with neighbouring areas, as well as minimise the scope for conflict between pedestrians, cyclists and vehicles. The provision of a cycleway along the identified stretch of Weedon Road would achieve this objective.
22. The original reason for condition 11 relates to VALP Policies T4 and T5, which relate to the capacity of the transport network and delivering transport in new development. Based on the evidence before me, including the consultation responses from the Council's highways advisor, VALP Policies S1 and T7 were considered when the requirements of the off-site highway improvement plan were sought.
23. For the above reasons I have found that part 4 of condition 11 is necessary, relevant and reasonable in the interests of promoting sustainable transport. Accordingly, there is no conflict with VALP Policies S1 and T7, which require, amongst other things, developments to contribute positively to meeting the vision of and strategic objectives for Aylesbury Vale, including new or improved cycle access and facilities where necessary to reduce the need to travel by car and maximise sustainable transport use. Moreover, it seeks that networks of cycle routes are provided to give easy access into and through developments and to adjacent areas. It is also not contrary to the Framework that seeks to offer genuine choices of transport modes, to identify and pursue opportunities to promote cycling as well as provide for attractive and well-designed cycling networks, which draws on Local Cycling and Walking Infrastructure Plans.

Conclusion

24. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Barton

INSPECTOR