

Appeal Decision

Site visit made on 18 October 2016

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 October 2016

Appeal Ref: APP/J0350/W/16/3150400
34 Newton Close, Slough SL3 8DD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr D Sidhu against the decision of Slough Borough Council.
 - The application Ref P/02879/003, dated 2 February 2016, was refused by notice dated 12 April 2016.
 - The development proposed is the erection of a detached dwelling house and associated parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Though the planning application form gives the date of the application as 3 February 2015, this appears to be a typing error. I have taken the date in the banner heading above from the appellant's appeal form which is the same as that given by the Council in its decision notice.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The site for the proposed development is presently occupied by two residential garages between the back gardens of Nos 32 and 34 Newton Close, a street which contains predominantly 2-storey, semi-detached houses and where pairs of garages are located behind and between the free sides of the pairs of houses. This distinctive arrangement relegates the more utilitarian and ancillary structures of the garages in the hierarchy of the street scene, giving more prominence to the landscape in front of and between the pairs of houses.
 5. The Council is concerned that the development would appear cramped and at odds with the pattern of development in the area, resulting in an excess of hard surfacing, which would detract from the character of open grass verges and traditional front gardens in the street scene.
 6. The development of a house in the back gardens of houses fronting the street which has a generally continuous and forward frontage line would conflict with that pattern of development. Harm would arise from its conflict with the distinctive, ordered character and appearance of development in the street,
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where the structures located to the rear of the houses are ancillary and suggest a relationship to the houses in whose gardens they stand. While the proposed house would not appear cramped within its allocated plot and while I note its set-back from the street, the breadth of its elevation in relation to the gap between Nos 32 and 34 would result in an enclosing effect on the character of the street scene. I have taken account of the degree of enclosure provided by the existing garages and fencing, however, there is a distinction between a garage and a house, especially in terms of level of activity, signs of occupation, and comings and goings which bear on character.

7. The area of ground between Nos 32 and 34 is already hard surfaced. I appreciate that the area of hard surface may be increased as a result of the development, however, given its set-back from the street, the ground surface would not harm the appearance of the street scene or the character contributed by the front gardens of the surrounding houses, many of which have already been given over to car-parking. With suitable detailing and materials the impact in terms of the surfacing treatment need not result in a materially greater impact than the present arrangement. In this respect I see no conflict with Core Policies CP7 and CP8 of the Slough Core Strategy 2008 (CS) regarding parking being appropriate to its location and its design respecting its surroundings, and as reflected in Policies EN1, HE13, and T2 of the Local Plan for Slough 2004 (LP).
8. I acknowledge that the proposed house would be modest in footprint and only one storey in height. This would reduce the effect of its presence, but it would not outweigh its incompatibility in this location with regard to the character of the surrounding pattern of development, and the distinctive, visual hierarchy of buildings in the street scene, in terms of both use, and siting.
9. I note the appellant's argument that the erection of outbuildings under permitted development would be more harmful than the proposal in this case. However, the scheme referred to does not provide a separate dwelling, nor does it increase the access in this corner. The outbuildings would be separated by a substantial gap, and their ridges would be around 800mm lower than the ridge in this proposal. I do not therefore consider the fall-back position to have a more harmful impact on the character and appearance of the area than the appeal proposal.
10. For the reasons given above, I conclude that the proposed development would cause harm to the character and appearance of the area. While it would accord with the detailed criteria for backland development in LP Policy H13 and I see little relevance to the Council's reference to Policy H15 which concerns residential extensions, it would be in conflict with CS Core Policy 8 and LP Policy EN1. These seek, amongst other things, development of a high standard of design that respects its location and is compatible with its surroundings in terms of siting and its relationship to nearby properties.
11. The proposal does not adequately address the environmental role of sustainable development as set out in the Framework, and would conflict with its advice which suggests that development should respond to local character¹. It would be at odds with the guidance in the Planning Practice Guidance² which advises that development should seek to promote character in townscape and

¹ National Planning Policy Framework 2012, paragraphs 7 & 58

² Planning Practice Guidance, DCLG 2014 as amended, paragraph 007, ID 26-007-20140306

landscape by responding to and reinforcing locally distinctive patterns of development.

Conclusion

12. While the proposed development would provide a modest benefit of one additional house to local housing supply, this would be outweighed by the harm it would cause to the character and appearance of the area, which would be in clear conflict with the development plan as a whole. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR