



Appeal Decisions

Site visit made on 3 July 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 13 July 2017

Appeal A Ref: APP/T0355/W/17/3172618

Dog and Partridge, Upper Village Road, Ascot SL5 7AQ.

- 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 Tomasz Szymkowicz against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/03771, dated 23 November 2016, was refused by notice dated 13 February 2017.
 - The development proposed is the siting of a storage container in car park. Retrospective.
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Appeal B Ref: APP/T0355/W/17/3170547

Dog and Partridge, Upper Village Road, Ascot SL5 7AQ.

- 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 Tomasz Szymkowicz against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/03784, dated 23 November 2016, was refused by notice dated 10 February 2017.
 - The development proposed is the siting of a caravan for occupation by family members. Retrospective.
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Decisions

1. Appeal A is allowed and planning permission is granted for the siting of a storage container in car park at the Dog and Partridge, Upper Village Road, Ascot SL5 7AQ in accordance with the terms of the application, Ref 16/03771, dated 23 November 2016 and the plans submitted with it.
2. Appeal B is allowed and planning permission is granted for the siting of a caravan for occupation by family members at the Dog and Partridge, Upper Village Road, Ascot SL5 7AQ in accordance with the terms of the application, Ref 16/03784, dated 23 November 2016, and the plans submitted with it.

Preliminary Matters

3. I have taken both descriptions of development from the Decision Notices as these are more succinct than the versions provided by the appellant on the Application and Appeal Forms.
4. As set out above there are two separate appeals which relate to development that has already been carried out to the rear of the Dog and Partridge Public House. Both applications were refused by the Council for identical reasons and

therefore whilst I have considered both appeals on their individual merits, as they raise similar issues I have dealt with them in a single decision letter.

Main Issues

5. In both appeals the main issues are the effect of the development on, firstly, levels of on-street parking and, secondly, the character and appearance of the area.

Reasons

On-street parking

6. The storage container and caravan are sited in a pub car park which is located within a wider, high density, residential area. Upper Village Road is a well trafficked through road linking the B3020 via Oriental Road to Truss Hill Road. It serves residential properties along much of its length many of which lack modern standards of off-street parking and internal turning. Consequently, on-street parking and the manoeuvring of vehicles in the highway are inherent features of the road.
7. Whilst the caravan and container have taken away space that would otherwise of been available for the parking and manoeuvring of cars in the car park they have not taken away much and by any reasonable estimation the number of lost parking spaces is small. The Highway Officer states that vehicles now have to reverse out onto Upper Village Road. However, when I visited the site I was able to turn my car within the site and exit in a forward gear. I accept that on occasion when the car park is at or near to capacity a reversing manoeuvre might be necessary. Nonetheless, I suspect this would have been the case prior to the caravan and container being placed on the land. Indeed there is nothing from the Council by way of turning analyses or swept paths to demonstrate how these areas were critical to the successful operation of the car park.
8. Even if I were to accept the Council point about reversing, there is no evidence before me to demonstrate that this poses anything other than a theoretical risk to road safety. Although visibility at the access is restricted, traffic speeds past the site frontage are suppressed by parked cars and the width of the road. Moreover, I noted that occupiers of several properties in the immediate area have to reverse to/from small frontage parking areas often with limited visibility. It therefore strikes me that reversing to/from the highway is fairly commonplace along Upper Village Road and given that no accident records have been submitted I cannot be sure that it causes a road safety problem in practice. I have noted concerns about pedestrian safety but as the footway is located on the opposite side of the road, it seems unlikely that pedestrians would be walking in any numbers past the site access.
9. I accept that the existing car park is substandard both in terms of its size and layout. However notwithstanding that that would be the case with or without the development, the site is located within a residential area where it is not unreasonable to assume that a significant number of patrons travel by foot.
10. Finally, the Council argues that the loss of spaces within the car park has led to overspill parking taking place on the surrounding streets thus creating additional hazards. However, the developments are retrospective and again no evidence by way of parking surveys or accident records have been adduced to

support the Council's position. Given the prevalence of on-street parking in the area I am not persuaded that the short-term parking of 1 or perhaps 2 additional vehicles on Upper Village Road, most likely outside peak traffic hours, has materially increased the level of obstruction.

11. Taking all these considerations into account, I consider that the container and caravan either individually or collectively do not have a significant effect on levels of on-street parking or road safety more generally. I therefore conclude that there is no conflict with Policies DG1 and P4 of the "*Royal Borough of Windsor and Maidenhead Local Plan 2003*" (the LP) or Policy NP/T1.2 of the "*Ascot, Sunninghill & Sunningdale Neighbourhood Plan 2011-2026*" (the NP). These seek, where possible, adequate on-site parking in accordance with adopted standards.

Character and appearance

12. Both developments occupy a back land location to the rear of the car park. The caravan is sited discreetly in the north-west corner of the site behind an existing rear extension. It is enclosed by a high timber fence with only the uppermost portion of the roof visible in views from the car park. There is limited visual exposure of the caravan outside the boundaries of the site. Even if the caravan was sited prominently as claimed by the Council, this is a built-up residential area where it is not unusual for caravans to be parked on residential driveways.
13. I accept that the storage container is visible in public views from Upper Village Road but not in a manner that could reasonably be described as harmful to the street scene. It is only readily apparent from a very short stretch of the road in the immediate vicinity of the access. As its green finish closely matches the colour of the mature landscaping behind it does not stand out or draw the eye and parked cars tend to obstruct views from the road. I accept that the container's industrial appearance is somewhat at odds with its residential surroundings. However, its immediate context is a pub car park where a degree of outdoor storage would be expected.
14. Based on the foregoing, I am satisfied that neither the container nor caravan cause unacceptable harm to the character and appearance of the area. There is thus no conflict with Policies DG1 and H11 of the LP or Policies NP/DG1 and NP/DG2 of the NP. Amongst other things, these seek high quality development that is compatible in terms of scale with its surroundings.

Conclusion

15. For the above reasons, and having regard to all other matters raised, I conclude that the proposals are acceptable and the appeals should succeed. The Council has not suggested any conditions nor do I consider it necessary to impose any in this instance.

D. M. Young

Inspector